

# Osseo City Council Meeting AGENDA 

## REGULAR MEETING

Monday, December 9, 2019
7:00 p.m., Council Chamber

## MAYOR: DUANE POPPE COUNCILMEMBERS: JULIANA HULTSTROM, HAROLD E. JOHNSON, MARK SCHULZ, LARRY STELMACH

## 1. Call to Order

2. Roll Call [quorum is 3]
3. Pledge of Allegiance
4. Approval of Agenda [requires unanimous additions]
5. Consent Agenda [requires unanimous approval]
A. Receive October Fire Relief Association Gambling Report
B. Approve Council Work Session Minutes of November 25
C. Approve Council Minutes of November 25
D. Receive November Building Report
E. Receive October Lions Club Gambling Report
F. Approve Hire of David \& Roseanna Garibaldi for Seasonal Street Beautification
G. Approve Renewal of Pawn License for Osseo Pawn
H. Approve Agreement with Minute Maker Secretarial for 2020 Meetings
I. Approve WSB Rate Schedule for 2020
J. Approve 2020 Schedule of Meetings for City Council, EDA \& Planning Commission
K. Approve 2020 Pay Increases for City Staff
L. Approve Gateway Sign Fee Waiver for Osseo Hoopsters
M. Accept Resignation of Part Time Police Officer Charles Cudd
N. Approve Hire of Rink Attendants
O. Receive October Fire Report
6. Matters from the Floor
7. Special Business
A. Thank you to 2019 Volunteers
B. Accept Donations (Resolution)
8. Public Hearing
A. Continued 2020 Truth in Taxation Public Hearing
9. Old Business
10. New Business
A. Approve EDA Actions of December 9, 2019
B. Discuss Amendments to Zoning Ordinance
C. Adopt 2020 City Budget and Tax Levy (Resolution)
D. Approve Hire of David Johnson for Full Time Police Officer
E. CLOSED SESSION - Discuss Annual Performance Evaluation of City Administrator
F. Approve Amended Employment Agreement for City Administrator
G. Approve Accounts Payable

The City of Osseo's mission is to provide high-quality public services in a cost-effective, responsible, innovative, and professional manner given changing needs and available resources.
11. Administrator Report
12. Council and Attorney Reports
13. Announcements

Snow Emergency Information
Commission Members Needed
City Hall Closed December 24 \& 25 (Christmas holiday) City Hall Closed December 31 \& January 1 (New Year's holiday)
14. Adjournment

The City of Osseo's mission is to provide high-quality public services in a cost-effective, responsible, innovative, and professional manner given changing needs and available resources.

Osseo Fire Department Relief Association
Charitable Gambling Operations
Minnesota Lawful Gambling License \# 01851
415 Central Ave
Osseo, MN 55369

## Osseo Fire Department Relief Association Charitable Gambling Report to the City of Osseo

1. Report for the month of October 2019
2. For the conduct of the following types of lawful gambling (as checked):

| Pull-Tabs | 58 deals |
| :--- | :--- |
| Paddlewheel | 70 deals |
| Electronic Pull-Tabs | 31 occasions |
| Electronic Linked Bingo | 31 occasions |
| Sports-Themed Tipboards | 5 deals |

3. Receipts

| Gross Receipts (G1 11A) | \$447,551.35 |  |
| :---: | :---: | :---: |
| Less Prizes Paid (G1 11B) | - \$393,649.06 |  |
| Net Receipts | \$53,902.29 $\rightarrow$ | \$53,902.29 |

4. Expenses

Wagering Tax (tax on Schedule C) \$13,752.77
Rent (G1A 18) \$5,277.33
Gambling Product Costs (G1A 12) \$3,640.75
Electronic Pull-Tab Costs (G1A 19-20) \$7,762.69
Compensation \& Payroll (G1A 13) $\$ 8,663.67$
Other (G1A 14-17,21-23)
(accounting, supplies, etc.) $+\$ 159.78$
Total Expenses ....................................... \$39,256.9
$\rightarrow \quad-\$ 39,256.99$
5. Profit
\$14,645.30
6. Distribution of Profits (Lawful Purpose Expenditures):
[ none this month ]

Signed:


## OSSEO CITY COUNCIL WORK SESSION MINUTES November 25, 2019

## 1. CALL TO ORDER

Mayor Duane Poppe called the work session of the Osseo City Council to order at 6:00 p.m. on Monday, November 25, 2019.
2. ROLL CALL

Members present: Councilmembers Juliana Hultstrom, Harold E. Johnson, Mark Schulz, Larry Stelmach, and Mayor Duane Poppe.

Members absent: None.

Staff present: City Administrator Riley Grams, Financial Consultant Gary Groen, Finance Officer April Weller, and City Planner Nancy Abts.

Others present: James Kelly and Preston Kroska.
3. AGENDA

Council agreed to discuss the work session items.

## 4. DISCUSSION ITEMS

## A. FINAL 2020 CITY BUDGET

City Administrator Riley Grams stated this is an added budget work session meeting to provide Councilmembers with a final review of the draft budget before the final Council meeting of the year where the final budget is usually approved. Staff has worked hard to pare down the budget over the last ten weeks with the help of the Budget and Finance Committee. Staff stated the 2020 Budget Information and Impacts outlines the overall differences between the preliminary budget (approved by Council on September 23) and the budget in its current form. Staff has removed $\$ 65,000$ from expenditures, added $\$ 43,000$ to revenue, and reduced the debt service levy by $\$ 100,000$. The net effect is a grand total of about $\$ 208,000$ less that the City will be asking from property owners when compared to the initial preliminary budget. These changes also mean that for the seventh straight year the City has lowered the tax capacity rate (down to 59.43\%). Staff reviewed the 2020 budget in further detail noting the City was requesting a $2.97 \%$ levy increase and requested comments or questions.

Financial Consultant Gary Groen commented on the County tax statement and discussed how the proposed budget and tax levy would impact the homeowners in Osseo. He noted the statements that were sent out in September reflected the preliminary tax levy. He explained the Council has since worked to slightly reduce the levy which meant taxes would be lower than projected.

Schulz requested further information on the proposed changes to the Cable Fund. Grams explained he was preparing for a reduction in franchise fees as residents move away from cable subscriptions. He stated he was not confident money would always be coming into the Cable Fund.

Schulz recommended the City refer to the Cable Fund as an IT Fund. He commented on the General Fund Reserve requirements noting the City typically had a balance of $45 \%$. He questioned if it was wise to bump this requirement up to $48 \%$.

Stelmach supported this recommendation.
Johnson indicated he would like the reserve requirement to remain in the high 40's.
Schulz stated he was proud of the work the City was doing to address its debt service. He requested further information on the fiscal disparities pool. Groen reviewed the contributions the City makes and receives to the fiscal disparities pool.

Schulz asked why the Public Works portion of the budget had increased. Grams reported this was due to salary, health insurance, and snow management increases.

Schulz pointed out that the administrative portion of the budget accounted for $12.8 \%$ of the budget, planning and zoning was $3.6 \%$, fire was $5 \%$, and police was $36 \%$ of the City's total budget. He believed that with police and fire at $41 \%$ this was still lower than what most cities spend for public safety services.

Stelmach recommended the City not increase its reserve requirement from $45 \%$ to $48 \%$. He stated this would put an undue burden on taxpayers that was not necessary.

Johnson indicated he opposed this recommendation given the fact monies have already been shifted that would not be available to the City in order to keep the budget and levy down. He stated he feared the City may run into a problem if it reduced the reserve requirement to $45 \%$ come May or June of 2020. He supported the reserve requirement be increased to $48 \%$.

Hultstrom asked if the County paid the City equally (50/50) with the property tax payments. Groen reported this was the case.

Stelmach questioned what risk the City was at by reducing the reserve requirement from $48 \%$ to $45 \%$. Grams stated he did not believe the City would be at any risk. Groen reported the City collected $90 \%$ of its income in the first six months of the year and the remaining $10 \%$ was collected through the remainder of the year.

Johnson noted the City would have a better bond rating if it kept its reserve requirement close to $50 \%$ than $45 \%$.

Stelmach indicated the City's bond rating was very healthy at this time with the reserve requirement closer to 45\%.

Hultstrom asked if the Central Avenue street/sidewalk improvements had been included in the proposed budget. Grams reported this expense was included.

Schulz questioned if crack filling occurred in 2019. Grams reported after evaluating the streets this spring crack filling did not occur in 2019. He stated staff would evaluate the streets again in the spring of 2020 to see if crack filling was necessary in the City.

Poppe commented he was not excited about spending extra money. He recommended the City not use the general fund to offset expenses.

Hultstrom agreed with this recommendation.
Johnson questioned who would complete the spring planting. Grams stated he was uncertain at this time.

Johnson asked if City Hall was assessed for hail damage. Grams reported the roof was examined and only superficial damage was found.

Hultstrom commented she could pay for her own meals at the meetings she attends and noted she pays her own mileage. She noted the City does have funding set aside for training and education. She recommended this amount not be reduced to $\$ 2,000$. She feared this amount was too low. She reported she plans to attend the League of Minnesota Cities Conference again this year and wanted the expense to be funded by the City.

Stelmach stated he did not recall the City paying for memberships for Councilmembers. Grams stated this would be covered by training and education.

Council consensus was to leave the training and education amount at $\$ 2,000$.
Grams thanked the Council for the discussion that was held on the 2020 budget.

## B. 2020 CAPITAL IMPROVEMENT PLAN

Groen stated each year staff meets to discuss the departmental needs, focusing on equipment, City owned facilities, and City streets. The Administrator, along with the Finance Staff members, meet individually with each department head to update the various capital needs in order to efficiently and effectively manage the City. The result of those meetings is then updated in the City's Capital Improvement Plan and reviewed by the City Council at a work session meeting and approved at a future Council meeting.

Groen encouraged the Council to keep in mind that all the items in these worksheets are not set in stone. The idea with CIP documents is to put anything and everything into the plan, so that we can properly budget for their purchase. By including these items in the worksheets, the Council is not committing itself to purchasing these items. Staff will still come to the City Council for approval of each of these items when the time comes.

Groen reported the Capital Equipment Fund finances all City capital equipment needs, most notably from the Police, Fire, and Public Works Departments. Each department head provided input into their department equipment needs, when the equipment should be purchased, and how much it is expected to cost. We use an annual 2\% inflation factor to project the cost of equipment in the future. It was noted the Capital

Facilities Fund shows all the costs to maintain our City buildings. The bond payments for the Police addition is listed on this worksheet. The Capital Parks Fund shows all the costs associated with our Parks system. We are continuing to budget for the eventual purchase of the fourth single family home on the Boerboom Park block.

Groen stated the Capital Cable Fund is financed 100\% through the quarterly payments from the local Cable Commission, which is a result of the number of Osseo cable subscribers. No other City funds help finance this Fund. He noted all the Police squad cameras and computers come out of this fund, as well as any piece of tech equipment (staff computers, radios, server, etc.). Replacement of tech equipment items is incorporated into this plan. Lastly, he stated the City transfers $\$ 10,000$ annually to the General Fund to help offset our monthly IT Consultant costs.

Groen reported the Capital Streets Fund shows all the costs associated with the annual street and alley projects, as well as ongoing street maintenance. Currently, we are showing a few more years of our planned overhaul of City streets and alleys, but the utility costs for those remaining projects are coming from the water, sewer, and storm sewer funds. He noted they have offsetting amounts, so that it shows what we are expecting to pay in utility costs on those street projects, but that the financing will come from the utility funds themselves.

Schulz commented on the changing purpose of the Cable Fund and suggested this fund be renamed to more closely reflect its changing function and IT purpose. He stated he did not want to make any changes to the CIP at this time, but recommended the Council further discuss the purpose of saving for the future.

## 5. ADJOURNMENT

The Work Session adjourned at 6:55 p.m.

Respectfully submitted,
Heidi Guenther
TimeSaver Off Site Secretarial, Inc.

## OSSEO CITY COUNCIL REGULAR MEETING MINUTES

## November 25, 2019

## 1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:00 p.m. on Monday, November 25, 2019.
2. ROLL CALL

Members present: Councilmembers Juliana Hultstrom, Harold E. Johnson, Mark Schulz, Larry Stelmach, and Mayor Duane Poppe.

Staff present: City Administrator Riley Grams, City Planner Nancy Abts, Police Chief Shane Mikkelson, Public Works Director Nick Waldbillig, City Accountant April Weller, and City Attorney Mary Tietjen.

Others present: Jessica Cook, Rebecca Kurtz, Gary Groen, Lee Gustafson, Emily Lueth, Nick Preisler, James Kelly, Pete Sipe, Dave Aanerud, Andrew Sandahl, Preston Kroska, Mike Panchyshyn, Brent Maves, Steve Mastrian, and Randy Dalluge.
3. PLEDGE OF ALLEGIANCE

Poppe led the Pledge of Allegiance.
4. APPROVAL OF AGENDA [Additions - Deletions]

Poppe asked for additions or deletions to the Agenda.

## A motion was made by Schulz, seconded by Hultstrom, to accept the Agenda as presented. The motion carried 5-0.

5. CONSENT AGENDA
A. Receive EDA Minutes of November 12
B. Approve City Council Minutes of November 12
C. Approve Hire of David Johnson as Part-Time Police Officer
D. Consider Statutory Tort Limits for City's Liability Coverage
E. Receive October Osseo Maple Grove Hockey Association Gambling Report

A motion was made by Johnson, seconded by Stelmach, to approve the Consent Agenda. The motion carried 5-0.
6. MATTERS FROM THE FLOOR

Preston Kroska, $6012^{\text {nd }}$ Avenue NE, asked if the Council would allow the public to speak prior to voting on the Street Improvement Project. City Administrator Riley Grams explained this item was on the agenda as a public hearing. He explained the City

Engineer would make a presentation , the public hearing would be opened to comments, then the hearing would be closed, and the Council would likely take action.

James Kelly, $6243^{\text {rd }}$ Avenue NE, discussed Item 5D from the Consent Agenda. He reported the City had liability coverage for public land through the League of Minnesota Cities. He explained he was concerned with the fact a sidewalk would now be located in front of his home, which meant he would now be liable for any slips and falls when technically this was City land. He recommended the sidewalk be made as safe as possible for the homeowners.

## 7. SPECIAL BUSINESS

## A. ACCEPT UTILITY RATE STUDY AND ADOPT UTILITY RATES (Resolutions) - Jessica Cook and Rebecca Kurtz, Ehlers

Grams stated the City Council directed staff to partner with Ehlers to undertake a comprehensive utility rate study to ensure that adequate utility fund balances were being met based on future projected capital and maintenance costs. Staff has worked with Jessica Cook and Rebecca Kurtz from Ehlers to develop the recommendations for the Council. The study incorporates the various projected costs for capital equipment which is needed to properly operate and maintain the City's utility functions. The City Council recently met at the September 30, 2019 work session and the November 4, 2019 work session to discuss the initial findings of the study and further refine recommendations.

Grams reported Jessica Cook and Rebecca Kurtz from Ehlers were in attendance to give a presentation to the Council. The Council should then formally adopt the three resolutions which set the water, sewer, and storm water rates for 2020. Moving forward, staff will review the projections and ultimately make a recommendation to Council for 2021 rates (and beyond). All utility rates set this evening will take effect beginning on January 1, 2020.

Jessica Cook, Ehlers, provided the Council with a summary on the utility rate study. She reported the City's utility rates had been well managed but noted the City was facing new cost pressures for water, sewer, and infrastructure expenses. She commented on the proposed rates for 2020 for water, sewer, and storm water. She discussed how the water, sewer, and storm water funds would be impacted if no increase was made. She reviewed the major water capital improvements that were planned. She then described how a quarterly residential and commercial water bill would be impacted. She stated once the new water meters are installed water readings will become more accurate and the Council may want to revisit the rate study.

Schulz thanked Ehlers for their work on the utility rate study. He believed the background information was important. He appreciated the fact that the proposed utility rate structure was being properly aligned and all users would be paying their fair share. He appreciated the fact that going forward the utility funds would be able to cover the expense of the water meter replacement project. He stated he was really proud of the work staff and the Council have done to improve the health of the City's utility funds.

A motion was made by Stelmach, seconded by Schulz, to accept the Utility Rate Study from Ehlers. The motion carried 5-0.

A motion was made by Hultstrom, seconded by Schulz, to adopt Resolution No. 201966 setting water user fees in 2020 as follows:

| Quarterly Water Rates | 2020 |
| :---: | :---: |
| Flat Rates <br> Minimum (includes 8,000 gallons for single family residential ) <br> 3/4" meter <br> 1" meter <br> 1.5" meter <br> 2" meter <br> 3" meter <br> 4" meter <br> 6" meter | $\begin{array}{r} 20.00 \\ 20.00 \\ 20.00 \\ 30.00 \\ 40.00 \\ 100.00 \\ 400.00 \\ 400.00 \end{array}$ |
| Residential <br> Tier 1 (8,000 to 16,000 gallons) <br> Tier 2 (16,000-24,000 gallons) <br> Tier 3 (over 24,000 gallons) | $\begin{aligned} & 4.00 \\ & 5.00 \\ & 6.25 \end{aligned}$ |
| Multi Family all Usage | 4.25 |
| Commercial Tier 1 (to 50,000 gallons) Tier 2 ( $50,000-100,000$ gallons) Tier $3(100,000-125,000$ gallons) Tier 4 (over 125,000) | $\begin{aligned} & 4.00 \\ & 4.60 \\ & 5.29 \\ & 6.08 \end{aligned}$ |
| Irrigation <br> All usage <br> Bulk Water Sales <br> All usage | $\begin{aligned} & 6.25 \\ & 6.25 \end{aligned}$ |

The motion carried 5-0.
A motion was made by Johnson, seconded by Schulz, to adopt Resolution No. 2019-67 setting sanitary sewer fees in 2020 as follows:

A base charge of $\$ 51.26$ per quarter which includes 15,000 gallons and $\$ 9.87$ per 1,000 gallons beyond 15,000 gallons.

## The motion carried 5-0.

## A motion was made by Stelmach, seconded by Hultstrom, to adopt Resolution No. 2019-68 setting storm water fees in $\mathbf{2 0 2 0}$ as follows:

\$35.69 per REF per quarter

## The motion carried 5-0.

## B. ACCEPT DONATIONS (Resolution)

Grams stated the City has received the following donations:

| Donor | Amount/Item | Designated Fund |
| :--- | :--- | :--- |
| Cornelius Inc. | $\$ 200$ | Minidazzle |
| Dick's Bar \& Grill | $\$ 100$ | Minidazzle |
| Harold E. \& Gayle Johnson | $\$ 600$ | Beautification/Streetscape |
| (in memory of Dennis Brodeen, Alvin Cook, | Raymond Larson, Blake Neumann, Douglas |  |
| Scharber \& Patrick Sherer) |  |  |

Staff recommended the Council accept the donations.
A motion was made by Stelmach, seconded by Schulz, to adopt Resolution No. 201969 accepting donations from Cornelius Inc., Dick's Bar \& Grill, and Harold E. \& Gayle Johnson. The motion carried 5-0.
8. PUBLIC HEARINGS

## A. IMPROVEMENT HEARING FOR 2020 STREET PROJECT (Resolutions) - Lee Gustafson, City Engineer with WSB

Lee Gustafson, WSB, stated the Council approved the feasibility report for this project on October 28, and called for the improvement hearing on November 25. The 2020 Street Reconstruction Project consists of reconstructing portions of 2nd Avenue NE and 3rd Avenue NE, from 4th Street NE to CR 30, including repairing or minimal reconstruction of the storm and sanitary sewer and full replacement of curb and gutter. All driveways in the project area will receive a concrete apron. It is expected that the roadway improvements can be completed within existing road rights-of-way or drainage easements for work on all streets. It was noted the new street width would be 32 feet and sidewalks would be installed on the east side of each street. The project timeline was discussed along with how the project would be funded. He commented further on the proposed project and recommended the Council hold a public hearing and order the project.

Schulz questioned why the sidewalk had been moved to the east side. Mr. Gustafson commented on how staff was working to eliminate the impact on the old farmhouse on the west side of $3^{\text {rd }}$ Avenue NE. He discussed how excavation for a new curb and sidewalk could adversely impact that property.

Johnson stated he was pleased that only three trees would have to be removed, versus 11 if the sidewalks were located on the west side of the streets.

## A motion was made by Johnson, seconded by Stelmach, to open the public hearing at 7:44 p.m. The motion carried 5-0.

Preston Kroska, $6012^{\text {nd }}$ Avenue NE, asked how the City would be able to install retaining walls without going into homeowner's property. He questioned why the City was interested in installing sidewalks into a dead-end street and inquired if they would be ADA accessible. He discussed how the proposed roadway width and sidewalk locations would mean some homeowners would be losing parking spaces in their driveway. He explained he did not see the logic in reducing the street width or the need to add sidewalks onto $2^{\text {nd }}$ Avenue or $3^{\text {rd }}$ Avenue. He indicated the traffic on his street was so slight and did not require sidewalks. He requested the Council reconsider the project and eliminate the sidewalks.

Brent Maves, $5333^{\text {rd }}$ Avenue NE, discussed the definition of "walkability" and noted the street was currently walkable. He encouraged the Council to not approve the sidewalks within the proposed street improvement project.

Steve Mastrian, $5163^{\text {rd }}$ Avenue NE, stated he had a few issues with the proposed project. He commented he did not mind losing the tree in his yard, but noted he wanted a replacement tree on his lot. He indicated he was not opposed to the sidewalks. He explained he would be paying for a street that he did not use given the fact he accessed his home via the alley and had no driveway. He explained his lot was quite small already and would now have a sidewalk added. He feared his lot would be over the hard surface requirements. He stated if a sidewalk was being added he wanted a curb cut and driveway apron, as well. He recommended the City consider purchasing a sidewalk plow given the fact the Council was on a mission to install sidewalks on every street.

Andrew Sandahl, $5322^{\text {nd }}$ Avenue NE, explained he had a small parking spot on his lot. He feared this parking stall would be lost when new sidewalks were installed. He indicated he agreed with everything Preston Kroska had stated and recommended the Council not include sidewalks in this street improvement project. He commented the sidewalks were not a worthy investment and would only be used by the residents living on these streets.

James Kelly, $6243^{\text {rd }}$ Avenue NE, discussed a recent article that was printed by NBC Today. He feared with how his property would be impacted by the installation of a sidewalk, especially given the fact there was a grade change along $3^{\text {rd }}$ Avenue NE. He recommended the City make the sidewalks safe for everybody and be ADA accessible.

Dave Aanerud, $4163^{\text {rd }}$ Avenue NE, encouraged the Council to consider having a variance to its street program for $2^{\text {nd }}$ and $3^{\text {rd }}$ Avenues and that sidewalks not be considered. He stated Osseo was a city of variances. He reported the current placement of the street was not a problem and recommended that the street be replaced in its current location. He anticipated everyone would be happy if the street were replaced without sidewalks, except for the Council.

Michael Panchyshyn, $4083^{\text {rd }}$ Avenue NE, stated he did not need a sidewalk. He commented the streets were plenty safe and there was little to no traffic on $2^{\text {nd }}$ or $3^{\text {rd }}$ Avenues. He reported the young children walking to or from the school bus were typically escorted by a parent. He reported the people out walking their dogs were typically in the street. He stated the children on his street played in the alley. He was of the opinion sidewalks were useless and unnecessary. He did not support the City taking a portion of his property for a sidewalk. He appreciated the fact the Council wanted to protect the residents walking the streets; however, he did not believe vehicle/pedestrian accidents were occurring in Osseo. He indicated there was not a great deal of pedestrian traffic walking down these avenues given the fact these were both dead end streets. He believed this was not a safety issue, but rather was becoming an encroachment issue for the residents living on these streets. He recommended the Council alter the project in order to remove the sidewalks.

Randy Dalluge, $5253^{\text {rd }}$ Avenue NE, stated there was only one family that walked children to school from his street. He commented there was not a great deal of pedestrian traffic on his street given the fact it was not a through street. He was of the opinion the sidewalks were unnecessary and should not be included in the project.

Mr. Kroska commented on the number of uncontrolled intersections in Osseo. He stated the statistics would show that someone would be more likely to get hit by a bike on the sidewalk in Osseo versus being hit by a car in the street.

Hultstrom noted for the record the City Council received a letter and several emails all voicing opposition to the sidewalks in the street improvement project.

## A motion was made by Schulz, seconded by Johnson, to close the public hearing at 8:21 p.m. The motion carried 5-0.

Mr. Gustafson commented on the expense of the sidewalk within the improvement project. He reported the project was in a concept stage at this time and final expenses were not certain. He noted ADA requirements were to have sidewalk slopes at $5 \%$ or less.

Stelmach asked what the grade of $3^{\text {rd }}$ Avenue NE was. Mr. Gustafson reported the grade was $3.5 \%$, which was well within ADA requirements.

After speaking with residents and reading the comments being posted on social media, Stelmach clarified that this was not a legacy project for the Council. He explained the City had sidewalks at one point in time, the sidewalks were torn up and now were being reconsidered given the feedback received from the public. He indicated the Council had no agenda and was not looking to create a legacy, but rather was reacting to resident feedback.

Hultstrom noted she served on the Comprehensive Plan subcommittee and noted sidewalks were discussed. She explained it was never stated sidewalks throughout Osseo was a mandate but indicated walkability was something that was important. She stated she has heard from a lot of residents. She reported she had the utmost respect for the Councilmembers who have served for years and understood the City was much
stronger because of this great service. She explained she did not support the installation of sidewalks on $2^{\text {nd }}$ and $3^{\text {rd }}$ Avenues NE.

Stelmach asked if this project could proceed with the sidewalks included and have them removed at a later date. Grams reported this would be an option.

Hultstrom indicated the Council has not seen this project without sidewalks, but rather has seen front to back sidewalks and sidewalks on either side of the street. She commented there had been one accident on a sidewalk in Osseo between a pedestrian and a bicycle and this person did not recover. She stated she was not aware of any vehicle/pedestrian accidents. She indicated the City had to enforce the ordinances it had in place in order to keep bicycles off of sidewalks. She questioned how the City could force residents to walk on sidewalks when they already walk in the street. She reiterated that the proposed sidewalks in this improvement project would not take people anywhere given the fact they were on dead end streets. She indicated she had concerns with the fact the Council was not taking the time to look at this project without sidewalks.

Stelmach commented this was always on the table and noted the sidewalks could be removed at any time. He discussed the differences in safety between having pedestrians on the street versus on a sidewalk. He then reviewed statistics from the Department of Transportation and noted pedestrians were safer when sidewalks were installed. He reported sidewalks were for people who wanted to travel both north and south. He indicated the City has been fortunate that it has not had to respond to a vehicle/pedestrian accident. He reiterated that the Council was working to meet the needs of the majority in Osseo.

Schulz stated this was one of the most challenging items he has had to deal with in the past ten years. He explained he has been called a number of names on social media. He commented the street would be narrowed and this would reduce future maintenance expenses. He indicated the proposed street width would be adequate to meet parking needs and would still allow for passing traffic. He discussed how flat Osseo was and how this impacted street grades and water runoff. He reported Brooklyn Park has a sidewalk on north side of County Road 30 up to $5^{\text {th }}$ Avenue. He stated the City would have to prepare for future connections. He explained the City owns the right of way in front of people's homes and this land belonged to everyone in the City. He discussed the trees that would be removed in this project and reported one resident was happy to have his tree removed.

Schulz indicated the City has discussed removing snow on its sidewalks, but stated this would come at an expense. He commented on a study he found stating wider streets lead to higher speeds of traffic and more narrow streets lead to fewer interactions between cars and pedestrians. He stated he was all about compromise but feared there would not be a compromise for this situation. He indicated the sidewalk had already been moved to the other side of the street, which reduced the tree loss from 13 to 3, and residents were still unhappy. He reported he did not support back to curb sidewalks and understood residents did not want to clear snow from new sidewalks. He discussed the great strides the City had made in the past ten years. He stated he has gone back and forth on this issue and indicated he would like to do the right thing. He commented pedestrian accidents with vehicles have happened in the City.

Schulz explained he wanted to make the City better each and every year and noted he also wanted to remain consistent. He indicated he cares deeply about this community and encouraged those who oppose this project in the community to consider running for City Council in the future. He discussed the conversations he had to have with his children given the names he has been called on social media. He stated he was not certain how he would vote on this project but noted he did support making the community safer for pedestrians. In addition, he wanted to see the project done right the first time so the City didn't have to come back later and make corrections.

Johnson commented one resident reported children were playing in the alley and not the street. He explained this was a great area for children to play given the fact it was concrete. He discussed how other newly installed sidewalks in the City were being utilized by residents in the community. He commented on a near miss experience he had where he almost hit a pedestrian walking in the street. He discussed how street walkers do not obey traffic laws. He discussed the benefits of having the street width narrowed in order to reduce the speed of traffic. He reported he wanted Osseo to be walkable and walker friendly. He stated for the safety of all involved, he wanted to see sidewalks installed. He anticipated at some point in the future, when sidewalks were installed everywhere in the City, the Council could discuss removing snow from all sidewalks.

Poppe reported the Council was not approving the project this evening but rather was ordering the preparation of plans and specifications. He noted changes could still be made. City Attorney Mary Tietjen reported a $4 / 5$ vote of the City Council would be required on any motion for this project.

A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 201970 ordering improvements, and preparation of plans and specifications for the 2020 Street Reconstruction Project.

Stelmach stated in 2017 a study was completed on the number of vehicle/pedestrian fatalities by the state. He reported this study spoke to him further about the importance of pedestrian safety.

## The motion carried 4-1 (Hultstrom opposed).

## B. MS4 ANNUAL MEETING - Lee Gustafson, WSB

Lee Gustafson, WSB, stated the Minnesota Pollution Control Agency (MPCA) has designated the City of Osseo as a Municipal Separate Storm Sewer System (MS4) community. Each MS4 community is required to develop a Stormwater Pollution Prevention Plan (SWPPP) to address the six program areas of the MS4 permit. To meet the Public Participation requirement of the MS4 permit, the City is required to hold at least one opportunity annually for the public to provide input on the City's SWPPP. He provided a presentation on this past year's accomplishments related to stormwater activities and asked for questions or comments from the community and the Council regarding the City's SWPPP.

Johnson thanked Mr. Gustafson for his thorough report. He noted the City of Osseo was within two watershed districts. He commended the City for increasing the number of street sweepings each year. He explained it was important to keep leaves out of the City's stormwater system. He commented further on the importance of reducing the use of salt during the winter months.

Schulz reported a major concern for the City's stormwater system was grass clippings. He encouraged residents to not blow their grass clippings into the street. He recommended the City be more enforcement driven regarding this matter.

## A motion was made by Johnson, seconded by Stelmach, to open the public hearing at 9:29 p.m. The motion carried 5-0.

Preston Kroska, $6012^{\text {nd }}$ Avenue NE, stated he spoke with Public Services Director Nick Waldbillig. Kroska explained he was the metropolitan's largest snow contractor. He noted he was certified through the state and discussed the benefits of using liquid brine. He commented on how brine was used as a pre-treatment and reduced the need for rock salt.

Johnson encouraged Mr. Kroska to attend a future watershed meeting to discuss these benefits in further detail.

Hultstrom asked if the City had the capability to use a liquid brine for street pretreatment. Public Services Director Nick Waldbillig stated the City would have to purchase tanks and the liquid in order to use brine. He commented the City would also have to purchase the brine.

Mr. Kroska commented further on the upfront costs of creating a brine system for the Public Works Department.

Johnson encouraged Mr. Kroska to speak further with Waldbillig regarding this matter.
James Kelly, $6243^{\text {rd }}$ Avenue NE, reported 2019 was the wettest year on record. He commented on a project he completed on his property. He explained he had concerns with how his street would be completed next year and how much runoff there would be into the stormwater system during a rain event.

Schulz noted silt screens would be installed and reported the City Engineer was acutely aware of how to complete a project over six to eight months when rain could occur. Further discussion ensued regarding the berm on Mr. Kelly's property.

Mr. Kelly commented he had concerns as a resident of Osseo and he would appreciate it if the Council would hear these concerns.

A motion was made by Johnson, seconded by Stelmach, to close the public hearing at 9:45 p.m. The motion carried 5-0.

## C. ALCOHOL LICENSES FOR YELLOW TREE THEATRE

Grams stated rather than these liquor licenses be in Jason Peterson's name, Jason seeks to have the corporation-Yellow Tree Theatre--be the holder of the licenses. Jason continues as president of the Yellow Tree Theatre nonprofit corporation. The Minnesota Alcohol Board requires that "new" license applications be completed and approved for this change in name. The applicant has submitted the required applications for "new" on-sale wine and $3.2 \%$ malt liquor licenses, along with a certificate of liquor liability insurance in the name of Yellow Tree Theatre.

A motion was made by Stelmach, seconded by Johnson, to open the public hearing at 9:46 p.m. The motion carried 5-0.

No public input was offered.
A motion was made by Stelmach, seconded by Johnson, to close the public hearing at 9:47 p.m. The motion carried 5-0.

A motion was made by Hultstrom, seconded by Stelmach, to approve the "new" liquor licenses (on-sale wine and $3.2 \%$ malt liquor) for Yellow Tree Theatre with no additional fees. The motion carried 5-0.

## D. TRUTH IN TAXATION PUBLIC HEARING

Grams stated the City Council annually holds a Truth in Taxation public hearing to allow all Osseo property owners the opportunity to provide public comment on the annual preliminary budget, which was approved by the City Council on September 23. Staff commented further on the City's proposed tax levy and tax capacity.

Grams reported Truth in Taxation public hearings were first enacted in 1988 to enhance public participation in Minnesota's property tax system. Each local government is required to formally adopt a preliminary budget and tax levy in September each year. When the final budget is approved, the levy shall not exceed the preliminary levy. The County takes the preliminary tax levy information and computes each parcel's proposed property tax. The County uses property valuations as well. Then, each local government is required to hold a public hearing after the notices have been delivered where budget and taxing issues are discussed, and where public testimony must be allowed, prior to adopting its final levy.

Grams explained the process was enacted with a goal of improving accountability by focusing taxpayers on the relationship between budget decisions and property taxes and providing taxpayers with a greater opportunity to become involved in the local government budgeting process. Staff commented the Council should hear the presentation and open the public hearing comment period. It was noted all Osseo taxpayers are allowed to provide public comments relating to this process. Once public comments are done, the Council should close the public hearing, or motion to extend the public hearing period to the Council meeting on December 9, 2019.

A motion was made by Stelmach, seconded by Schulz, to open the public hearing at 9:54 p.m. The motion carried 5-0.

Pete Sipe, Marathon Gas Station owner, stated the City had a 10\% increase in its proposed budget and noted this equated to a $23 \%$ increase in his property taxes. Grams reported the preliminary budget would be further discussed by the Council and he anticipated this percentage would be decreased.

A motion was made by Stelmach, seconded by Hultstrom, to continue the Truth In Taxation public hearing to the City Council meeting on December 9, 2019. The motion carried 5-0.
9. OLD BUSINESS - None.
10. NEW BUSINESS

## A. APPROVE PUBLIC PARKING AGREEMENT AT FIRST AVENUE COMMONS BUILDING

Grams stated the City Council has sought additional public parking options in the downtown area to support our local businesses. The Council has considered public parking in the parking lot behind what is commonly referred to as the old Pharmacy building (located at $2331^{\text {st }}$ Avenue NE). The owner, Connie Aho, indicated she was willing to negotiate a public parking agreement.

Grams commented the agreement calls for the parking lot to be available and accessible to the general public in support of the downtown commercial core and will be open on all days and at all times (except those designated for lot improvements or maintenance). In exchange, the City has agreed to provide snow removal service from the parking lot (note: The City will not remove snow from the property's sidewalks) during the winter months. The owner agrees to maintain the lot to acceptable standards. Any damage caused by the process of snow removal will fall under the City's general liability insurance.

Grams explained it is expected that the Osseo Economic Development Authority will create and purchase new public parking way-finding signage, as well as information signage at the entrances to the lot, at its next meeting. Additionally, the parking lot can also be used for snow emergency vehicle parking for any residents or businesses in the nearby area. Staff will update the City Snow Emergency information to include that location. The owner of the property has reviewed the agreement and has given written agreement to staff to seek Council approval.

Johnson asked where signs would be placed. Grams discussed the proposed locations of the proposed blue parking signs.

Schulz stated he was happy to see this public parking lot agreement moving forward.
A motion was made by Hultstrom, seconded by Stelmach, to approve the Public Parking Agreement at $2331^{\text {st }}$ Avenue NE.

Schulz commented he appreciated the building owner working with the City on this project.

## The motion carried 5-0.

## B. APPROVE 2019 TECHNOLOGY UPGRADES

Grams stated a list of technology upgrades has been recommended by the City's IT Consultant (Element Technologies) to stay current with new technology and to satisfy the recent Police Department technology audit conducted by the Bureau of Criminal Apprehension (BCA).

Grams reported the BCA conducted a review and audit of the Police Department earlier this summer to point out any deficiencies or areas of concern in the area of technology. The report was then sent to the Council Risk Management Committee (Councilmembers Schulz and Stelmach). The Risk Management Committee, along with staff, met with the City's IT Consultant to put together a plan to upgrade the City and Police Department in order to become compliant with the strict requirements set forth by the BCA. The plan is split up into two sections. The first is upgrading several pieces of equipment and software in order to become compliant with the BCA rules. Staff reviewed the proposed upgrades in further detail with the Council and recommended approval.

Schulz explained the BCA audit was one factor that required the technology upgrades at the Police Department and commented City Hall employees were in need of upgrades, as well. He understood these upgrades were expensive but stated he would be supporting the necessary upgrades.

A motion was made by Johnson, seconded by Stelmach, to approve the 2019 technology upgrade plan as presented. The motion carried 5-0.

## C. APPROVE INTERNAL POSTING FOR FULL TIME POLICE OFFICER POSITION

Police Chief Shane Mikkelson stated the Police Department has asked for a new fulltime Police Officer in the 2020 budget, set to start on January 1, 2020. If the Council approves the budget, the position could be filled by internal candidates already on staff. He explained the Police Department would like to post for the new position internally. This would consist of email, posted notes on the internal board, and on the officer communication board. The candidates would be asked to submit a letter of interest to the Police Chief. The Council HR Committee would review the candidates the week of December 2, with the selected candidate going to the Council for approval at the December 9 Council meeting.

A motion was made by Stelmach, seconded by Schulz, to approve the internal posting for a new Police Department full-time police officer position. The motion carried 5-0.

## D. CLOSED SESSION - APPROVE CONTRACT FOR LAW ENFORCEMENT LABOR SERVICES (LELS) FOR 2020-2022

A motion was made by Schulz, seconded by Stelmach, to recess to a Closed Session meeting pursuant to Minnesota Statutes Section 13D. 03 to discuss and review the proposed LELS Contract for 2020-2022 at 10:19 p.m. The motion carried 5-0.

A motion was made by Stelmach, seconded by Johnson, to reconvene the City Council meeting at 10:45 p.m. The motion carried 5-0.

Schulz explained the Council met in Closed Session to discuss the LELS law enforcement labor services agreement for a three-year period of 2020-2022.

A motion was made by Hultstrom, seconded by Schulz, to approve the contract with LELS for Law Enforcement Labor Services for years 2020-2022. The motion carried 5-0.

## E. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

## A motion was made by Johnson, seconded by Stelmach, to approve the Accounts Payable as presented. The motion carried 5-0.

11. ADMINISTRATOR REPORT

Grams wished everyone a safe and Happy Thanksgiving.
12. COUNCIL AND ATTORNEY REPORTS

Hultstrom stated on November 13 she attended the Northwest Hennepin League of Municipalities. She was asked to bring a speaker to this event. Hultstrom explained she attended the League of Minnesota Cities/Metro Cities Annual Policy Adoption meeting on November 14.

Stelmach thanked everyone for coming forward and speaking tonight at the public hearings. He wished everyone a Happy Thanksgiving.

Johnson explained Hennepin County has a 2020 construction plan for County Road
 Brooklyn Boulevard during construction. He thanked all who were able to assist with hanging lights along Central Avenue in downtown Osseo this past weekend.

Schulz wished everyone a Happy Thanksgiving. He stated 13 businesses would be participating in Small Business Saturday on Saturday, November 30. Schulz invited all residents to attend Minidazzle on Friday, December 6, at 6:00 p.m. He thanked all of the residents who came out and spoke this evening. He stated he was always willing to listen to residents even if he may not agree with the statements that are being made.
13. ANNOUNCEMENTS

Poppe encouraged residents to participate in the Toys for Tots drive being sponsored by the Osseo Police Department through Monday, December 16.

Poppe reported City Hall would be closed on Thursday, November 28, and Friday, November 29, for Thanksgiving.

City Council Minutes, November 25, 2019, Page 14
Poppe encouraged all residents to get downtown Osseo for Small Business Saturday on Saturday, November 30. He stated a large number of businesses would be having special promotions during this event.

Poppe reported there would be a Red Cross Blood Drive on Wednesday, December 4, from 1-7 p.m. at the Community Center.

Poppe encouraged all Osseo residents to attend Minidazzle on Friday, December 6, from 6-8 p.m. in downtown Osseo.

Poppe stated the Osseo Lions Lunch with Santa would be held on Saturday, December 7, from 11 a.m. to 2 p.m. at the Community Center.

Poppe reported the City was in need of Commission members. Those interested in serving were encouraged to contact City Hall for further information.

## 14. ADJOURNMENT

A motion was made by Johnson, seconded by Hultstrom, to adjourn the City Council meeting at 10:58 p.m. The motion carried 3-2 (Schulz and Stelmach opposed).

Respectfully submitted,
Heidi Guenther
TimeSaver Off Site Secretarial, Inc.

| PID | Date | Permit Number | EstimatedValue |  | Owner or Applicant | Address | Type | Project | SAC | PermitAmount |  | Surcharge |  |  | Review | Total |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1311922110116 | 11/4/2019 | 2019-483 | \$ | \$ 7,500 | Alan Logan | 617 3rd Ave NW | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921310078 | 11/4/2019 | 2019-484 |  | \$ 16,625 | Jerry Johnsen | 233 5th Ave SE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1311922110104 | 11/4/2019 | 2019-485 |  | 9,288 | Stephen Elrich | 601 2nd Ave NW | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1311922110014 | 11/4/2019 | 2019-486 |  | 15,906 | Stephen Elrich | 516 2nd Ave NW | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921230135 | 11/4/2019 | 2019-487 |  | 6,000 | Chad Tucker | 317 Broadway St E | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921210054 | 11/4/2019 | 2019-488 |  | 3,000 | Richard Weber | 332 4th Ave NE |  | reside | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921240044 | 11/5/2019 | 2019-489 | \$ | 6,000 | Brian Lasley | 232 6th Ave NE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921220044 | 11/5/2019 | 2019-490 | \$ | 3,520 | Abby Sundquist | 432 3rd Ave NE | ME | furnace | \$0 | \$ | 75.00 | \$ | 1.00 | \$ | - | \$ | 76.00 |
| 1811921220044 | 11/5/2019 | 2019-491E | \$ | \$ - | Abby Sundquist | 432 3rd Ave NE | EL | electrical | \$0 | \$ | 40.00 | \$ | 1.00 | \$ | - | \$ | 41.00 |
| 1811921220047 | 11/6/2019 | 2019-492 | \$ | 10,000 | Steve Mastrian | 516 3rd Ave NE | BL | reroof | \$0 | \$ | 200.00 | \$ | 1.00 | \$ | - | \$ | 201.00 |
| 1311922110039 | 11/7/2019 | 2019-493E | \$ | \$ - | Jarod Bona | 517 2nd Ave NW | EL | electrical | \$0 | \$ | 40.00 | \$ | 1.00 | \$ | - | \$ | 41.00 |
| 1811921210038 | 11/7/2019 | 2019-494 |  | 6,000 | Molly Burns | 433 6th Ave NE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1311922440015 | 11/12/2019 | 2019-495 | \$ | 10,075 | Jefferson Properties | 8603 Jefferson Hwy | BL | commercial fence | \$0 | \$ | 191.75 | \$ | 5.00 | \$ | 124.64 | \$ | 321.39 |
| 1811921130009 | 11/12/2019 | 2019-496 | \$ | 8,800 | Dan Nygard | 217 9th Ave NE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921220081 | 11/12/2019 | 2019-497E | \$ | - | Bill Kelly | 608 2nd Ave NE | EL | electrical | \$0 | \$ | 40.00 | \$ | 1.00 | \$ | - | \$ | 41.00 |
| 1811921130022 | 11/12/2019 | 2019-498 | \$ | 500 | Sue Crawford | 200 8th Ave NE | PL | water heater | \$0 | \$ | 15.00 | \$ | 1.00 | \$ | - | \$ | 16.00 |
| 1811921320098 | 11/13/2019 | 2019-499 | \$ | 50,000 | Lyndes Restaurant | 209 Co Rd 81 | BL | commercial reroof | \$0 | \$ | 681.75 | \$ | 25.00 | \$ | - | \$ | 706.75 |
| 1811921340040 | 11/13/2019 | 2019-500 | \$ | 25,000 | John Boehme | 409 Co Rd 81 | BL | commercial windows | \$0 | \$ | 413.00 | \$ | 12.50 | \$ | - | \$ | 425.50 |
| 1811921240098 | 11/13/2019 | 2019-501 | \$ | 7,000 | Thomas Bayer | 233 5th Ave NE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | $\cdot$ | \$ | 101.00 |
| 1811921210011 | 11/14/2019 | 2019-502 | \$ | 6,500 | Cassandra Larson | 524 4th Ave NE | BL | reroof \& reside | \$0 | \$ | 200.00 | \$ | 2.00 | \$ | - | \$ | 202.00 |
| 1811921310011 | 11/14/2019 | 2019-503 | \$ | 10,000 | Eugene Scharber | 24 4th Ave SE | BL | reside | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921320052 | 11/14/2019 | 2019-504 | \$ | 3,063 | Jan Hawkins | 132 Broadway St E | ME | furnace | \$0 | \$ | 75.00 | \$ | 1.00 | \$ | - | \$ | 76.00 |
| 1811921240115 | 11/18/2019 | 2019-505 | \$ | 2,500 | Marc Petersen | 216 5th Ave NE | PL | water heater | \$0 | \$ | 15.00 | \$ | 1.00 | \$ | - | \$ | 16.00 |
| 1311922110123 | 11/18/2019 | 2019-506 | \$ | 500 | Dan Halme | 509 1st Ave NW | PL | water heater | \$0 | \$ | 15.00 | \$ | 1.00 | \$ | - | \$ | 16.00 |
| 1811921220101 | 11/18/2019 | 2019-507 | \$ | 500 | Greg Hinkler | 401 2nd Ave NE | PL | plumbing alterations | \$0 | \$ | 75.00 | \$ | 1.00 | \$ | - | \$ | 76.00 |
| 1811921310030 | 11/19/2019 | 2019-508 | \$ | 5,000 | Alexis Feig | 624 Broadway St E | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921220071 | 11/19/2019 | 2019-509 | \$ | 16,471 | Russell Nielsen | 400 2nd Ave NE | BL | windows \& door | \$0 | \$ | 75.00 | \$ | 1.00 | \$ | $\cdot$ | \$ | 76.00 |
| 1811921230021 | 11/21/2019 | 2019-510 | \$ | 2,000 | Lawrence Menzel | 125 2nd Ave NE | BL | reside | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | $\cdot$ | \$ | 101.00 |

Page 1 of 2

## Osseo November 2019 Report

| 1811921310013 | 11/21/2019 | 2019-511 | \$ | 11,378 | Natasha Walesch | 108 4th Ave SE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1811921310039 | 11/21/2019 | 2019-512 | \$ | 1,250 | Francis Chouinard | 217 8th Ave SE | PL | water heater | \$0 | \$ | 15.00 | \$ | 1.00 | \$ | - | \$ | 16.00 |
| 1811921340016 | 11/21/2019 | 2019-513 | \$ | 11,000 | Jeff Kolden | 309 8th Ave SE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1311922140109 | 11/21/2019 | 2019-514 | \$ | - | Comcast | 101 Broadway St W | U | utility ROW | \$0 | \$ | 150.00 | \$ | - | \$ | - | \$ | 150.00 |
| 1811921220150 | 11/21/2019 | 2019-515E | \$ | - | QT Properties | 625 1st Ave NE | EL | electrical | \$0 | \$ | 112.00 | \$ | 1.00 | \$ | - | \$ | 113.00 |
| 1811921310015 | 11/25/2019 | 2019-516 | \$ | 7,800 | Clayton Smith | 116 4th Ave SE | BL | reroof | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921240044 | 11/25/2019 | 2019-517 | \$ | 2,500 | Brian Lasley | 232 6th Ave NE | BL | reside | \$0 | \$ | 100.00 | \$ | 1.00 | \$ | - | \$ | 101.00 |
| 1811921320071 | 11/25/2019 | 2019-518E | \$ | - | Get it Done Fitness | 308 Co Rd 81 | EL | electrical | \$0 | \$ | 40.00 | \$ | 1.00 | \$ | - | \$ | 41.00 |
| 1811921220047 | 11/25/2019 | 2019-519 | \$ | 9,722 | Steve Mastrian | 516 3rd Ave NE | ME | furnace \& $\mathrm{A} / \mathrm{C}$ | \$0 | \$ | 150.00 | \$ | 2.00 | \$ | - | \$ | 152.00 |
| 1811921220047 | 11/25/2019 | 2019-520E | \$ | - | Steve Mastrian | 516 3rd Ave NE | EL | electrical | \$0 | \$ | 40.00 | \$ | 1.00 | \$ | - | \$ | 41.00 |
| 1811921320088 | 11/26/2019 | 2019-521 | \$ | 9,650 | Wiley Properties | 8770 Jefferson Hwy | ME | commercial rooftop unit | \$0 | \$ | 191.75 | \$ | 5.00 | \$ | - | \$ | 196.75 |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Totals |  |  | \$ | 285,048 |  |  |  |  | \$0 | \$ | 4,550.25 | \$ | 83.50 | \$ | 124.64 | \$ | 4,758.39 |

Osseo Lions Club Gambling Report
to
City of Osseo

| Report for the month/year of |  | Oct-19 |
| :--- | ---: | :--- |
| Check as appropriate: |  |  |
| XXXXXX paddle wheel |  |  |
| XXXXXX_pull tabs |  |  |
| raffle |  | LG100A |
| other (specify) | $439,971.97$ | LG100A-10A |
| Gross Receipts | $389,411.30$ | LG100A-10B |
| Prizes Paid | $50,560.67$ | LG100A-10C |
| Net Receipts | $25,940.88$ | Total Itemized |
| Expenses - Total |  |  |
| Expenses itemized: |  |  |


| Pulltabs |
| :---: |
| Compensation |
| Accounting Services |
| Rent |
| Electronic pull-tab provider fees |
| Electronic linked bingo provider fees |
| Supplies Bank charges etc |
| Profits $\quad \$ \quad 24,619.79$ G1A Line 24 |

Lawful Purpose Expenditures

| Minnesota Revenue-Wagering Tax |
| :---: |
| Mark Weidenbach - Children's Halloween Event |
| Total Contributions |


| $\$$ | $12,767.00$ |
| :--- | ---: |
|  | $1,176.53$ |
| $\$$ | $13,943.53$ |

Signed


Attach additional information if necessary.
*This completed form must be returned to the Osseo City Clerk's office by the 19th day of each month and is required by state law and City ordinances for all licensed organizations.

# City of Osseo City Council <br> Meeting Item 

# Agenda Item: Approve Hire of David \& Roseanna Garibaldi for Seasonal Street Beautification 

Meeting Date:<br>December 9, 2019<br>Prepared by:<br>Riley Grams, City Administrator

## Attachments: None

## Policy Consideration:

Consider hiring Osseo residents David \& Roseanna Garibaldi to perform seasonal street beautification work in 2020.

## Background:

In 2019, Osseo residents David and Roseanna Garibaldi volunteered their time and provided park and Central Ave planter box cleanup maintenance services. They did the entire loop of the park and Central Ave a total of five times throughout the summer, helping Public Works by cleaning up weeds, dead plants, and general maintenance of these areas. For 2020, Staff reached out to the Garibaldi's to see if they would be interested in doing this work again as paid part-time seasonal employees. They responded that they would be very interested.

David and Roseanna estimate that the job will require 30-32 hours per week (split between the two individuals) and a 20 -week time period (starting after the initial clean up and planting until the first frost). All materials and tools will be provided by Public Works, and both would be supervised by Public Works Director Nick Waldbillig. The agreed upon cost of this work would be $\$ 6,000$ for their services. They would be paid that amount in total throughout the spring/summer/fall months on a bi-weekly salary basis.

## Budget or Other Considerations:

The $\$ 6,000$ total amount has been included in the proposed 2020 budget.

## Options:

The City Council may choose to:

1. Approve the hire of David \& Roseanna Garibaldi for seasonal street beautification;
2. Approve the hire of David \& Roseanna Garibaldi for seasonal street beautification, with noted changes/as amended;
3. Deny approving the hire;
4. Table action on this item for more information.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the hire of David \& Roseanna Garibaldi for seasonal street beautification.

## City of Osseo City Council <br> Meeting Item

# Agenda Item: Approve Pawnbroker Annual License Renewal for Osseo Pawn LLC 

Meeting Date: $\quad$ December 9, 2019
Prepared by: City Clerk LeAnn Larson

## Attachments: None

## Policy Consideration:

Consider renewing the annual pawnbroker license for Osseo Pawn LLC for 2020.

## Background:

City Code Section 115 outlines the requirement of annual renewal of a pawnbroker license. The fee is $\$ 12,000 /$ year. Background checks are required each year of the business owners/applicants. A bond in the amount of $\$ 5,000$ is also required.

Osseo Pawn LLC has submitted the required forms, payment of $\$ 12,000$, and the background checks are pending. Assuming all background matters are satisfactory per the Police Department, staff recommends approval of the renewal license for 2020.

## Budget or Other Considerations:

The revenue from this annual license fee is $\$ 12,000$.

## Options:

The City Council may choose to:

1. Approve the annual pawnbroker license renewal for Osseo Pawn LLC for 2020 pending satisfactory results upon completion of background checks;
2. Table this matter to a future meeting.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1; approve the annual pawnbroker license renewal for Osseo Pawn LLC for 2020 pending satisfactory results upon completion of background checks.

November 21, 2019

LeAnn Larson, City Clerk
City of Osseo
415 Central Avenue
Osseo, MN 55369
Dear LeAnn,
As previously discussed, Carla Wirth, owner of TimeSaver Off Site Secretarial, Inc., is taking a step back as she moves towards semiretirement, which has given me the opportunity to become more directly involved. Starting January 1, 2020, I will be managing the Osseo account under the new business name Minute Maker Secretarial, Inc.

Please note that I have been preparing Osseo's meeting minutes for TimeSaver Off Site Secretarial Inc. since 2011 and will continue to provide the same professional work for your City under the new company name.

LeAnn, I appreciate your continued support and look forward to working with you more directly. Please feel free to call if you have any comments or questions. I can be reached at (612) 600-8999 or minutemakersecretarial@gmail.com.

Sincerely,

Heidi Guenther
President

# . Minute Maker Secretarial 

November 12, 2019

Ms. LeAnn Larson, City Clerk
City of Osseo
415 Central Avenue
Osseo, MN 55369

Dear LeAnn.
Enclosed is an Addendum to the Recording Secretary Service Agreement that extends the expiration date to December 31, 2020. The rates reflect an increase of less than $2.5 \%$. You'll notice the wording in Paragraph 2b, Unit Rate, has been simplified to clearly state the cost of the first hour ( 1 hour +.5 hour).

We appreciate the confidence you have placed in TimeSaver to handle your meeting minute needs and look forward to continuing that relationship in 2020 with Minute Maker Secretarial.

If you need further information or have questions, please feel free to contact me at 612-600-8999.


Heidi Guenther
Owner

Enclosure: Recording Secretary Service Agreement Return envelope

## ADDENDUM TO RECORDING SECRETARY SERVICE AGREEMENT

## Dated: December 31, 2019

By and between Minute Maker Secretarial, Inc. and the City of Osseo, 415 Central Avenue, Osseo, MN 55369.

1. EXTENSION OF RECORDING SECRETARIAL SERVICE AGREEMENT: The term of the existing Recording Secretary Service Agreement dated December 31, 2018, shall be extended under the same terms and conditions to December 31, 2020.
2. TOSS CHARGES: TOSS shall be paid for its services as recording secretary for each meeting with a one (1) hour minimum, the highest rate prevailing, as follows:
a. Base Rate: One Hundred Forty-Eight and $00 / 100$ dollars ( $\$ 148.00$ ) for any meeting up to one (1) hour (billable time) plus Thirty-Five and $50 / 100$ dollars ( $\$ 35.50$ ) for each thirty (30) minutes following the first one (1) hour; or
b. Unit Rate: Forty-Six and 50/00 dollars (\$46.50) for the first hour of meeting time and Thirty-One and 00/100 dollars (\$31.00) for every hour after the first hour plus Fourteen and $00 / 100$ dollars ( $\$ 14.00$ ) for each page of draft minutes for submission to the City of Osseo for their preparation of final minutes.

At the end of the term of this Addendum or any extension of it, the parties may make a new Agreement or extend or modify the terms of this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Addendum to the Recording Secretary Service Agreement as of the day and year indicated.

January $\qquad$ , 2020

CITY OF OSSEO
By
LeAnn Larson
Its $\qquad$

November 12, 2019


November 21, 2019

Mr. Riley Grams
City Administrator
City of Osseo
415 Central Avenue
Osseo, MN 55369

Re: WSB 2020 Rate Schedule

Dear Nir Crams
Thank you for your partnership. WSB is grateful for our relationship with you, your team and community, and we look forward to supporting you as we work together to achieve your visions for the future.

We are proud of the work we've accomplished with partners like you in 2019. As a firm, we continue to invest heavily in programs, services, and products that allow us to better serve our clients. We believe that culture drives results and we know that a strong culture is built on the staff we hire. We continue to invest in our staff and make strategic hires that help elevate our talent and in return, help us bring innovative and forward-thinking ideas to your community.

We believe in technology and the role it plays and will play in the future. We continue to explore new technologies to deliver thoughtful, efficient, and creative solutions to your challenges. In the past year, we've developed applications, including WSB 360, SmartPix, and TrueView, that combine Artificial Intelligence, Augmented Reality, Virtual Reality, and GIS to solve complex problems. Additionally, our Datafi application is used to manage projects, create field inspections and run reports, and has had great success in improving efficiencies for clients. We are going to remain at the forefront of leveraging new technologies that are shaping our world.

Enclosed is our 2020 Rate Schedule for our typical services for your information. We are committed to providing the highest quality services at a reasonable price. To that end, we have an average increase of $2.5 \%$ for our 2020 rates.

We are invested in our clients, people, work, and the communities that we serve. Thank you again for the opportunity to work with you.

Sincerely,
WSB


Vice Presididerit of Muriicipal Services
Enclosure
srb

|  | Billing Rate/Hour |
| :---: | :---: |
| PRINCIPAL \| ASSOCIATE | \$152-\$192 |
| SR. PROJECT MANAGER \\| SR. PROJECT ENGINEER | \$152-\$192 |
| PROJECT MANAGER | \$135-\$150 |
| PROJECT ENGINEER \\| GRADUATE ENGINEER | \$90-\$146 |
| ENGINEERING TECHNICIAN \| ENGINEERING SPECIALIST | \$58-\$146 |
| LANDSCAPE ARCHITECT / SR, LANDSCAPE ARCHITECT | \$70-\$150 |
| ENVIRONMENTAL SCIENTIST \\| SR, ENVIRONMENTAL SCIENTIST | \$58-\$146 |
| PLANNER \\| SR. PLANNER | \$70-\$150 |
| GIS SPECIALIST \| SR, GIS SPECIALIST | \$70-\$150 |
| CONSTRUCTION OBSERVER | \$95-\$120 |
| SURVEY |  |
| One-Person Crew | \$149 |
| Two-Person Crew | \$196 |
| Three-Person Crew | \$211 |
| OFFICE TECHNICIAN | \$53-\$94 |

Costs associated with word processing, cell phones, reproduction of common correspondence, and mailing are included in the above hourly rates. Vehicle mileage is included in our billing rates [excluding geotechnical and construction materials testing (CMT) service rates]. Mileage can be charged separately, if specifically outlined by contract. | Reimbursable expenses include costs associated with plan, specification, and report reproduction; permit fees; delivery costs; etc. | Multiple rates illustrate the varying levels of experience within each category. | Rate Schedule is adjusted annually.

## City of Osseo

# 2020 Schedule <br> City Council, Economic Development Authority, and Planning Commission 

In accordance with the provisions of Minnesota Statutes Chapter 13D, notice is hereby given that the following public meetings are scheduled. One or more Councilmembers may be in attendance at any of the meetings listed below. All meetings are held in the Council Chambers at Osseo City Hall, 415 Central Avenue, Osseo, Minnesota.

All City Council meetings are held at 7 p.m. Council Work Sessions will precede the Council meeting at 6 p.m. on the 4th Monday/month and be held when a $5^{\text {th }}$ Monday/month. EDA meetings will precede the Council meetings on the $2^{\text {nd }}$ Monday/month, with starting time at 6 p.m. All Planning Commission meetings are held at $6 \mathrm{p} . \mathrm{m}$.
January 13, 2020
January 21, 2020 (Tues)
January 27, 2020

February 10, 2020
February 18, 2020 (Tues)
February 24, 2020

March 9, 2020
March 16, 2020
March 23, 2020
March 30, 2020
April 13, 2020
April 20, 2020
April 27, 2020

May 11, 2020
May 18, 2020
May 26, 2020 (Tues)

June 8, 2020
June 15, 2020
June 22, 2020
June 29, 2020

EDA \& Council<br>Planning Comm.<br>Wk. Sess. \& Council

EDA \& Council
Planning Comm.
Wk. Sess. \& Council

EDA \& Council
Planning Comm.
Wk. Sess. \& Council
Work Session
EDA \& Council
Planning Comm.
Wk. Sess. \& Council

EDA \& Council<br>Planning Comm.<br>Wk. Sess. \& Council

EDA \& Council
Planning Comm.
Wk. Sess. \& Council
Work Session

July 13, 2020
July 20, 2020
July 27, 2020

August 10, 2020
August 17, 2020
August 24, 2020
August 31, 2020
September 14, 2020
September 21, 2020
September 28, 2020

October 12, 2020
October 19, 2020
October 26, 2020

November 9, 2020
November 16, 2020
November 23, 2020
November 30, 2020
December 14, 2020
December 21, 2020

EDA \& Council Planning Comm.<br>Wk. Sess. \& Council

EDA \& Council Planning Comm. Wk. Sess. \& Council Work Session

EDA \& Council Planning Comm. Wk. Sess. \& Council

## EDA \& Council

 Planning Comm. Wk. Sess. \& CouncilEDA \& Council Planning Comm. Wk. Sess. \& Council Work Session

EDA \& Council
Planning Comm.

## City of Osseo City Council <br> Meeting Item

## Agenda Item: Approve $\mathbf{2 0 2 0}$ Pay Increases for City Staff

Meeting Date: December 9, 2019
Prepared by:
Riley Grams, City Administrator

Attachments: None

## Policy Consideration:

Consider approving pay increases for City Staff for 2020.

## Background:

The following Staff members are eligible for step increases beginning January 1, 2020. The proposed pay grade and step amounts have been incorporated into the 2020 final City budget and includes a $2 \%$ cost of living adjustment. Please note that this will be the final year for grade and step increases, as the Council recently approved the updated Personnel Policy and Compensation Plan which includes merit-based compensation which takes effect January 1, 2020.

| Employee | Position | 2020 Grade-Step |
| :--- | :--- | :--- |
| Abts, Nancy | City Planner | Grade 9 - Step 3 |
| Broden, Karen | Administrative Assistant | Grade 3 - Step 3 |
| Grams, Riley | City Administrator | Grade 17 - Step 7 |
| Larson, LeAnn | City Clerk | Grade 9 - Step 9 |
| Mikkelson, Shane | Police Chief | Grade 15 - Step 6 |
| Schillinger, Josh | Public Works Maintenance | Grade 5 - Step 5 |
| Swenson, Guy | Public Works Maintenance | Grade 5 - Step 7 |
| Waldbillig, Nick | Public Works Director | Grade 13 - Step 5 |
| Wallgren, Felicia | Police Office Manager | Grade 7 - Step 3 |
| Weller, April | City Accountant | Grade 8 - Step 4 |

In addition to full time Staff, the new Personnel Policy calls for all part time City employees to receive the same Council approved cost of living adjustment as full time employees.

| Position | 2020 Hourly Rate |
| :--- | :---: |
| Election Judges | $\$ 10.00$ |
| Public Works Summer | $\$ 12.24$ |
| Public Works Winter | $\$ 17.34$ |
| Adult Rec Coordinator | $\$ 14.49$ |
| Hockey Rink Attendants | $\$ 10.20$ |
| Farmers Market Coordinator | $\$ 14.21$ |
| Senior Coordinator | $\$ 14.26$ |
| Paid On-Call Firefighters (Calls) | $\$ 11.48$ |
| Paid On-Call Firefighters (Drills) | $\$ 11.48$ |
| Paid On-Call Firefighters (Activity) | $\$ 11.48$ |
| Paid On-Call Firefighters (Engineer) | $\$ 11.48$ |
| Fire Department Officers (Lieutenant and Captain) | $\$ 1,200$ (annually) |
| Fire Department Secretary | $\$ 250$ (annually) |
| Fire Department Inspector | $\$ 20.40$ |
| Fire Department Investigator | $\$ .32$ |

## Budget or Other Considerations:

The associated Staff salary figures have been incorporated into the final draft of the budget.

## City Goals Met By This Action:

Recruit high quality Staff, continue to train Staff, and work to promote Staff retention

## Options:

The City Council may choose to:

1. Approve the 2020 pay increases for City Staff;
2. Deny the pay increases for City Staff;
3. Table action on this item for more information.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the 2020 pay increases for City Staff.

## OSSEO GATEWAY SIGN

## APPLICATION FOR MESSAGE FEE WAIVER:

The City of Osseo has constructed the Gateway Sign as a method to disseminate information of general public interest. Information is posted to the Gateway Sign in accordance with the Gateway Sign Policy.

Applications for fee waivers must be reviewed by the City Council The Council meets on the second \& fourth Monday of each month; requests must be received by the Wednesday before a meeting to be considered. Submit questions and return your application WITH A GATEWAY SIGN APPLICATION to Osseo City Hall, 415 Central Avenue, Osseo, MN 55369 or fox ot 763-425-1111 or via email at nabts@ciosseomn.us AND kbroden@ci.osseo.mn.us

| Name of Applicant: | Osseo Hoopsters |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Address: | Osseo High School |  |  |  |  |
| Name of Contact Person: (if different than applicant) | Jill Mettler |  |  |  |  |
| Contact Phone: (daytime) | 763-354-8613 |  | Email address: | jillmettler@me.com |  |
| Description of event or purpose for which Gateway Sign message will be used: | We would like to get a higher attendance at the girl's basketball games. We are Trying to grow and improve our program. |  |  |  |  |
| Desired date(s) | Specify on Gateway Sign Application \& attach application to this request |  |  |  |  |
| COMMUNITY BENEFITS |  |  |  |  |  |
| How will the Osseo business community benefit from your event? |  |  |  |  |  |
| NEED: |  |  |  |  |  |
| Why is it necessary to promote this event using the Gateway Sign? | Brings awareness to girl's sports. |  |  |  |  |
| Explain why paying the fee would be a hardship. | This is a non-pro | booster | ub. |  |  |
| Are you willing to provide commensurate services in lieu of the message fee? If so, what type? | We can promote at the games. |  |  |  |  |
| I declare under the penalties of perjury that this application for special consideration has been examined by me and to the best of my knowledge and belief is true, correct and complete. |  |  |  |  |  |
| Signature: | Jill Mettler |  |  |  |  |
| Date of application: | 11/24/2019 |  |  |  |  |
| STAFF USE ONLY |  |  |  |  |  |
| Est. total value of waiver (\$): |  | City Council Review date: |  | Approved date: |  |

## Agenda Item: $\quad$ Resignation of Part-Time Officer Charles Cudd

Meeting Date: $\quad$ December 9 ${ }^{\text {th }}, 2019$
Prepared by: Shane Mikkelson, Chief of Police

Attachments: Letter of resignation

## Policy Consideration:

Officer Cudd has submitted a letter of resignation.

## Background:

Officer Cudd was hired in October of 2019 and has submitted his resignation letter. We thank him for his dedicated service to the Osseo Community.

## Budget or Other Considerations:

This will not affect the current budget.

## City Goals Met By This Action:

Develop team work among the City's leadership team.

## Options:

The City Council may choose to:

1. Approve the resignation of Officer Cudd.
2. Deny the resignation of Officer Cudd.

## Recommendation/Action Requested:

Staff recommends the City Council choose option (1) Accept the resignation of Officer Charles Cudd.
Next Step:
Accept the resignation.

## Chief Mikkelson-

Effective immediately I am resigning from my position as a part-time officer for the city is Osseo. Charles Cudd

Sent from my iPhone

## City of Osseo City Council Meeting Item

## Agenda Item: Approve Hire of Rink Attendants

Meeting Date: $\quad$ December 9, 2019
Prepared by: Nick Waldbillig, Public Works Director

## Policy Consideration:

Consider hiring these individuals as rink attendants for the 2019-2020 winter skating season: Hailey Olson, Jack Norman, Greta Kitelinger, and Luke Wills

## Background:

This position was posted on the City website, Gateway Sign, and social media.

## Budget or Other Considerations:

This position was planned in the 2019-2020 budgeting process. These seasonal workers are paid $\$ 10 /$ hour.

## City Goals Met By This Action:

Provide a variety of activities for all citizens with continued and new City events and programs.

## Options:

The City Council may choose to:

1. Approve the hire of Hailey Olson, Jack Norman, Greta Kitelinger, and Luke Wills as Rink Attendants for the 2019-2020 winter skating season.
2. Approve the hire of others for the Rink Attendant position.
3. Deny hiring for this position.
4. Table action on this item for more information.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1, Approve the hire of Hailey Olson, Jack Norman, Greta Kitelinger, and Luke Wills as Rink Attendants for the 2019-2020 winter skating season.

# Osseo Fire Department Activity Summary - October 2019 

## Incident Responses

Fire ..... 22
Appliance Fire ..... 1
Smoke ..... 1
Utilities ..... 2
Fire Alarm ..... 14
Canceled En Route ..... 2
Unfounded ..... 2
EMS ..... 18
Mutual Aid ..... 2
Maple Grove ..... 1
Robbinsdale ..... 1
Total ..... 42

## Training

- Hazardous Materials Technical Decontamination Training
- Osseo's Target Hazards with Inspector Hugh Heidt


## Activities

- Halloween Parade Candy Handout - organized by probationary members
- Steak Fry fundraiser
- Standby at Champlin Station during Anoka Halloween Parade
- Finalize Fire Academy plan with Elk River Fire Academy
- Preparing Occupancy and Inspection data for transfer from old incident reporting system to new system
- North Joint Ops Working Group meeting at Maple Grove Fire Station 2
- Engine 11 demonstration at Osseo Education Center
- Osseo Wrestling photos with the fire trucks


## Other

- Approval of 7 new hires
- New Hire Welcome Meeting
- Lettering and decals applied to new Utility 11
- Submitted grant application to MN State Fire Marshal's Office for gear dryer
- Updated box alarms submitted to Hennepin County Dispatch


## THANK YOU

To all volunteers who help make Osseo a better place to live, work, and play, and help give our community that special small-town feel;

To:

- Elected officials and volunteer members of the City Council, Economic Development Authority, Planning Commission, Heritage Preservation Commission, Parks \& Recreation Committee, and Public Safety Advisory Committee
- Osseo businesses, civic organizations, faith communities, and others for monetary donations and volunteer time
- Volunteers with Osseo Senior programs
- Police Department Reserve Officers
- Volunteers assisting with Music \& Movies in the Park, Night to Unite, Lions Roar, Minidazzle, and other community events
- Osseo Secondary Transition Center students and staff
- Trolley drivers
- Volunteers tending Osseo Orchard
- "Explore Osseo" business representatives
- Citizens picking up trash on streets and sidewalks
- Volunteers helping to hang holiday lights downtown Osseo
- Area Fire and Police Departments for providing assistance for city events
- CCX Media for promotion of our city
- Volunteers who help maintain Boerboom Park and plantings along Central Avenue

To everyone who realizes that every little bit helps to make our lives better every day;

## THANK YOU!

## Resolution No. 2019-xx

## RESOLUTION ACCEPTING DONATIONS TO CITY OF OSSEO

WHEREAS, the Osseo City Council is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Section 465.03; and

WHEREAS, the Council agrees that said donations would be of benefit to the citizens of Osseo; and
WHEREAS, the following have proposed these contributions to the City of Osseo and the donations be used for specific purposes as indicated below:

Donor<br>Amount/Item Designated Fund<br>Osseo Lions Club<br>$\$ 900$<br>Harold E. \& Gayle Johnson<br>\$400<br>Lions Roar<br>(in memory of Helen Evans, Deloris Hurkman, Edward Lynde \& Mary Ann Quade)

## City of Osseo City Council <br> Meeting Item

## Agenda Item: Continued 2020 Truth in Taxation Public Hearing

Meeting Date:<br>December 9, 2019<br>Prepared by:<br>Riley Grams, City Administrator

Attachments: Truth in Taxation Presentation from November 25, 2019

## Background:

The Osseo City Council opened the Truth in Taxation public hearing on November 25, 2019 and allowed for any and all public comments to be made regarding the 2020 preliminary City budget. The Council then motioned to continue the Truth in Taxation public hearing to the December 9, 2019 Council meeting.

City Hall has received no public comments or questions regarding the proposed 2020 budget since the November 25 meeting. The City Council should ask anyone at the December 9 meeting to comment on the preliminary 2020 City budget. Once all comments are received, the Council should motion to close the public hearing.

## Previous Action or Discussion:

The City opened the Truth in Taxation public hearing at the November 25 Council meeting, allowed for any and all public comments, and motioned to continue the public hearing to the December 9 Council meeting.

## Recommendation/Action Requested:

Staff recommends the City Council continue the Truth in Taxation public hearing and all any and all public comments. Once all comments are completed, the Council should motion to close the Truth in Taxation public hearing.

## City of Osseo

Continued Truth in Taxation Public Hearing

OSSEO COUNCIL CHAMBERS
MONDAY, DECEMBER 9, 2019-7:00 PM

## City of Osseo: Truth in Taxation Public Hearing 2020

1) We are here tonight to listen to public comments about the proposed City portion of your total property tax for 2020.
2) We are not here to discuss or defend the value of your property set by the Hennepin County Assessor.
3) The comments tonight should focus on the proposed City levy for 2020, which is caused by the Budget to be adopted by the City Council on December 9, 2019.

## City of Osseo Property Taxes

There are single family residential properties in Osseo where the City Property Tax went down by as much as 20\% and there are single family residential properties where the City Property Tax went up by as much as 20\% for 2020. The average preliminary property tax in Osseo either stayed the same or decreased by $4.9 \%$ ( $28 \%$ of properties) or stayed the same or increased by 4.9\% (38\% of properties fall in that range).

## What determines the City Property Tax?

A) The change in the value of the property.
B) The change in the city tax rate.

## Change in Property Values

1) Property values are determined by the Hennepin County Tax Assessor.
2) Residential property values in Osseo have generally decreased for taxes payable in 2008 through 2014. During that same time, commercial property values in Osseo have generally increased for taxes payable.
3) For taxes payable in 2015 through 2019, and again into 2020, most residential properties in Osseo have increased in value, while commercial property values have decreased during those same years.
4) Property values often follow a pendulum. When commercial values increase, residential values decrease. When commercial values increase, residential values decrease.
5) The cause of the increase in property values is the actual single-family residential sales that occurred in Osseo. When residential properties are being sold at higher prices, overall properties values increase, which in turn, increases the taxes payable by those properties.

## Estimated Median Market Values Average Single-Family Home in Osseo



## Change in City Tax Capacity Rate

1) The preliminary tax levy shows increase in the tax rate from 2019 ( $60.01 \%$ ) to 2020 ( $67.77 \%$ ). This is an increase of $7.76 \%$.
2) If the City Council reduces the proposed 2020 budget, you will have a lower City portion property tax payment payable in 2020 than your current proposed tax statement letter shows.
3) According to the Hennepin County Assessor, 2020 will see the continued shift of tax burden from commercial back to residential properties. The City expects to see the continued trend of increased property values into the foreseeable future, which ultimately raises property taxes as your property is more valuable.

## Osseo Local Tax Capacity Rate



## Change in City Tax Levy

1) Total proposed City levy is up $\$ 236,564$ from 2019 to 2020. All Osseo properties are being asked to pay this amount more for 2020 versus what they paid in 2019. This includes general property taxes as well as fiscal disparities.
2) This reflects increases and decreases in City expenditures and in City revenues.
3) Expenditures are estimated to increase $\$ 255,741$ (9.75\% increase). Non-tax levy revenues are estimated to increase \$19,178 (1.64\% increase).

## Where Are Your Property Tax Dollars Going?

Property Tax Dollars for Median Valued Osseo Single Family Home


## Questions/Comments

The Osseo City Council and City Staff thank you for attending the continued Truth in Taxation Public Hearing tonight.

The Council has already opened public comments. Any and all are invited to comment on the preliminary budget and tax levy. Once completed, the Council will close the public hearing.

## Agenda Item: $\quad$ Confirm EDA Actions of December 9, 2019

## Meeting Date: $\quad$ December 9, 2019

Prepared by: Riley Grams, City Administrator

Attachments: None

The EDA took the following actions at their regular meeting on December 9, 2019:

1) Approved the 2020 EDA Budget
2) Approved Public Parking Signs for First Ave Commons Parking Lot
3) Approved a Subordination Agreement for Townhouse on $1^{\text {st }}$ Ave NW
4) Discussed Business Expansion and Retention Initiatives for 2020
5) Approved EDA accounts payable

## Options:

The City Council may choose to:

1. Approve the EDA actions of December 9, 2019;
2. Deny the EDA actions of December 9, 2019;
3. Table action on this item for more information.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the EDA actions of December 9, 2019.

## Agenda Item: Discuss Zoning Code Amendments

Meeting Date: December 9, 2019
Prepared by:
Nancy S. Abts, AICP, City Planner
Attachments: Summary Presentation highlighting proposed changes
Memo from WSB regarding PI District
Memo from WSB regarding dimensional standards
Planning Commission Minute Excerpts
Zoning excerpt from Comprehensive Plan
Zoning Code 'Markup' showing proposed changes

## Policy Consideration:

Hold a discussion on proposed amendments to the Zoning Code.

## Previous Action or Discussion:

A preliminary schedule for completing these updates was proposed in August:

| August 19 | Planning Commission | Provide initial input on Code Updates |
| :--- | :--- | :--- |
| September 16 | Planning Commission | Review initial information on Code Updates |
| October 21 | Planning Commission | Public Hearing on Code Updates |
| November 12 | City Council | $1^{\text {st }}$ Reading (including any revisions) |
| November 25 | City Council | $2^{\text {nd }}$ Reading \& adoption |

Previously, the Planning Commission held a preliminary discussion of work to implement the Comprehensive Plan at their April 15, 2019 meeting. Following direction from the City Administrator, additional work on Comprehensive Plan implementation was paused until adoption of the Plan.

On July 24, 2019, the Metropolitan Council reviewed and accepted Osseo's 2040 Comprehensive plan, and authorized the City to put the plan into effect. The Osseo City Council approved submitting the Comprehensive Plan to the Metropolitan Council on November 26, 2018, and adopted the 2040 Comprehensive Plan Update on August 12, 2019.

## Budget or Other Considerations:

Due to the scope of the updates to the zoning ordinance, the City Attorney suggested holding a Council discussion tonight rather than a $1^{\text {st }}$ Reading. When the Council is ready to adopt the code amendments, a $1^{\text {st }} \& 2^{\text {nd }}$ Reading will need to be scheduled.

## Background:

Under Minnesota State Statute, a city's zoning ordinance should "carry out the policies and goals of the land use plan" (MN Statute 462.357 Subd. 2). As such, all cities that update their land use plans must then follow up with
necessary revisions to the zoning ordinance to bring zoning controls into alignment with the goals and policies of the adopted comprehensive plan. Osseo began this process last month in coordination with planning consultants from WSB \& Associates.

## Dimensional Standards

Points of discussion around dimensional standards in existing districts are listed by district:

## R-1: One and Two Family Residential

After discussion at the Planning Commission, no changes are proposed.

## R-2: High-Density Residential

After discussion at the Planning Commission, no changes are proposed.

## CBD: Central Business District

After discussion at the Planning Commission, increasing the building height maximum from 35 to 45 feet is proposed.

## C2-Highway Commercial North \& South

After discussion at the Planning Commission, decreasing the minimum lot size from 15,000 to 7,200 square feet is proposed. Reducing minimum lot dimensions is also suggested. For Width, 50 feet is proposed (reduced from 90). Front \& Corner Side Yard setbacks are proposed to be 20 feet (down from 45), and Accessory Side/Rear Yard setbacks are proposed to be 10 feet (down from 20).

## M-Manufacturing and Industrial

After discussion at the Planning Commission, reducing minimum lot dimensions is also suggested. Front \& Corner Side Yard setbacks are proposed to be 20 feet (down from 50), and Accessory Side/Rear Yard setbacks are proposed to be 10 feet (down from 35).

## Edge Mixed Use Zoning

A new 'Edge Mixed Use' zoning is proposed. This district would be applicable for certain redevelopment areas guided as "Edge Mixed Use" in the Comprehensive Plan. Overall, this new district is intended to allow certain types of development to take place without requiring the extensive negotiation and approvals process needed for a PUD. Projects would still undergo a standard Site/Building Plan Approval required for all development other than 1- and 2family homes. (Development that doesn't meet the district requirements might proceed under a PUD.) This zoning is somewhat of a hybrid of the Central Business District and High-Density Residential District. However, unlike the CBD, it allows ground-floor residential by right. Unlike the R2 district, it allows some commercial uses by right.

Other features of the district include:

- A minimum of 3 dwelling units per residential structure
- A minimum and maximum front yard setback (to ensure consistency between buildings)
- Development substantially consistent with Osseo's Architectural Design Guidelines
- Limits on the amount of commercial space allowed by right in mixed-use buildings (larger commercial spaces are Conditional Uses)
- A height bonus for providing the "open space" or "park-like amenities" the land use guidance calls for
- Lower off-street parking requirements than R2 (1 space per dwelling unit, rather than 1.75 ) and no parking required for the first 3,000 square feet of commercial space
- Bicycle parking required (could apply just to this district, or citywide).

Many of the areas guided for Edge Mixed Use are located along the future Crystal Lake Regional Trail alignment along County Road 81 or the planned multiuse trail along County Road 30.

## Interim Use Permits

In addition to the updates identified in the Comprehensive Plan, staff is proposing updating City Code to allow Interim Uses. Interim Uses are somewhat similar to Conditional Uses, but are allowed to terminate at a certain date or if other conditions change. Unlike Conditional Permits, there does not necessarily need to be a permit violation or a discontinued use in order for an Interim Use to be removed from a property.

## Alternative Energy Systems

The Comprehensive Plan calls for Osseo to address solar energy in the zoning ordinance. The model ordinance provided by WSB also has sections on Geothermal Heat Pumps and Wind Energy Systems. These sections are included for Planning Commission review.

In general, low-impact Alternative Energy Systems are proposed as allowed accessory uses in all Zoning Districts, subject to the limitations on size, location, and suitability laid out in the ordinance.

This ordinance has been in place in the City of North Saint Paul for several years. Their staff report a positive response and modest utilization of the systems. (A handful of properties have installed alternative energy systems since the ordinance was adopted.)

## Miscellaneous Updates

Some general miscellaneous/clerical updates are also proposed to the Zoning Ordinance, primarily to clarify requirements that already exist in code. Some reduced restrictions on Home Occupations are suggested, as are updated minimum dimensions for parking areas.

## City Goals Met By This Action:

4) Improve the City's aging and deteriorating infrastructure
5) Continue to give Staff the necessary tools to do their jobs effectively and efficiently
6) Update City policies
7) Develop and implement the Comprehensive Plan
8) Promote a healthy and high quality standard of living

## Recommendation/Action Requested:

The City Council is asked to discuss the proposed zoning ordinance amendments and direct staff accordingly.

## Next Step:

New or updated ordinances typically are read at two Council meetings before they are adopted.

If the Edge Mixed Use Zoning District is established, an additional amendment to the Zoning Code would be required to rezone the properties into that district. (The Zoning Map is Appendix D of the Zoning Code.)

In 2020, additional work on the City's Planned Unit Development requirements and Subdivision Ordinance are planned.

## Zoning Ordinance Amendments

## CITY COUNCIL MEETING

DECEMBER 9, 2019

## Before we get started...

What effects do zoning ordinance changes have on pre-existing properties, buildings, \& uses (e.g., future nonconformities)?

## § 153.130 NON-CONFORMING STRUCTURES AND USES.

> This topic is already addressed in ordinance \& state law.
$>$ Updates proposed to clarify purpose statement \& define terms (including "expansion")

## Purpose

This subsection is intended to provide for the regulation of uses, structures, lots, or site improvements which lawfully existed prior to the effective date of the zoning ordinance or subsequent amendments, but which fail to comply with one or more current regulations.

## Definitions

> $\frac{\text { Expansion. ...includes, but is not }}{\text { limited to intensification of the }}$ limited to intensification of the portion of the property not previously used, or increased structure dimensions.
> Improvement. Where a nonconformity is made more compatible with the use of adjacent properties, efficient, and/or more aesthetically pleasing. ... an improvement does not include an expansion.
> Maintenance. Normal repair. restoration, and improvement including cosmetic changes. ... maintenance does not include new construction or expansion of a use or structure.
> Repair. ... means to restore to good condition by replacing or reassembling broken, worn out or malfunctioning components. Repair does not include expansion.
> Replacement. Construction that provides a substitute substantially equivalent to the preexisting conditions that preceded damage or destruction.
> Restoration. ... to restore or repair to good condition by replacing or reassembling broken, worn out or malfunctioning components. Restoration does not include expansion.

Red/orange underline: New text
Bold: emphasis added

## § 153.130 NON-CONFORMING STRUCTURES AND USES.

## Existing Uses

The lawful use of any land or building existing at the time of the adoption of the zoning chapter on November 14, 1994-ordinance or subsequent amendments may be continued, at the size and in the manner of operation existing on that date, even if the use does not conform to the regulations of this chapter, and if the use has not at any time been discontinued and continues to exist on the date of the adoption of this chapter. The use, however, shall be subject to the provisions following in this subchapter.

Note: Osseo's first Zoning Ordinance was adopted in December 1958.

## § 153.130 NON-CONFORMING STRUCTURES AND USES.

Re-order existing requirements:
(1) Repair or maintenance. A non-conforming building or structure may be repaired or maintained, subject to the limitations of this chapter. Normal maintenance of a non-conforming building or structure is permitted; including necessary non-structural repairs and incidental alterations which do not physically extend or intensify the non-conforming use.
(2) Enlargement and Expansion. A non-conforming building, structure, or use shall not be expanded in any manner unless the additions or enlargements constitute improvements made to bring the building or structure into conformity with the regulations of this chapter. No non-conforming structure or use shall be expanded, except in the following case: a non-conforming use may be extended throughout any parts of a building which were arranged or designed for that use when the use became non-conforming, but no such use shall be extended to occupy land outside the building.

Red/orange underline: New text
Green underline: Text relocated from another part of this section

## Funfact! § 153.131 NON-CONFORMING LOTS OF RECORD.

Dwellings on small lots. In any district in which one-family dwellings are permitted, a one-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. The lot must be in separate ownership. This provision shall apply even though the lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which the lot is located, but in no case shall building be permitted on a lot less than 50 feet in width. Variance of yard requirements shall be obtained only through action of the Board of Appeals.

The Planning Commission received a resident question about the impact on non-conforming lots of record in residential districts. The resident questioned whether the minimum R-1 lot sizes should be reduced so that fewer properties are non-conforming. However, as this existing text in the Zoning Ordinance provides, non-conforming residential lots can still be used for residential purposes. Additionally, to be in conformance with our Comprehensive Plan and System Statements, the City needs to maintain residential density of a minimum of 4 and a maximum of 8 units per acre.

Bold: Emphasis added (No changes proposed; this is just context)

## Dimensional Standards



| Zoning District | Building Height Max. (feet) ${ }^{2}$ | Access. <br> Height Max. (feet) | Lot Size Min (s.f) | Lot Width Minimum (feet) | Setbacksf |  |  |  |  | Minimum Area <br> Per Dwelling <br> Unit (sq. feet) | Dwelling Floor Area Ratio | Max. Impervious Surface(\%) |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  | $\begin{aligned} & \text { Front Yard } \\ & \text { (Feet) } \end{aligned}$ | Corner Side <br> Yard (Feet) | Side Interior (Feet) | Rear Yard (Feet) | Accessory Side/Rear Yard (Feet) (Alley) |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
| One-family | 25 | $10^{8}$ | 8,250 | 50 | 25 | $25^{\text {c }}$ | $15^{\text {b }}$ | 5 | 5 |  |  | 50\% |
| Two-family | 25 | $10^{5}$ | 10,000 | 50 | 25 | $25^{\text {c }}$ | $15^{\text {b }}$ | 5 | 5 |  |  | 50\% |
| R-2 |  |  |  |  |  |  |  |  |  |  |  |  |
| Multiple family | $25-35(65)^{\text {b }}$ | $10^{5}$ | 21.780 | 130 | 35 | 25 | 10 | 10 |  |  | N/A |  |
| Efficiency |  |  |  |  |  |  |  |  |  | 400 |  |  |
| 1-bedroom |  |  |  |  |  |  |  |  |  | 525 |  |  |
| 2-bedroom |  |  |  |  |  |  |  |  |  | 650 |  |  |
| More |  |  |  |  |  |  |  |  |  | Add 125 s.f. additional bedroom |  |  |
| EMX | $35(65)^{\text {b }}$ | 15 | 7,200 | 50 | $10 \frac{0 \mathrm{~min}}{}$ | $\frac{0 \text { min }}{10 \mathrm{max}}$ | 0 | $\underline{0}$ | 0 | As R-2 | N/A | 100\% |
| CBD | 45 | 15 | 7,200 | 50 | 0 | 0 | $0^{8}$ | 0 | 0 | N/A | N/A | 100\% |
| C-2 | 35 | 15 | 15,000 7,200 | $99 \quad 50$ | 4520 | 4520 | 10 | 10 | 20.10 | N/A | 1 | 60\% |
| M | 40 | 15 | 20,000 | 100 | $50 \underline{20}$ | 50.20 | 10 | $20 \underline{10}$ | $35 \underline{10}$ | N/A | 1 | 100\% |
| Definitions: <br> Floor area ratio = total floor area of principal and accessory structure in direct ratio to the gross area of the lot |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
| : 65 ft . if structure is designed for multiple residents |  |  |  |  |  |  |  |  |  |  |  |  |
| b On interior lots, there must be at least 15 feet between dwellings with a minimum of 5 feet from the lot line |  |  |  |  |  |  |  |  |  |  |  |  |
| * The buildable principal structure area must not be less than 32 feet in width, exclusive of setbacks |  |  |  |  |  |  |  |  |  |  |  |  |
| ${ }^{\circ}$ When a commercial building shares a common boundary with a residential use property, a side yard set back of 10 feet is required |  |  |  |  |  |  |  |  |  |  |  |  |
| - The building height limits established herein for districts shall not apply to the following: belfries; chimneys or flues; church spires; cooling towers; cupolas and domes which do not contain useable space; elevator penthouses; flag poles; monuments; parapet walls extending not more than 3 feet above the limiting height of the building |  |  |  |  |  |  |  |  |  |  |  |  |
| F The following shall not be considered as encroachment on required yard setbacks: |  |  |  |  |  |  |  |  |  |  |  |  |
| (1) Flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than two feet into the required yard |  |  |  |  |  |  |  |  |  |  |  |  |
| (2) Ground level patio, i.e., patio that is flush with the ground |  |  |  |  |  |  |  |  |  |  |  |  |
| (3) In rear yards, recreational and laundry drying equipment, arbors and trellises, detached outdoor living rooms, and air conditioning or heating equipment to a point not less than ten feet from the rear lot line |  |  |  |  |  |  |  |  |  |  |  |  |
| (4) A one-story enclosed entrance for a detached one-family, duplex, or townhouse dwelling may extend into the front yard setback not exceeding four feet |  |  |  |  |  |  |  |  |  |  |  |  |
| B Except private garages are allowed to be up to 15 feet in height |  |  |  |  |  |  |  |  |  |  |  |  |

## WSB assisted in review of the dimensional standards for the city's Commercial zoning districts.

Suggestions for updated lot sizes, building heights, and setbacks following conversation at the September Planning Commission Meeting.

Red/orange underline: New text
Blue strikethrough: Current requirements, to be removed


No, Osseo isn't going to host Burning Man...but it is an example of a well-regulated interim use with minimal long-term impacts on its surroundings.

## Purpose

To allow a use for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the Comprehensive Plan; and

To allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future or will be replaced in the future by a permitted or conditional use allowed within the respective district.

To allow a use which is reflective of anticipated long range change to an area and which is in compliance with the comprehensive plan provided that said use maintains harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development.

All text is new

Bold: Emphasis added

## Procedure \& Issuance Standards

## Application, public hearing, notice and procedure

- ...Procedure requirements for interim use permits shall be the same as those for conditional use permits
- In addition, applications shall include a signed statement agreeing:
- That the applicant, owner, operator, tenant and/or user has no entitlement to future reapproval of the interim use permit;
- That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
- That the applicant, owner, operator, tenant and/or user will abide by conditions of approval that the City Council attaches to the interim use permit.


## General issuance standards

- Council shall issue such interim use permit only if it finds ... that:
- the interim use permit ... will terminate before any adverse impacts are felt upon adjacent properties;
- The use will terminate upon a date or event that can be identified with certainty. Interim use permits may not be granted for a period greater than five (5) years;
- There is adequate assurance that the property will be left in suitable condition after the use is terminated;
- By agreement, the use will not impose additional costs on the public if it is necessary for the public to take the property in the future


## All text is new

Bold: Emphasis added

## Security deposit \& termination

## Security Deposit

- Security deposits shall be provided as required by the City.



## Termination

- An interim use permit shall terminate upon the occurrence of any of the following events; whichever first occurs:
- The date stated in the permit; or
- Upon violation of conditions under which the permit was issued

All text is new
Shipping container shopping malls are unlikely, but similarly illustrate an interim use that could be discontinued with minimal impact to the property.

## NEW! <br> Edge Mixed Use Zoning District




Dark red/maroon areas are guided for Edge Mixed Use.

The block bounded by $1^{\text {st }} \& 2^{\text {nd }}$ Aves NW $\& 3^{\text {rd }} \& 4^{\text {th }}$ Streets NW—near Osseo Senior High—is not expected to redevelop before 2030. Rezoning is not proposed at this time.

If the EMX Zoning district is created, other areas guided for EMX land use could be considered for rezoning in 2020. As it is an amendment to the Zoning Map (Appendix D), the rezoning process requires a public hearing and $1^{\text {st }}$ and $2^{\text {nd }}$ readings by the City Council.


Two areas along County Road 81 are re-guided for EMU in the 2040 Land Use Plan.
Areas guided for Edge Mixed Use are primarily along the proposed Crystal Lake Regional Trail (County Road 81) and planned multimodal trail along County Road 30/93rd Avenue connecting Osseo to the $93^{\text {rd }}$ Avenue LRT station in Brooklyn Park.

## Intent

- The intent of this district is to accommodate uses that are predominantly residential in nature and mixed-use buildings with neighborhood-serving retail, entertainment, civic, institutional, and office uses in key ground-floor locations and residential uses between and above the nonresidential space.

- The ground level shall be pedestrian-oriented and shall promote the health and well-being of residents by encouraging physical activity, alternative transportation, and social interaction.
- Development in the district shall facilitate transition between commercial areas and nearby neighborhoods.


## All text is new

Colors/bold: Emphasis added

## Permitted Uses

- All permitted uses in the Central Business District (CBD) ... within a mixed-use building ... not exceed[ing] ... the ground floor.
- Commercial establishments. Not limited to the following:
- Retail establishments such as grocery, hardware, drug, clothing, appliances, furniture stores, and restaurants;
- Personal services such as laundry, barber, shoe repair, beauty salon, and photography studio;
- Professional services such as medical clinics, dental clinics, law offices, and accounting offices;
- Finance, insurance, and real estate services;
- General commercial office space; and
- Repair services such as jewelry, radio, and television repair shops (not auto repair).
- Public and semi-public facilities serving all or portions of the city, such as municipal offices, library, and post office; ...
- All Permitted Uses in the High Density Residential District (R-2).
- Multiple-family dwellings of three or more dwelling units per structure; and
- Customary accessory uses incidental to the permitted residential uses such as private garages and private recreational facilities such as swimming pools and tennis courts.


## All text is new

Colors/bold: Emphasis added
Italics: Duplication of content from other sections of the Zoning Ordinance

## Conditional Uses

Permitted uses in the Central Business District (CBD) occupying more than the gross floor area of the ground floor when within a mixed use building;

- Conditional uses in the Central Business District (CBD) with the exception of businesses intending to sell or serve liquor as part of regular business and Artisan manufacturing businesses;
- Fun fact: Conditional Uses in the R - 2 district are also Conditional Uses in the CBD


All text is new
Colors/bold: Emphasis added
The Planning Commission considered, and recommended against, prohibiting alcohol sales/service \& artisan manufacturing as Conditional Uses in the EMX diststrict.

## Building Performance Standards

Substantially compliant with the Architectural Design Guidelines for Osseo Business Districts
Compliance determined through site/Building Plan Review

Architectural Design Guidelines address:
> Height,
> Setbacks/Building Siting,
> Fenestration,
> Rhythm/Continuity,
> Materials,
> Detailing,
> Lighting,
> Rear Entrances,
> Parking
https://www.discoverosseo.com/files/7315/0341/7
113/arch design guidelines 2000.pdf

Rather than develop specific detailed guidelines for development, the ordinance refers to the existing Architectural Design Guidelines

All text is new

## Site Performance Standards

- Fencing as in R2 District
- Landscaping as in CBD


## Off-street Motor Vehicle Parking

> In accordance with Appendix B: Off-Street Parking Space Requirements-except:
> One off-street parking space must be provided for each dwelling unit.
> Other districts:
> 1.75 spaces / multi-family unit
> 1 space / $55+$ unit
> No off-street parking is required for non-residential uses in the district unless such uses exceed 3,000 square feet of gross floor area in which case off-street parking must be provided for the floor area in excess of 3,000 square feet.
> Off-street parking spaces must be located to the rear of the principal building or otherwise screened so as to not be visible from public streets or residential zoning districts.

All text is new

Colors/bold: Emphasis added
Italics: Duplication of content from other sections of the Zoning Ordinance

## Bicycle Parking

Applicability. Provided for all new commercial, industrial, community service use, and multifamily residential development [in the EMX District] / [citywide]


- Bicycle Parking Standards. Each required bicycle parking space must be accessible without moving another bicycle [or] obstructing a walkway. Bicycle racks shall be permanently installed to the manufacturer's specifications. In addition:
- Bicycle parking facilities shall meet the following requirements:
- Securely anchored to a hard, durable surface.
- Located within 50 feet of the main building entrance.
- Designed to provide direct access to a public right-of-way.
- Dispersed for multiple entrances.
- In a location that is visible to building occupants or from the main parking area.
- Designed not to impede pedestrians along sidewalks or public rights-of-way.
- Separated from motor vehicle parking areas by curbing or other similar physical barriers.
- Property owners are encouraged to conform to the Association of Pedestrian and Bicycle Professionals (APBP) Guidelines, copies of which are available at City Hall.
- The public right-of-way may be utilized for bicycle parking [if ] approved by the Public Works Director.


## All text is new

Colors/bold: Emphasis added

## Bicycle Parking

- Quantity of Spaces
- The quantity of required bicycle parking spaces shall be as described in this subsection. In no case shall fewer than two
(2) spaces be required.
- Unless otherwise specified, the number of bicycle parking spaces shall be at least $10 \%$ of the minimum required motor vehicle parking for the use, up to 30 bicycle parking spaces.
- Multifamily residential development with 4 or more units shall provide 1 space per unit.

- Covered or enclosed bicycle parking. A minimum of 50\% of the bicycle spaces shall be covered and/or enclosed (in lockers or a secure room) in any of the following situations:
- When $10 \%$ or more of automobile parking is covered.
- If more than 10 bicycle parking spaces are required.


## All text is new Colors/bold: Emphasis added

Council should discuss whether 1 bicycle parking space per 1 multi-family unit is appropriate. Hennepin County's Bicycle/Pedestrian Planning Team recommended this number in light of units that may have more than one resident (including families), as well as visitor parking.

The Planning Commission discussed whether to require covered bicycle parking for apartments. Commission members felt that property owners might choose to provide covered bicycle parking, but requiring it would be an overreach. The Commission alsodiscussed offering an incentive to provide covered bicycle parking, e.g., reducing the number of other required parking spots in exchange for providing covered bicycle parking.

As a reminder, the areas guided for EMU are in proximity to the planned Crystal Lake Regional Trail (along County Road 81) and a multi-modal trail connecting to the $93^{\text {rd }}$ Avenue Blue Line LRT station in Brooklyn Park.

## Alternative Energy Systems



The Comprehensive Plan calls for Osseo to address solar energy in the zoning ordinance.

The model ordinance provided by WSB also has sections on Geothermal Heat Pumps and Wind Energy Systems. These sections are included for Planning Commission review.

## Purpose

The purpose of this Section is to:

- Accommodate alternative energy sources by creating a clear regulatory path for approving alternative energy systems.
- Create a livable community where development may incorporate resilient design elements such as resource and energy conservation and use of renewable energy.
- Protect and enhance air quality and decrease use of fossil fuels.
- Accommodate alternative energy development in locations where the technology is viable and environmental, economic, and social impacts can be mitigated.
- Encourage development by establishing reasonable requirements for performance, safety, design, and aesthetics of alternative energy systems.

All text is new
Colors/bold: Emphasis added

## Solar Energy Systems

| Gross Potential <br> (Mwh/yr) | $1,388,187$ |
| :--- | :--- |
| Rooftop Potential <br> (Mwh/yr) | 226,486 |
| Gross Generation <br> Potential (Mwh/yr)2 | 138,818 |
| Rooftop Generation <br> Potential (Mwh/yr)2 | 22,648 |

2 In general, a conservative assumption for panel generation is to use $10 \%$ efficiency for conversion of total insolation into electric generation.
https://metrocouncil.org/Handbook/Files/Solar-
Resource-Calculation/02396098 Osseo SolarCalcaspx

Gross Solar Potential
City of Osseo, Hennepin County


Solar energy analysis from the Metropolitan Council's Local Planning Handbook
https://metrocouncil.org/Handbook/Files/Solar-Resource-Calculation/02396098 Osseo SolarCalc.aspx

## Solar Energy Systems.

## Height

- Roof mounted solar energy systems shall comply with the maximum height requirements in the applicable zoning district.
- Ground mounted solar energy systems shall not exceed fifteen (15) feet in height.
- Roof mounted solar collectors may be flush mounted or bracket mounted. Bracket mounted collectors shall be permitted only when a determination is made by the City Building Official that the underlying roof structure will support apparatus,


## Location \& Setbacks

- In residential zoning districts, ground mounted solar energy systems shall be limited to the rear yard.
- In nonresidential districts, ground mounted solar energy systems may be permitted in front yards, side yards adjacent to public rights-of-way, and rear yards.
- Shall comply with Accessory Structure Setbacks. Roof mounted setbacks shall not extend beyond the building perimeter.

All text is new

## Solar Energy Systems.

## permitted accessory use in all zoning districts

## Screening

- Solar energy systems shall be screened from view to the extent possible without impacting their function


## Maximum Area

- Ground mounted solar energy systems shall be limited in size to no more than twenty-five (25) percent of the rear yard.


## Abandonment

- If a solar energy system remains nonfunctional or inoperative for a continuous period of one (1) year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including transmission equipment.

All text is new

## Ground Source Heat Pumps



## Ground Source Heat Pumps.

## permitted accessory use in all zoning districts

## System Requirements

- Only closed loop ground source heat pump systems utilizing heat transfer fluids as defined in this Section are permitted. Open loop ground source heat pump systems are not permitted.
- Ground source heat pump systems in public waters may be permitted as a Conditional Use ... subject to the following:
- Approval from the Minnesota Department of Natural Resources.
- Written consent of all property owners and/or approval by an association in accordance with its adopted bylaws.
- Demonstrated compliance with applicable City permit requirements.
- Ground source heat pump systems in water bodies owned or managed by the City are not permitted.


## Setbacks

- All components of ground source heat pump systems including pumps, borings and loops shall be set back at least five (5) feet from side, front, and rear lot lines.
- Above ground equipment associated with ground source heat pumps shall not be installed in the front yard of any lot or the side yard of a corner lot adjacent to a public right-of-way and shall meet all required setbacks for the applicable zoning district.


## All text is new

Bold/color: Emphasis added

## Ground Source Heat Pumps.

## permitted accessory use in all zoning districts

## Abandonment

- If a ground source heat pump system remains nonfunctional or inoperative for a continuous period of one (1) year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained in accordance with the following:

1. The heat pump and any external mechanical equipment shall be removed.
2. Pipes or coils below the land surface shall be filled with grout to displace the heat transfer fluid. The heat transfer fluid shall be captured and disposed of in accordance with applicable regulations. The top of the pipe, coil or boring shall be uncovered and grouted.
3. Lake ground source heat pump systems shall be completely removed from the bottom of the body of water.

All text is new

Bold/color: Emphasis added


The Twin Cities Metro, including Osseo, may not be an ideal location for Wind Energy Systems.

## Wind Energy Systems

## General Standards

- No more than one (1) wind energy system per parcel
- Set back from property lines a distance equal to the highest possible extension of the system
- No part of a rotor blade shall be located within 30 feet of the ground and within 20 feet of the nearest tree or structure
- A yearly certificate of inspection and maintenance ... from a qualified engineer ...


## District Standards

- Residential District Standards.
- All wind turbine systems shall be roof mounted. Ground mounted systems are not permitted.
- Wind energy systems shall not extend more than 6 feet above the highest point of the roof.
- Mixed-Use \& Commercial District Standards.
- Systems shall conform to the maximum height requirements for communication structures.
- Ground mounted systems shall not be installed adjacent to a public right-of-way


## All text is new

Bold/color: Emphasis added
Maximum height requirement for communication structures is $35^{\prime}$

## Miscellaneous <br> Updates

### 153.051 LAND ALTERATION; EROSION CONTROL.

The Planning Commission recommendation is to reduce the 50 -cubic yard exemption to 25 cubic yards. A 20 -cubic yard dumpster is shown below.



Approx
1 cubic yard

- Land alteration restricted; exceptions. Land alteration is the process of changing the existing landscape by excavating, filling, or grading. Subject to the exceptions set forth below, no land shall be altered, excavated, filled, or graded and no vegetation shall be removed without first obtaining a permit from the city. The following exceptions shall be allowed:
- A fill less than one foot in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical, or less than three feet in depth, not intended to support structures, which does not exceed 2550 cubic yards and does not obstruct a drainage course; and other exceptions as are listed the State Building Code;

Bold: Emphasis added

Blue strikethrough: Current requirements, to be removed (or modified)

## § 153.057

LANDSCAPING.

## $R-1 \& R-2$

 residential districts> Update residential landscaping
requirements so that
they no are no longer
limited to "newly platted"
lots
> Differentiate between types/intensities of residential uses

- The minimum number of trees meeting the Minimum Size requirements in Subsection 6) shall be as follows:
- Single and Two Family Uses. A minimum of two trees per parcel.
- Townhouse and Multiple Family Uses of 4 or fewer units. A minimum of one tree per dwelling unit.
- Multiple Family Uses of 5 or more units. Whichever is greater: one tree per 1,000 square feet of gross building floor area or one tree per fifty lineal feet of site perimeter.

Selected text is new.

Bold/color: Emphasis added

## § 153.058 FENCING.

> Remove requirement for permit application for fences
<6' tall, like Maple Grove
Minneapolis, and many other cities.
> Clarifyallowed materials
> Incorporaterestrictionson "hazardous" fence materials from the Nuisance ordinance
> Clarify height bonus for "seethrough" fencing

- No fence exceeding six feet in height shall be constructed without a building permit.
- Fences may be erected, placed or maintained along or adjacent to a lot line. The fence owner shall be responsible for properly locating all property lines before construction of any fence. Boundary line fences shall be located entirely upon the private property of the party constructing the fence unless the owner of the property of the adjoining property agrees, in writing, that the fence may be erected on the division line of the respective properties. The persons, firms, or corporations constructing or causing the construction of the fence shall be responsible for verifying the location of their property line and for maintaining that part of their property between fence and property line. City staff will require any applicant for a fence permit to establish the boundary lines of his or her property by a survey thereof to be made by any registered land surveyor or by showing the stake markers of the surveyed lot.

Green (bullet points): Narrative explaining intent
Red/orange underline: New text

## § 153.060 HOME OCCUPATIONS.

> Allow 2 (rather than 1 ) employees living outside the residence
> Allow home occupation to utilize accessory buildings
> Add hours of operation restrictions


- (A) Conduct of the home occupation does not result in any alterations to the exterior of the residence or involve interior or exterior construction features not customarily found in dwellings:
( (J) No accessory building may be used for operations, display of goods, or the storage of equipment or materials used in the home occupation-A home occupation may be located within the dwelling, an accessory building, or both, provided that the total area of the home occupation is not greater than $50 \%$ of the finished floor area of the dwelling:
- Home occupations shall not operate between 10:00 pm and 7:00 am.

Green (bullet points): Narrative explaining intent
Red/orange underline: New text
Blue strikethrough: Current requirements, to be removed

## § 153.073 <br> PARKING SPACES; DIMENSIONS. <br> Update minimum parking space sizes to account for angled parking and compact or low <br> turnover spaces <br> Current requirement: 9 ' x 20


$0^{\circ}$ to
Parallel

$30^{\circ}$ to $53^{\circ}$

$54^{\circ}$ to $75^{\circ}$

$76^{\circ}$ to $90^{\circ}$

Parking Space and Aisle Dimensions

| Angle of <br> Parking <br> (degrees) |
| :---: |
| $0^{\circ}$ - Parallel |
| $30^{\circ}$. $53^{\circ}$ |
| $54^{\circ} .75^{\circ}$ |
| $76^{\circ}$. $90^{\circ}$ |

One-Way
Maneuvering
Aisle Width Aisle Width (Feet) " A "
 Maneuvering (Feet) " $A$ " 12 14 18

22

| Parking Stall Width (Feet) "B" |  |  | Parking Stall Length (Feet) "C" |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Compact Size | Low Turnover | Full Size | Compact Size | Low Turnover | Full Size |
| 8 | 8.5 | 9 | 18 | 22 | 22 |
| 8 | 8.5 | 9 | 16 | 20 | 20 |
| 8 | 8.5 | 9 | 16 | 20 | 20 |
| 8 | 8.5 | 9 | 16 | 18 | 18 |

## § 153.078 PARKING SPACES: DESIGN AND MAINTENANCE.

## Access

Access and parking areas shall be designed so as to provide an adequate means of access to a public alley or street. The driveway shall be limited so as to cause the least interference with traffic movement. All public parking areas shall have access off driveways and not directly off a public street. Traffic shall be channeled and controlled in a manner that will avoid traffic hazards including obstacles to safe pedestrian access.

## Calculating Space

All square-footage-based parking standards shall be computed on the basis of gross floor area .... Up to 15 percent ... may be excluded ... if the area is used for storage, loading, unloading, or for mechanical equipment. When the determining of the number of required off-street parking spaces results in a fraction, each fraction of one-half or more shall constitute another space. ... in the case of one or two family
dwellings [only] driveways may be used in calculating the amount of off-street parking.

## Surfacing

...parking space[s] and driveways shall be surfaced with an impervious
material to control dust and drainage
... except parking areas for less than three vehicles. This requirement also applies to open sales lots and residential driveways.
(1) Within all zoning district, parking lots and driveways shall be paved and permanently maintained with asphalt concrete, or approved paving units.
(2) Parking lots and driveways may be constructed with the use of other allweather surfacing as determined to
be appropriate by the City Engineer...

Red/orange underline: New text

# § 153.078 PARKING SPACES: DESIGN AND MAINTENANCE. 

## Striping \& <br> identification

Except for parking spaces for oneand two-family residences, parking spaces shall be clearly outlined with four-inch wide lines painted on the parking surface. The striping shall be continuously maintained in a clear and visible manner in compliance with the approved parking plans.

## Permanent spaces

Each parking space shall be permanently available, marked, and maintained for parking purposes for the use which it is intended to serve

## Spaces for people with disabilities

Parking spaces serving people with disabilities shall be provided in compliance with all applicable state and federal requirements. If practicable, spaces for people with disabilities shall be located so they provide easy access from the closest parking area to the major entrance of the use for which they are provided.

Red/orange underline: New text

Existing ordinance 153.078 (A) includes the requirement, "All outside parking spaces shall be clearly marked."

## Where do we go from here?

- August 19 Planning Commission
$\Rightarrow$ Provide initial input on Code Updates
- September 16 Planning Commission
- Review initial information on Code Updates
$\rightarrow$ October 21 Planning Commission
- Public Hearing on Code Updates
- December 9 City Council
- Discussion of Code Updates

Future work in 2020
$>1^{\text {st }}$ Reading - January 13?
$>2^{\text {nd }}$ reading \& adoption - January 27 ?

- Rezone properties as needed/appropriate
- Public Hearing Required, followed by $1^{\text {st }} \&$ $2^{\text {nd }}$ Reading of Amendment to Zoning Ordinance Appendix D: Zoning Map
Revise Development Standards for Planned Unit Developments, Use Tables \& Accessory Uses, and Subdivision Regulations


## Memorandum

To: Nancy Abts, Osseo Planner

From: Molly Just, AICP

Date: September 20, 2019

Re: Updated Memo - Task 8 - Review of Dimensional Requirements

The City of Osseo has requested that WSB review certain dimensional standards within the City's Zoning Ordinance. To that end, staff provided specific questions to be addressed with our review. What follows is an updated memo reflecting our responses to your most recent requests. This memo is separated by district and the district intent is included for context.

## R-1

Intent. To recognize fully or partially developed one- and two-family residential areas including supporting public and semi-public facilities, to provide for future development of a similar nature, and to protect the desired low intensity living environment from encroachment by conflicting land use.

Impervious Surface. The existing maximum is generous. The norm is more like 30-40\% but if there are no environmental or flooding issues, perhaps keep it as is. If most lots aren't at 50\% impervious, how would a robust residential market that might encourage tear downs or large expansions impact the goals of the community?

## R-2

Intent. To recognize the demand for apartment, condominium, and multiple-family dwellings; to provide for these apartments upon fairly sizable tracts of land, thereby allowing increased design flexibility and a more compatible development pattern; and to permit these apartments at densities high enough to allow high quality development yet low enough to provide a desirable living environment for residents.

Height. Staff suggests 3-stories/40-feet max.
Land per bedroom. I suggest that the intent was for this to be floor area per bedroom and not land. Peer communities treat the per bedroom square footage requirement this way. An alternative would be land area per unit, such as 1,000 sqf per unit or 1,500 sqf per unit. What do you want for Osseo?

CBD
Intent. The intent of this district is to accommodate central business type uses that include jointuse parking areas and business uses primarily oriented to the walking public.

Height. Staff will suggest 4-stories/50-feet max.
Setback. Your WSB staff team has discussed the idea of a 10-foot rear setback for lots with no alley. Osseo has been successful at working with developers to deliver projects that provide context sensitive solutions. In this light, we suggest zero rear setback.

C2
Intent. The intent of this district is to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner.

Lot Size. Staff will suggest reducing the lot size requirement to match that for the CBD.
Lot Width. Staff will suggest reducing the lot width requirement to match that for the CBD.
Height. I don't see an issue with the 35 foot height limitation here. Please advise of any known issues.

Setbacks. Possibly reduce the required setback to 20 feet front and 10 feet for corner side yard.
Accessory Structure Setbacks. Examples from peer communities have been provided. Typically, accessory structure setbacks are less than that for primary structures, sometimes half the setback. I suggest the same in this district.

M
Intent. The intent of this district is to provide land in proximity to major thoroughfares for the development of certain manufacturing and industrial activities that will strengthen the local employment opportunity and tax base in the city.

Lot Size. The existing lots are quite large so I'm not sure what are the size and width concerns. Height. Consider if 40 feet is enough height. I would suggest 65 feet and prohibit warehousing and similar uses that do not achieve the intent of the district.

Impervious Surface. If the policy goal of the City is consistent with the existing preamble for the district, then I advise maintaining the current language.

Setbacks. Staff will suggest reducing the setback requirements to zero. Accessory structure setbacks

Accessory Structure Setbacks. Examples from peer communities have been provided. Typically, accessory structure setbacks are less than that for primary structures, sometimes half the setback. I suggest the same in this district.

Please let me know if we may be of additional assistance with this matter.

Sincerely,

WSB
Molly Gust

## Memorandum

To: Nancy Abts, Osseo Planner

From: Molly Just, AICP

Date: September 6, 2019

Re: $\quad$ Task 1 - Review of Public Institution Zoning District

Overview of Task 1 - Review of Pubic Institution Zoning District (PI District). The City of Osseo has requested that WSB review the City's Public Institution District for clarity and breadth of legislative intent and adequacy of district standards relative to the breadth of standards found in other districts in the zoning code and the PI Districts of peer communities.

Finding. PI Districts are often created after public facilities are in place and the varying nature of activities necessary to carry out public services means that one set of dimensional standards is unlikely to work for all public service facilities. Additionally, it is common for cities to move or expand such facilities to achieve a public purpose, and libraries, fire houses, and water towers are located based on the needs of the community and not the confines of Euclidean zoning. Finally, not all communities have formal PI Districts and Osseo is not unique in the intent and breadth of its PI District. I therefore find the intent and dimensional requirements adequate.

Recommendation. I recommend that it is unnecessary to add lot size and/ or dimensional requirements to the PI District and find that the intent statement is adequate, relative to that for other districts in the Osseo Zoning Ordinance, and that of peer cities. You may want to review the district to determine whether there are any definitions needed in order to support the language in the PI District.

Attached are materials that include a tabular summary of the PI Districts of peer communities and copies of the full district from the code of each community. Please let us know if we can be of further help to you in this matter.

Sincerely,

WSB
Molly Quest

Attachments: Tabular Summary of Peer Communities, District Language from Peer Communities.

| City Name | New Hope |
| :--- | :--- |
| District Name | Governmental, Park, and Open Space Zoning District |
| Preamble | The purpose of the GPO - governmental, park and open space district is to <br> provide for the establishment of governmental, civic uses, and recreational <br> activities which serve the residents from the entire community or subregion. <br> The district is designed to: <br> (1) Create a unified district for governmental operations and civic uses; <br> (2) Encourage a sense of activity and liveliness among public open spaces <br> and sidewalks; <br> (3) Provide public gathering spaces and green spaces. |
| Permitted uses | (1)Municipal government and utility buildings. Municipal government, <br> publicly regulated communications, and public utility buildings and <br> structures necessary for the health, safety and general welfare of the <br> community. <br> (2)Public parks and playgrounds. <br> (3)Municipal recreational facilities including swimming pool, golf course and <br> ice arenas. <br> (4)Municipal water towers. |
| Conditional uses | Dimensional standards |
| Other standards | Specific performance standards for Administrative Uses - which are Farmer's <br> Markets, festivals, and open/outdoor sales, seasonal products |


| City Name | Crystal |
| :--- | :--- |
| District Name | Does not have a stand alone Institutional or Public use district |


| City Name | Maple Grove |
| :--- | :--- |
| District Name | Does not have a stand alone Institutional or Public use district |


| City Name | Brooklyn Park |
| :--- | :--- |
| District Name | Public Institution Zoning District |
| Preamble | The Public Institution District (PI) is intended to provide for a district for <br> public buildings, uses and needs that otherwise may not fit into other zoning <br> districts because of their specialized land use needs and public purpose. |
| Permitted uses | (A) Schools and daycares. Includes public and private primary and <br> secondary schools, pre- schools, and daycares, subject to Site Plan Review <br> requirements of § 152.033; and public or private post-secondary institutions <br> like colleges, universities, junior colleges, and trade schools. <br> (B) Government buildings. Including fire and police stations, government <br> office buildings, maintenance buildings, recreation facilities, libraries, water <br> towers or purification plants and the like. <br> (C) Religious institutions. <br> (D) Non-profit community agencies, recreation centers, or youth centers. <br> (E) Hospitals. |
| Conditional uses | (A) Telecommunication towers as regulated by §§ 152.090 through <br> 152.096. |


|  | (B) Outdoor storage of equipment, landscaping materials, etc. when <br> accessory to a government building or maintenance facility. |
| :--- | :--- |
| Dimensional standards | The PI district has no minimum lot area or lot width requirements. Setback <br> requirements are as follows: $10 \mathrm{ft} \mathrm{from} \mathrm{public} \mathrm{rights-of-way} 10 ft from side$, <br> property lines, 10 ft from rear property lines, and 50 ft when adjoining <br> residential areas. Site within the PI district are required to be business <br> district performance standards and landscaping standards. A 60 ft maximum <br> height is required in the PI district. |
| Other standards | Lists permitted accessory uses which include limited retail, restaurant, <br> assembly halls, and daycare. |


| City Name | Robbinsdale |
| :--- | :--- |
| District Name | Public Facilities Zoning District |
| Preamble | A district to provide for public buildings, facilities, land areas, waterways and <br> water areas which are owned, controlled, regulated, used or proposed to be <br> used by the city of Robbinsdale or other governmental body. The district will <br> also provide for telecommunications towers and facilities. |
| Permitted uses | (a) Public parks, playgrounds, and athletic fields. <br> (b) Municipal utilities including water storage, storm water ponding, <br> treatment and sewer, water and pumping facilities. <br> (c) Municipal buildings and structures, provided there is adequate screening <br> from adjacent uses. |
| Conditional uses | schools, recreation and community centers meeting performance standards, <br> utilities, wind energy systems exceeding 20 ft, ground mounted-solar, <br> telecommunications towers, outdoor storage, and parking area exceeding <br> the requisite requirement by 125\%. |
| Dimensional standards | States that minimum lot area, lot width, and setbacks are established as <br> equivalent to similar uses. |
| Other standards | equer |


| City Name | Hopkins |
| :--- | :--- |
| District Name | Institutional Zoning District |
| Preamble | None |
| Permitted uses | (a) Single-Family and two-family Residences |
| Conditional uses | (a) Schools and structures incidental thereto, <br> (b) religious institutions and structures incidental thereto |
| Dimensional standards | A setback of 35 ft is require from all property lines. The lot minimum is <br> 20,000 sq. ft., lot width is 100 ft , building coverage is $35 \%$, and max height is <br> 35 ft. |
| Other standards | Compatibility and performance standards for new institutional uses or <br> parking expansions with regard to existing residences in proximity. |

## OSSEO PLANNING COMMISSION MINUTES <br> REGULAR MEETING <br> September 16, 2019

## 1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Chair Plzak at 6:00 pm, Monday, September 16, 2019.
2. ROLL CALL

Present: Commission members Dee Bonn, Deanna Burke, Michael Olkives, Dan Penny, Ashlee Thostenson, Alden Webster, and Chair Barbara Plzak

Absent: None.
Others present: James Kelly, Preston Kroska, Harold E. Johnson, and City Planner Nancy Abts.
6. PUBLIC COMMENTS
...Mr. Kelly commented on the preliminary zoning code update information. He expressed concern with the current minimum lot size in the R-1 District and the number of existing nonconforming lots under this requirement.

## 9. NEW BUSINESS

## A. Review Preliminary Zoning Code Update Information

Abts explained under Minnesota State Statute, a City's zoning ordinance should "carry out the policies and goals of the land use plan" (MN Statute 462.357 Subd. 2). As such, all cities that update their land use plans must then follow up with necessary revisions to the zoning ordinance to bring zoning controls into alignment with the goals and policies of the adopted comprehensive plan. Osseo began this process last month in coordination with planning consultants from WSB \& Associates. Staff reviewed the proposed updates that would be made to code further with the Commission.

Bonn requested comment on the small lot size concern that was raised by Mr. Kelly. Abts explained approximately one-third of the residential lots in Osseo were a non-conforming size.

Olkives suggested the minimum lot size standard be reduced if one-third of the homes in the city were on a lot that was smaller than 8,500 square feet.

Further discussion ensued regarding setbacks, minimum lot sizes and what percentage of a lot could be covered with hard surface. The Commission supported exploring future administrative options to increase impervious area on residential lots.

Abts stated staff would like to see the maximum height for R-2 buildings lowered to 55 feet or four stories.

Bonn feared that this may limit future development in Osseo.
Burke and Olkives agreed.
Plzak indicated she would like to see downtown Osseo remain one and two stories in order to maintain the unique characteristics of this historical district.

Thostenson, Bonn and Penny agreed.
Olkives stated he could support the downtown district building height moving from 35 to 45 feet.

Abts discussed the minimum lot sizes and proposed setbacks with the Commission.
Olkives commented he would also support reducing the minimum square footage for Highway Commercial lots from 15,000 to 7,200.

Plzak indicated she would also support reduced setbacks for all sides of a lot.
Abts discussed the recommendations for the Industrial district.

Plzak questioned why WSB was recommending no warehousing in this district. Abts reported may have to do with jobs and noted warehousing was not known for creating high paying jobs.

Bonn supported Osseo having more manufacturing than warehousing.
Olkives commented he could support raising building height in the Industrial district.
Burke indicated she did not support limiting manufacturing companies from storing materials onsite.

Plzak agreed with this recommendation and suggested warehousing be allowed as an accessory use to a business, but not be allowed as a standalone use.

Abts commented on a new edge mixed-use zoning district being proposed by staff. The Commission responded favorably to the preliminary information.

Burke questioned where this zoning district would be located. Abts reviewed the parcels being recommended for rezoning to mixed-use.

Plzak asked if the City would ever consider allowing a coffee shop in Celtic Crossing. Abts commented this would be easier for the City to consider if a mixed-use zoning district were created. It may be possible to rezone these properties to the new district.

The Commission supported the new edge mixed-use zoning district concept.
Preston Kroska, 601 Second Avenue NE, asked if the edge mixed-use zoning would be put into effect after a property sold. Plzak commented the Commission was discussing this
new zoning district on a very preliminary basis and those things have yet to be determined. Abts commented on the grandfathering process the City has followed in the past for zoning districts that have changed.

Mr. Kroska questioned if any buildings in downtown Osseo had been designated as historical structures. Abts reported there were no locally-designated historic buildings.

## OSSEO PLANNING COMMISSION MINUTES REGULAR MEETING <br> October 21, 2019

## 1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Chair Plzak at 6:00 pm, Monday, October 21, 2019.
2. ROLL CALL

Present: Commission members Dee Bonn, Deanna Burke, Ashlee Thostenson, Alden Webster, and Chair Barbara Plzak

Absent: Commission members Michael Olkives and Dan Penny.
Others present: City Planner Nancy Abts
3. APPRROVAL OF AGENDA

A motion was made by Burke, seconded by Bonn, to approve the Agenda as presented. The motion carried 5-0.
4. APPROVAL OF MINUTES
A. Approve September 16, 2019, Minutes

A motion was made by Bonn, seconded by Webster, to approve the September 16, 2019, minutes. The motion carried 5-0.
5. PUBLIC COMMENTS

Chair Plzak advised this is the time for public comments for items that are not on the agenda for tonight's meeting.

James Kelly, 624 Third Avenue Northeast, explained he has spent some time reviewing the 2040 Comprehensive Plan. He stated it was his understanding the City was trying to get all generations living together. However, he feared that the City was segregating the seniors from families. He suggested senior housing be incorporated in to residential areas in order to allow families to better interact with seniors.
6. PUBLIC HEARINGS
A. Amend Zoning Code in accordance with 2040 Comprehensive Plan Update

Abts stated under Minnesota State Statute, a city's zoning ordinance should "carry out the policies and goals of the land use plan" (MN Statute 462.357 Subd. 2). As such, all cities that update their land use plans must then follow up with necessary revisions to the zoning ordinance to bring zoning controls into alignment with the goals and policies of the adopted comprehensive plan. Osseo began this process this summer in coordination with
planning consultants from WSB \& Associates. Staff reviewed the proposed changes to the Zoning Code with the Commission in further detail and recommended approval.

Burke supported the Edge Mixed Use District having a small café that had the ability to serve wine.

Plzak agreed.
Bonn stated she could also support wine being served in this district, as well as artisan manufacturing uses.

Plzak commented favorably on the design review requirements and recommended these requests be reviewed on a case by case basis. She stated she encouraged staff to keep the ordinance reference to the city's architectural design guidelines to remain as is because she liked the unique structures in downtown Osseo.

Plzak asked if local businesses were requesting bicycle parking. Abts stated Rochon and 5 Central both provided bicycle parking. She noted going forward, the proposed ordinance would require new developments to have bicycle parking. The Planning Commission and City Council should discuss whether this ordinance should apply only to the Edge Mixed Use District or citywide.

Burke questioned why the City would require building owners to provide covered bicycle parking. She believed it was the responsibility of the bicycle owner to care for their bike. She explained both of her children were cyclists and both carried their bikes up to their units in order to store them in a secure area.

Thostenson agreed with this assessment stating she did not believe it should be the requirement of the property owner to provide covered bicycle parking.

Bonn stated the City had to think 20 years into the future and noted at that time there may be more bicycles on the street than cars and for this reason, developments should plan to have covered parking for bicycles.

Burke commented she opposed forcing this requirement onto developers. She supported the City suggesting developers provide this parking, but did not support it being a requirement.

Plzak recommended the language be rewritten regarding covered bicycle parking that this be a suggestion or incentive for developers and not a requirement.

Burke suggested the digging limit for excavation permits be set to twenty-five cubic yards.

Plzak agreed that a five cubic yard limit would be too low and she feared the City would be inundated with digging requests. She also recommended the limit be set at 25 cubic yards and no more than three feet deep. The Commission supported this recommendation.

Burke questioned how the hours of operation applied for home businesses.
Plzak suggested the hours of operation only apply to service-oriented home businesses. She also supported daycares with licenses on good standing being allowed to have the State required number of adults working within a home daycare. The Commission supported daycares or home occupations being allowed to use a garage or detached structure for business use.

A motion was made by Burke, seconded by Webster, to open the Public Hearing. The motion carried 5-0.

Harold Johnson, 12 Sixth Street NE - \#106, stated he did not agree with the language regarding covered bicycle stalls for multi-family residential developments. He reported his building would be required to have 77 bike stalls, which was uncalled for. He recommended this language be reconsidered. He encouraged the Commission to consider having four-story buildings given the fact more and more developers were installing ground level parking ramps. He suggested retail businesses not be allowed to operate out of homes. He recommended the City greater define what is meant by a tree within City Code.

James Kelly, 624 Third Avenue NE, he encouraged the City to keep in mind that all rights within the Constitution have to remain intact and be respected for residents of Osseo. He commented on the requirements regarding non-conforming structures and requested the City reconsider the language. He stated he was able to do what he wanted on his land and recommended the City not make laws that impede residents' property rights.

A motion was made by Bonn, seconded by Burke, to close the public hearing at 6:27 p.m. The motion carried 5-0.

A motion was made by Burke, seconded by Webster, to recommend the City Council approve the proposed changes to the Zoning Ordinance as amended per Commission discussion. The motion carried 5-0.
7. OLD BUSINESS - None
8. NEW BUSINESS - None
9. REPORTS OR COMMENTS: Staff, Chair \& Commission Members

Abts explained she would be meeting with Metro Transit on Tuesday, October $29^{\text {th }}$ to discuss their long-range plan.

Thostenson stated she was looking forward to attending the Halloween event downtown Osseo on Saturday, October $26^{\text {th }}$ with her son.

Webster encouraged residents to take in the youth sports at Osseo High School. He also stated for residents interested in serving the City on a board or commission, they should contact City Hall for further information.

Bonn indicated it was a challenge serving on the Planning Commission and noted she appreciated the input from her fellow Commissioners.

Burke agreed with this comment and stated she serves on the EDA as well. She thanked City Administrator Grams for sharing a short video on the City of Osseo produced by CCX Media.
10. ADJOURNMENT

A motion was made by Bonn, seconded by Webster, to adjourn the meeting at 7:32 pm. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.

## Zoning and the Comprehensive Plan

Under Minnesota State Statute, a city's zoning ordinance should "carry out the policies and goals of the land use plan" (MN Statute 462.357 Subd. 2). The Metropolitan Council requires that official controls, such as zoning, "must not be in conflict" with the comprehensive plan or its subsequent updates. As such, all cities that update their land use plans must then follow up with necessary revisions to the zoning ordinance to bring zoning controls into alignment with the goals and policies of the adopted comprehensive plan.

Osseo's current zoning map and zoning category descriptions are included here, followed by a discussion of the anticipated zoning and Code updates that may be necessary to bring the City's zoning code into harmony with the comprehensive plan.

TAble 1o-8 Current Zoning Districts in Osseo

| Zoning District | Description | Dimensional <br> Standards |
| :--- | :--- | :--- |
| Public institution district, PI | Provide for public buildings, facilities, and land <br> areas which are owned, controlled, regulated, <br> used or proposed to be used by the city for the <br> purposes of serving the residents and the <br> community members of the city. | N/A |
| Corresponding Land Use: | Permitted uses: Municipal buildings and | structures, Public parks, Off-street parking, <br> Outdoor storage of equipment, Historical sites |


| High-density residential district, R-2 <br> Corresponding Land Use: <br> Attached Residential, <br> Stacked Residential, Edge <br> Mixed Use | Recognize the demand for apartment, condominium, and multiple-family dwellings; provides for these apartments upon fairly sizable tracts of land, thereby allowing increased design flexibility and a more compatible development pattern; permits these apartments at densities high enough to allow high quality development yet low enough to provide a desirable living environment for residents. | Building Height: 2565 ft <br> Minimum lot size: <br> $21,780 \mathrm{sq} \mathrm{ft}$ <br> Max impervious <br> surface: 50\% |
| :---: | :---: | :---: |
| Central business district, CBD <br> Corresponding Land Use: <br> Core Mixed Use, Edge Mixed Use, Stacked Residential, | The intent of this district is to accommodate central business type uses that include joint-use parking areas and business uses primarily oriented to the walking public. <br> Permitted Uses: Commercial and retail establishments, personal and professional services, repair services, office space, apartments above street level | Building Height: 35 ft <br> Minimum lot size: <br> $7,200 \mathrm{sq} \mathrm{ft}$ <br> Max impervious <br> surface: 100\% |
| Highway commercial district, C-2 <br> Corresponding Land Use: <br> Bottineau Boulevard Commercial, Office, Light Industrial | The intent of this district is to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner. <br> Permitted Uses: Commercial establishments, uses allowed in CBD, auto accessory | Building Height: 35 ft <br> Minimum lot size: <br> $15,000 \mathrm{sq} \mathrm{ft}$ <br> Max impervious <br> surface: 60\% |
| Manufacturing and industrial district, M <br> Corresponding Land Use: <br> Office, Light Industrial | The intent of this district is to provide land in proximity to major thoroughfares for the development of certain manufacturing and industrial activities that will strengthen the local employment opportunity and tax base in the city. <br> Permitted Uses: Uses allowed in C-2, Fabricating, manufacturing, production, processing, and storage of material goods and products, Motor freight terminals; research; electrical | Building Height: 40 ft <br> Minimum lot size: <br> 20,000 sq ft <br> Max impervious <br> surface: N/A |

Figure 10-2: OSSEO ZONING MAP (LAST UPDATED OcTOBER 2017)


## Suggested Zoning Code Updates

Osseo's 2040 Land Use plan update will require some attention to the current zoning map and zoning ordinance, in order to make the City's zoning consistent with land use guidance. The following are identified as areas or inconsistencies that may require closer examination and eventual zoning updates in order to match the intent of the land use plan. This list of updates is also identified in the implementation matrix, under the Land Use section.

## Site-and Zone specific updates to be completed in the 9-month statutory period following Comprehensive Plan adoption

- The City will consider developing a new zoning district or overlay that better addresses and implements Mixed Use guidance and applying that zoning district to properties guided Mixed Use. Properties that might be considered under this district include:
- The 100 block of Broadway St E is currently zoned C-2 and R-1. The land use guidance calls for Edge Mixed Use. Appropriate rezoning might consist of R-2, CBD, or some combination thereof, or a new district or overlay.
- A portion of the 200 block of $2^{\text {nd }}$ St SE that is currently zoned C-2 Highway Commercial is guided for Edge Mixed Use. Appropriate rezoning might consist of R-2, CBD, or some combination thereof, or a new district or overlay.
- Residential areas west of ${ }^{\text {st }}$ Avenue NW. Much of this area has been re-guided for Mixed Use or Attached Residential housing, but is currently zoned R-1. Appropriate rezoning might consist of R-2, CBD, or some combination thereof.
- Evaluate whether the Attached Residential use is supported by current zoning districts. Properties that might be considered under this guidance include:
- Former elementary school site. Currently guided R-1 (One and twofamily residential), this site could be re-zoned to reflect the higher intensity expectation of the Stacked Residential land use district. $\mathrm{R}-2$ is the most likely option for rezoning.
- The undeveloped area south of St. Paul's church. This area is guided for Attached Residential, but zoned R-1. Consider R-2 zoning to allow for attached housing.


## General Zoning Code updates

The table below outlines the general zoning code evaluations and/or updates that may be considered as a direct result of the goals and intentions of this Plan. The table includes a rationale for each suggested zoning code action and a prospective timeline for action.

TABLE 10-9 SUGGESTED GENERAL ZONING CODE UPDATES, INCLUDING TIMELINE FOR ACTION

| Possible Zoning Code Action | Rationale | Prospective Timeline/Sequence |
| :--- | :--- | :--- |
| Expand the Subdivision Ordinance | With at least one larger tract of developable land guided for <br> higher-intensity residential uses, the City should consider <br> reviewing and expanding its subdivision ordinance to facilitate <br> the process and stated outcomes of a subdivision and/or PUD <br> development. | This will occur prior to the <br> redevelopment timeline for Site A <br> identified in the Land Use Plan, and <br> ideally within the next 5 years. |
| Evaluate the city's current <br> Planned Unit Development (PUD) <br> requirements | Following the adoption of this Plan, the City's current PUD <br> requirements should be reviewed for their ability to achieve <br> the desired outcomes identified in the Land Use Plan, <br> particularly with respect to opportunity sites C and F identified <br> in the Land Use Chapter. | This should occur prior to the 2030 <br> redevelopment timeline for Sites C and F <br> Identified in the Land Use Plan, and <br> ideally within the next 5 years. |
| Evaluate existing dimensional <br> requirements | Evaluation of the maximum height, minimum lot size and <br> impervious area requirements, and setbacks for all zoning <br> districts is needed to make certain that these requirements <br> support the intent and densities of the land use guidance. | This should occur contemporaneously <br> with evaluation of the Subdivision <br> Ordinance, and ideally within the next 5 5 <br> years. |
| Evaluate landscaping and buffer <br> requirements | Evaluation of the city's landscaping and buffer requirements is <br> needed to determine their ability to support quality open <br> spaces and park-like amenities. Review the city's building <br> material regulations to ensure they produce the desired effects <br> discussed in the Land Use chapter. | This should occur contemporaneously <br> with evaluation of the city's PUD <br> requirements, and ideally within the next <br> 5 years. |
| Evaluate parking requirements | Review of the minimum parking requirements established by <br> the City Code and their effect on the desired land use patterns <br> established in the plan is needed. Consider adding further <br> incentives for privately-owned joint parking facilities to help <br> achieve development patterns described in the plan. | This should occur contemporaneously <br> with evaluation of the city's PUD <br> requirements, and ideally within the next <br> 5 years. |


| Possible Zoning Code Action | Rationale | Prospective Timeline/Sequence |
| :--- | :--- | :--- |
| Consider incentives for public <br> amenities | Consideration should be given to establishing zoning incentives <br> for provision of open space, sidewalks and trails, and park-like <br> amenities, especially as part of high-density developments and <br> in Gateway areas. | This should occur contemporaneously <br> with evaluation of the city's PUD <br> requirements, and ideally within the next <br> 5 years. |
| Review dimensional standards for <br> Public Institutional District | Consideration should be given to establishing dimensional <br> standards for the city's Public Institution District to ensure <br> properties are consistent with their surrounding land uses and <br> land use guidance | This should be completed in the 9-month <br> statutory period following <br> Comprehensive Plan adoption. |
| Review Home Occupation <br> requirements | Review of the city's Home Occupations requirements is needed <br> to ensure they reflect current work styles and desired <br> environments while preserving the city's traditional residential <br> environments. | This should be completed in the 9-month <br> statutory period following <br> Comprehensive Plan adoption. |
| Allow solar energy systems | The City may explore allowances for rooftop solar energy <br> systems in the Zoning Ordinance as a means of offsetting <br> energy production costs through local alternative energy <br> sources. | This should occur contemporaneously <br> with evaluation of the Subdivision <br> Ordinance, and ideally within the next 5 <br> years. |
| Accessory Dwelling Unit (ADU) | Evaluation of the feasibility of allowing Accessory Dwelling <br> Units (ADUs) on the existing properties in Osseo is needed. <br> Following a feasibility analysis, the City will consider whether an <br> ordinance amendment allowing this use would be appropriate. | This should occur contemporaneously <br> with evaluation of the Subdivision <br> Ordinance, and ideally within the next 5 <br> years. |
| General clerical updates |  | Perform general clerical updates to the zoning ordinance-for <br> example, update references to Minnesota State Statutes and <br> other sections of the city code and clarify definitions as <br> needed. |
| This should be completed in the 9-month <br> statutory period following <br> Comprehensive Plan adoption. |  |  |

## CHAPTER 153: ZONING

## GENERAL PROVISIONS

## W§ 153.001 TITLE

This chapter shall be known, cited, and referred to as the city's Zoning Code, except as referred to herein, where it shall be known as this chapter.
(1997 Code, § 25.01) (Ord. passed 11-14-1994)
W§ 153.002 PURPOSE.
The purpose of this chapter is to:
(A) Protect the public health, safety, comfort, convenience, and general welfare;
(B) Promote orderly development of residential, commercial, industrial, institutional, and recreational areas of the city;
(C) Divide the area within the city into zones and districts regulating the location, construction, reconstruction, alteration, and use of structures and land as well as regulating the bulk of structures in relationship to surrounding properties;
(D) Protect and improve the quality of unique natural resources;
(E) Preserve and protect property values;
(F) Provide for the administration of this chapter and define the powers and duties of the administering officer as provided hereinafter; and
(G) Prescribe penalties for the violation of the provisions in this chapter or any amendment thereto.
(1997 Code, § 25.02) (Ord. passed 11-14-1994)
153.00X RELATIONSHIP TO COMPREHENSIVE PLAN.

It is the policy of the city that the enactment, amendment, and administration of this chapter be accomplished with due consideration of the policies and recommendations contained in the Osseo comprehensive plan as amended from time to time by the city council.

## П§ 153.003 JURISDICTION; ANNEXATIONS.

The geographic jurisdiction of this chapter shall be the entire area within the corporate limits of the city. Territory that may be added to the city by annexation, merger, or other means shall be classified within the one- and two-family residential (R-1) zoning district until such time that the City Council, after referral to and recommendation by the Planning Commission, may rezone all or portions of the added territory to more appropriate classifications.
(1997 Code, § 25.04) (Ord. passed 11-14-1994)
W§ 153.004 AUTHORITY.
This chapter is enacted in accordance with the authority granted by M.S. § 462.357, as it may be amended from time to time.

Commented [ 1]: Joseph Sathe - Note: I changed the setting to check the spelling of capitalized words. I can change it back if necessary.
(1997 Code, § 25.05) (Ord. passed 11-14-1994)

## W§ 153.005 APPLICATION; MINIMUM REQUIREMENTS; COMPLIANCE REQUIRED.

(A) In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
(B) No structure shall be erected, converted, enlarged, reconstructed, or altered, and no structure or land shall be used for any purpose nor in any manner which is not in conformity with the provisions of this chapter.
(1997 Code, § 25.07) (Ord. passed 11-14-1994) Penalty, see § 10.99
W§ 153.006 GREATER RESTRICTIONS.
Where the conditions imposed by any provision of this chapter are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, statute, resolution, or regulation of any kind, the regulations which are more restrictive, or which impose higher standards or requirements, shall prevail.
(1997 Code, § 25.07) (Ord. passed 11-14-1994)
わ§ 153.007 ESSENTIAL SERVICES.
(A) Essential services shall be subdivided into two classes for consideration under this chapter: governmentally owned and operated, or privately owned and operated.
(B) (1) Governmentally operated and owned essential services (sewer, water, and the like) shall be permitted as authorized and regulated by state law and ordinances of the city. It is the intention that these essential services are exempt from the application of this chapter.
(2) Privately owned and operated essential services (telephone, electric, gas, and the like) are subject to provisions of this chapter, unless specifically exempted by a provision of this chapter. These essential services are also subject to other ordinances of the city as applicable.
(1997 Code, § 25.07) (Ord. passed 11-14-1994)

## W§ 153.008 INTERPRETATIONS.

In construing this chapter, the following rules of construction shall govern, unless their observance would involve a construction inconsistent with the manifest intent of the Council, or be repugnant to the context of this chapter.
(A) Words used in the present tense shall include the past and future tenses, and the future tense shall include the present.
(B) Words in the singular shall include the plural, and the plural shall include the singular.
(C) The word shall is mandatory, and the word may is permissive.
(D) The use of one gender shall include all other genders.
(E) References herein to the Administrator, Zoning Officer, Planner, Assessor, Engineer, Building Officer, Clerk, or Treasurer shall mean the person who then holds that position in the city, unless otherwise expressly stated.

## Field Code Changed

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(F) The use of the phrase "used for" shall include the phrases "designed for," "intended for," "improved for," "maintained for," "offered for," and "occupied for."
(G) Words and phrases shall be construed according to rules of grammar and according to their common and approved usage; but technical words and phrases and others as have acquired a special meaning, or are defined in this chapter, shall be construed according to that special meaning or their definition.
(H) References in this chapter to this chapter or to another city ordinance or code provision, whether or not by specific number, shall mean this chapter, and the referred-to ordinance or code provision, as it is in force as of the effective date of this chapter, and as it may from time to time thereafter be amended and modified, and shall also mean and include any ordinances that may supersede or be substituted for the ordinance or code provision so referred to.
(I) All measured distances expressed in feet shall be rounded to the nearest tenth of a foot.
(1997 Code, § 25.03) (Ord. passed 11-14-1994)

## 冋§ 153.009 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
ABUTTING. Making contact with or separated only by public thoroughfare, railroad, public right-of-way, or navigable waters.
ACCESSORY BUILDING OR USE. A subordinate building or use, attached or detached, which is located on the same lot on which the main building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of that building or main use.

## ACCESSORY DWELLING UNIT. A dwelling unit that is located on the same lot as a onefamily detached dwelling to which it is accessory, and subordinate in size. An accessory dwelling unit may be within or attached to the one-family dwelling, or in a detached accessory building on the same lot. <br> ACCESSORY STRUCTURE. A subordinate building or other subordinate structure, including but not limited to detached garages, sheds, gazebos, or swimming pools, the use of which is clearly subordinate or accessory to the principal use of the building or property.

ADDITION. A physical enlargement of an existing structure.
v ADMINISTRATOR. The officer, duly authorized deputy, or other person charged with the administration and enforcement of this chapter ${ }_{2}$

- ALLEY. A public right-of-way which affords a secondary means of access to abutting property, not to exceed 30 feet in width at its intersection with a street.

ALTERATION. Any change in the size, shape, character, or use of a building or structure; or any change made to a sign; but shall not include routine maintenance, painting, or change of copy of an existing sign.

Commented [ 2]: Nancy Abts - I would like to number the individual definitions so that they can be more easily referenced. However, convention is to use capital letters for Level 1 subdivisions of a section. Perhaps there's a way to make all of the individual definitions a Level 2 item instead. Not sure if this is an Ordinance issue or a Codifying issue.

Commented [ 3]: -Crystal and Richfield format the definitions in their ordinances as "Subdivisions". Other cities (Maple Grove, Minneapolis, Brooklyn Park) do not.

Commented [ 4]: Mary Tietjen - For codification purposes, you just need to make it consistent with the numbering/lettering throughout.

It is also a good idea to review and make sure all of the defined terms are actually used in the Code.
Deleted: utility
Deleted: A building or use subordinate to and serving the principal building or use on the same lot, attached or detached, and clearly and customarily incidental thereto.
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Deleted: ADDRESS SIGN. A sign communicating street address only, whether in script or in numerical form.II

## Deleted:

Deleted: ADVERTISING SIGN. A billboard, poster panel, painted bulletin board, or other communicative device which is used to advertise products, goods, or services which are not exclusively related to the premises on which the sign is located. For purposes of this chapter, a sign posted no more than 120 hours in any eight-day period shall not be considered an ADVERTISING SIGN.[I

ANTENNAE. Equipment located on the exterior of or outside of a building or structure used for transmitting or receiving radio, television, or telecommunication signals.
APARTMENT. See DWELLING UNIT.
APARTMENT BUILDING. See DWELLING, MULTIPLE-FAMILY.
APPLICANT. Unless otherwise specified, an owner or agent for the owner, including a subdivider, developer, attorney, or similar representative who has filed an application for development or sign approval with the city.

## APPLICATION. The process by which the owner, or their agent, of a parcel of land within the

 city submits a written request for any type of development or sign approval.- AUTO REDUCTION YARD. A lot or yard where three or more unlicensed motor vehicles or the remains thereof are kept for the purpose of dismantling, sale of parts, sale as scrap, storage, or abandonment.

AUTOMOBILE DETAILING. Any facility that provides extensive vehicle cleaning in exchange for a fee or as part of a service to customers, including but not limited to the use of vacuums, shampoos and other cleaning products, steam cleaners, and manual detailed cleaning inside and outside the vehicle.

AUTOMOBILE REPAIR, MAJOR. General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers; including body work, frame work, and major painting service.

AUTOMOBILE REPAIR, MINOR. Incidental repairs, replacement of parts, and motor service to automobiles, but not including any operation specified under the definition of automobile repair, major.

AUTOMOBILE SERVICE STATION. Any building or premises used for the dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries, or minor automobile accessories. Services offered may include the installation of tires, batteries, or minor accessories, minor automobile repairs, and greasing or washing of individual automobiles. When sales, services, and repairs as detailed here are offered to the public, the premises will be classified as a public garage. AUTOMOBILE SERVICE STATIONS shall not include the sale or storage of vehicles; shall not include premises offering major automobile repairs, automobile wrecking, or detached car washes.
AUTOMOBILE WASHING (CAR WASH). Any facility that provides an area for washing and cleaning of motor vehicles using water, whether it be automated or self-serve, in exchange for a fee or as part of a service to customers and may include vacuums.

## AUTOMOBILE WRECKING. See JUNK YaRD.

AWNING. A temporary hood or cover which projects from the wall of a building, and of a type which can be retracted, folded, or collapsed against the face of a supporting building.
BASEMENT. The portion of a building having more than one-half of the clear floor-to-ceiling height below the average level of the adjoining finished grade. A BASEMENT shall be counted as a story when the ceiling of the BASEMENT extends more than five feet above the highest level of the adjoining finished grade; otherwise it shall not be counted as a story.

Deleted: AREA IDENTIFICATION SIGN. A sign which identifies the name of a shopping center consisting of three or more separate business concerns, a singular freestanding commercial or institutional building 50,000 square feet or larger, an industrial building in excess of 100,000 square feet, an industrial area, an office or institutional complex consisting of three or more buildings, or any combination of the above. An AREA
IDENTIFICATION SIGN shall contain no advertisement, except on a reader board. It

Deleted: BANNERS. Temporary signs or other attentiongetting devices used to announce open houses, grand openings, special announcements, sales, or other matters. If

## BILLBOARD. See OFF-PREMISE SIGN.

BLOCK. A tract of land bounded by streets, highways, expressways, or a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines, waterways, or boundary lines of the corporate limits of the city.

BOARD. The Zoning Board of Appeals.
BOARDING HOUSE. A building other than a motel or hotel where, for compensation and by prearrangement for definite periods, meals or lodgings are provided for three or more persons, but not to exceed eight persons.
BROADCASTING ANTENNA, RADIO AND TELEVISION. Commercial or public broadcasting towers over 200 feet in height, or more than one tower in each installation of any height, or accessory use non-commercial towers of any height if not located on the same lot or parcel as the principal use.

BUILDABLE AREA. The space remaining on a zoning lot after the minimum setbacks and open space requirements of this chapter are met.

BUILDING. The portion of a structure that consists of a roof and is enclosed so as to afford persons or property protection from the elements, which structure is used or intended for supporting or sheltering any use or occupancy; and when the structure is divided by party walls without openings, each portion of the BUILDING so separated shall be deemed a separate BUILDING.

BUILDING, COMPLETELY ENCLOSED. A building separated on all sides from the adjacent open space or from other buildings or structures by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance and exit doors.

BUILDING, DETACHED. A building surrounded by open space on the same lot as the principal building.

BUILDING FACADE. The area of any exterior elevation of a building extending from grade to the top of the exterior wall and the entire width of the building elevation, including parapets, awnings, canopies, mansards, or other appendages or architectural treatments to the wall. The $\boldsymbol{F A C A D E}$ does not include flat roof sections of multi-level buildings nor the shingled faces of hip roofs or gable roofs.
BUILDING HEIGHT. The vertical distance measured from curb level or its equivalent, to the highest point of the roof surface on a flat roof, to the deck line of mansard roofs, and to the mean height level between eaves and ridge of gable, hip, and gambol roofs. For buildings set back from the street line, the height of the building shall be measured from the average elevation of the finished grade along the front of the building, provided its setback from the street line is not less than the height of the finished grade above the established curb level.


Figure 1: Illustration of building height
BUILDING LINE. An imaginary line separating buildable area and required yards.
BUILDING, NON-CONFORMING. Any building or structure which does not comply with all the regulations of this chapter or any amendment thereto governing the zoning district in which the building or structure is located.

BUILDING OFFICIAL. A city official appointed by the City Council to provide for the enforcement of the Building Code.
BUILDING, PRINCIPAL. A non-accessory building in which the primary use of the lot on which it is located is conducted.

BUSINESS. Any establishment, occupation, employment, or enterprise wherein merchandise is manufactured, exhibited, or sold, or which occupies time, attention, labor, and materials, or where services are offered for compensation.

CANOPY. A projection or extension of a building or structure erected in a manner so as to provide a shelter or cover over the approach to any entrance to a store, building, or place of assembly.

CANOPY, VEHICULAR SERVICE. A permanent roof-like structure either attached or detached from a permitted building, designed to provide cover for off-street vehicle service areas, such as gasoline station pump islands, drive-in establishments, truck loading berths, and the like.

RELIGIOUS INSTUTUTION. A building, together with its accessory buildings, where persons regularly assemble for public worship as the principal use and where the buildings and uses are maintained and controlled by a religious body organized to sustain public worship.

Deleted: BUSINESS SIGN. Any sign which identifies a business or group of businesses, either retail or wholesale, or any sign which identifies a profession or is used in the identification or promotion of any principal commodity or service, including entertainment, offered or sold upon the premises where the sign is located.II

CAMPAIGN SIGN. A temporary sign promoting the candidacy of a person running for a governmental office, or promoting an issue to be voted on at a governmental election.II

Deleted: CANOPY SIGN. Any message or identification affixed to a canopy.II

Commented [ 9]: Joseph Sathe - SP:Institution
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CITY. The City of Osseo, unless otherwise provided by the context.
CLINIC, MEDICAL. A building in which a group of physicians, dentists, or combination thereof, and professional assistants, are associated for carrying on their profession. The CLINIC may include a dental or medical laboratory, but shall not include inpatient care or operating rooms for major surgery.
COMMERCE, RETAIL SERVICE. An enterprise that involves the offering of a service or entertainment to the general public for compensation.

COMMERCE, RETAIL TRADE. An enterprise that involves the offering of a product to the general public for compensation.

CONDITIONAL USE. A use which, although generally compatible with the basic use classification of a particular zone, should not be permitted to be located as a matter of right in every area included within a zone because of hazards in the use itself or special problems which its proposed location may present.

CONDOMINIUM. A form of individual ownership within a multiple-family structure which entails joint responsibility for maintenance and repairs; each dwelling unit is owned outright, and each occupant owns a share of the land and other property.

## COUNCIL. The City Council.

CURB LEVEL. The level of the established curb in front of the building measured at the center of the front. Where no curb elevation has been established, the City Engineer shall establish a curb elevation. When a building has frontage on more than one street, the lowest CURB LEVEL as determined above will apply.

## DEVELOPMENT. Any manmade change to improved or unimproved real estate, including buildings or other structures; dredging, filling, grading, paving, excavation, or drilling operations; or storage of equipment or materials.

, DISTRICT. Refers to a specific zoning district as defined by this chapter.
DISTRICT, ZONING. A portion of the corporate area of the city within which certain uniform regulations and requirements or various combinations thereof apply under the conditions of this chapter.

DUPLEX. A residential structure containing two dwelling units only, completely surrounded by open space.

DWELLING. A building or portion thereof designed or used wholly or in part for jiving or sleeping by human occupants, including one-family, two-family, and multiple-family dwelling units; but not including hotels, motels, boarding or rooming houses, recreational vehicles, tents, or cabins. Garages, tents, sheds, greenhouses, and similar accessory structures shall not be considered dwellings and shall at no time be used as a dwelling, either temporarily or permanently. Tents may be used for recreational purposes.

DWELLING, DETACHED.
A dwelling that is completely surrounded by open space on the same lot.

Deleted: CONSTRUCTION SIGN. A sign placed at a construction site identifying the project or the name of the architect, engineer, contractor, financier, or other involved parties.II

Deleted: DIRECTION SIGN. A sign erected on public or private property which bears the address and/or name of a business, institution, church, or other use or activity, plus directional arrows or information regarding location. It
DIRECTORY SIGN. An exterior informational wall sign which identifies the names of businesses served by a common public entrance.II

## Deleted: this

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Commented [ 10]: Joseph Sathe - I think it is fine to include "tents" twice because there are camping tents (as described in the first sentence for the sleeping of human occupants) and other tents (e.g., for events), but it is somewhat confusing to use the same term twice and then use it a third time for an exception.

Commented [ 11]: Mary Tietjen - Also, I think the last two sentences here are substantive use provisions and should be somewhere other than in a definition.

Commented [ 12]: Joseph Sathe - FYI MDT - Agreed. This was copied from Crystal's code definitions.

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## DWELLING, ONE-FAMILY ATTACHED. A building, such as townhouses or row houses, containing dwellings in which: (a) each dwelling is located on its own parcel; (b) each dwelling is attached to another by party walls without openings; and (c) each dwelling has primary ground floor access to the outside.

DWELLING, MULTIPLE-FAMILY. A single structure specifically constructed and designed for and containing three or more dwelling units, with more than one unit connecting to a common corridor or entrance way or with the dwelling units having two or more contiguous party walls. For example, four-plexes and apartment buildings; but not including hotels, motels, or boarding houses.

DWELLING, ONE-FAMILY. A residential structure containing only one dwelling unit.
DWELLING, TWO-FAMILY. A building designed exclusively for occupancy by two families living independently of each other, typically referred to as a double bungalow or duplex, where the entire building is located on a single lot. Neither dwelling unit comprising a two-family dwelling shall be an accessory dwelling unit.

DWELLING UNIT. One or more rooms which are arranged, designed, or used exclusively as living quarters for one family or one individual only. Complete single kitchen facilities and individual bathrooms, permanently installed, shall always be included with each $\boldsymbol{D} \boldsymbol{W E L L I N G}$ UNIT.
$\boldsymbol{E A V E S}$. The edge of a roof, usually projecting beyond the walls, the height of which edge is measured from the lowest point thereof to grade.

EFFICIENCY UNIT. A dwelling unit with one primary room which doubles as a living room, dining room, and bedroom.

EROSION. The wearing away of the land surface by the action of natural elements.
ESSENTIAL SERVICES. Underground or overhead gas, electrical, steam, or water transmission or distribution system; collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, or other similar equipment or accessory equipment in conjunction therewith, not including buildings.
$\boldsymbol{F A M I L Y}$. A groups of one or more persons related or unrelated $\downarrow$, all of the members of which have common use and access to all living and eating areas, bathrooms, and food preparation and serving areas and which is based on an intentionally structured relationship providing organization and stability, maintaining a common household in a dwelling unit. A family includes group homes for people with disabilities, but it does not include larger institutional group living situations such as (but not limited to) dormitories, retirement homes, and nursing homes.

- FENCE. A structure, including walls, hedges, or similar barriers, providing enclosure, but not necessarily protection, against the elements, or which provides a visual barrier between adjacent property and the area enclosed.


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Commented [ 14]: Mary Tietjen - Last sentence is substantive - could consider separating it from the definition.

Commented [ 15]: Joseph Sathe - FYI MDT - First sentence is from crystal. $2^{\text {nd }}$ sentence is not.

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Commented [ 18]: Mary Tietjen - I'm suggesting the revisions so that it includes non-traditional family units.

Deleted: FEEDLOT. An enclosure for the purpose of feeding, breeding, raising, or holding poultry or livestock, not an accessory use incidental to an agricultural operation.
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FLOOR AREA. The sum of the gross horizontal areas of the several floors of a building or buildings on a zoning lot measured from the exterior faces of exterior walls or from the center line of party walls separating two buildings. In particular, FLOOR AREA will include:
(1) Basement space (as basement is defined herein);
(2) Attic floor space where the structural headroom exceeds seven and one-half feet;
(3) Interior balconies and mezzanines;
(4) Enclosed porches, but not terraces and breezeways;
(5) Stairwells at each level; and
(6) Accessory structures.

FLOOR AREA, LIVABLE. The same area as defined in the definition of floor area herein, excluding all areas occupied by basements, garages, porches, attics, stairways, and storage, utility, and heating rooms, and other accessory uses.

FLOOR AREA RATIO or F.A.R. The floor area of the building or buildings on a zoning lot divided by the area of the zoning lot, or in the case of planned development, by the net site area. The F.A.R. requirements, as set forth in each zoning district, shall determine the maximum floor area allowable (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

- FRONT BUILDING FACADE. The side or sides of the building containing the public entrance.

GARAGE, PRIVATE. An attached or detached building or portion of the principal building, including a carport, which is used primarily for storing passenger vehicles and recreational vehicles. A private garage has no facilities for mechanical service or repair.

GARAGE, PUBLIC. A place where any or all of the services as set forth in the definition of automobile service station herein are offered to the public, and the services or sales are made directly into or on the motor vehicle.

## GRADE.

(1) For buildings and structures, the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.
(2) For signs, the elevation of the ground immediately adjacent to the sign base.

HOME OCCUPATION. An accessory use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services that is clearly customary, incidental, and accessory to the primary residential use.
, HOSPITAL. An institution providing persons with intensive medical or surgical care and devoted primarily to the diagnosis and treatment of disease or injury, maternity cases, or mental illness.

HOTEL. A building containing eight or more guest rooms in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests or both,

Deleted: FLASHING SIGN. A sign which contains rotating, flashing, or intermittent lights, or animation, or exhibits noticeable changes in color, intensity, texture, shape, pattern, or light intensity.II

Deleted: FREESTANDING SIGN. Any stationary, selfsupporting sign not affixed to any other structure and
stipperted by a pole(s). A reader beard may be attached to the FREESTANDING SIGN structure, but the reader board shall not exceed $20 \%$ of the area containing the sign

Deleted: -GOVERNMENTAL SIGN. A sign which is erected by a governmental unit for the purpose of
identifiention and directing or guiding of traffic-:Il

Deleted:-GREENHOUSE. A structure used for the cultivation or protection of flowers, vegetables, and nursery stock.

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Deleted: HOME OCCUPATION SIGN. A sign directing attention to a home occupation. $[$
and where no provision is made for cooking in any guest room, and where ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge.
, IMPERVIOUS SURFACE. Any structure or surface which does not readily absorb water into the ground or retain water, including but not limited to buildings, roofs, sidewalks, paved driveways and parking areas, patios, tennis courts, swimming pools, or any other similar surface.
INDUSTRY. An enterprise which involves the production, processing, or storage of materials, goods, or products.

JUNK YARD. An area where used, waste, discarded, or salvaged equipment or materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber products, bottles, and lumber. A JUNK YARD includes an automobile wrecking or dismantling yard, but does not include uses established in conjunction with a permitted manufacturing process when within an enclosed area or building.

KENNEL. Any structure or premises on which four or more dogs over four months of age are kept for sale, breeding, profit, boarding, and the like.

LANDSCAPE. Any changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce an aesthetic effect appropriate for the use to which the land is put. It may include reshaping the land by moving the earth, as well as preserving the original vegetation or adding vegetation.

LOADING SPACE. The portion of a lot designed to serve the purpose of loading and unloading all types of vehicles.

LOT. A zoning lot, except as the context shall indicate a lot of record, in which case a $\boldsymbol{L O T}$ is a lot of record.

LOT AREA. The area of a horizontal plane bounded by the front, side, and rear lot lines, measured within the lot boundaries, but not including any area occupied by the waters of a duly recorded lake or river.

LOT, CORNER. A lot situated at the intersection of two streets.
LOT COVERAGE. The area of a zoning lot occupied by the principal building or buildings and accessory structures.
LOT DEPTH. The average horizontal distance between the front and rear lot lines measured within the lot boundaries.

LOT, INTERIOR. A lot other than a corner lot.
LOT LINE, FRONT. The boundary of a lot abutting a street. On a corner lot, the shortest street lot line will be the FRONT LOT LINE.

LOT LINE, REAR. The boundary of a lot which is most distant from and is, or is most nearly, parallel to the front lot line.

LOT LINE, SIDE. Any boundary of a lot which is not a front lot line or a rear lot line.

## Deleted: IDENTIFICATION

SIGN or NAMEPLATE. Any sign which states the name and/or address of the business or occupant of the lot or building where the sign is placed or may be a directory listing the names, addresses, and/or businesses of occupants. IDENTIFICATION SIGNS shall contain ne advertisement.tI
HLUMINATED SIGN. Any sign which is designed to be or is lighted by an artificial light source either directed upen it or illuminated from an interior
source. All ILLUMINATED SIGNS shall have light
sources shielded to confine direct illumination to the face area of the sign.II

Formatted: Strikethrough
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Deleted: INFORMATION SIGN. Any sign giving information to employees, visitors, or delivery vehicles, but containing no advertising or identification. If
INSTITUTIONAL SIGN. A sign and/or reader board
which identifies the name and other characteristics of an institutional use located within any zoning district and allowed by this chapter. INSTITUTIONAL SIGNS shall contain no advertisement. Examples: churches, schools, sanitariums, hospitals, government buildings, or nursing homes.II
INTEGRAL SIGN. A sign carrying the name of a building, its date of erection, monumental citations, commemorative tablets, and the like, when carved into stone, concrete, or similar material or made of bronze, alumintm, or other permanent type of construction and made an integral part of the structure. If

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LOT OF RECORD. A lot which is part of a subdivision, the plat of which has been recorded in the office of the Register of Deeds or Register of Titles prior to adoption of this chapter; or a parcel of land, the deed to which was recorded in the office of Register of Deeds or Register of Titles prior to adoption of this chapter.

LOT, THROUGH. A lot having a pair of opposite lot lines along two more or less parallel public streets. On such a lot, both street lines shall be deemed front lot lines.

LOT WIDTH. The horizontal distance between the side lot lines of a lot measured at the building setback line.
LOT, ZONING. A single tract of land which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single ownership or control. A ZONING LOT OR LOTS may or may not coincide with a lot of record.

MANUFACTURED HOME. A structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or , when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it, and which complies with the manufactured home building code established by M.S. § 327.31 , Subd. 3, as it may be amended from time to time.

MANUFACTURING. To bring something into being by forming, shaping, combining, or altering materials.

MANUFACTURING, ARTISAN. The production of goods by the use of hand tools, light mechanical equipment, or similar means, occurring solely within an enclosed building. A building containing an artisan manufacturing use must have negligible negative impact on the urban fabric, surrounding properties, water resources, air quality, and/or public health. Such uses include, but are not limited to: production of alcohol including certain breweries and microdistilleries as allowed by city code and state law; woodworking and cabinet shops; ceramic studios; jewelry manufacturing; welding and metal fabricators; upholsterers; food processing; and arts and crafts.

MATERIAL, DURABLE. A hard-surfaced material such as concrete or asphalt, but not including gravel or crushed rock.

MEASURED WALL. The wall or walls comprising the front building facade.
MIXED USE BUILDING. A structure that contains at least one floor devoted to allowed nonresidential uses and at least one floor devoted to allowed residential uses.

MOBILE HOME. A factory-assembled structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit without permanent foundation; meaning that the support system is constructed with the intent that the MOBILE HOME placed thereon will be moved from time to time at the convenience of the owner. A manufactured home is not a mobile home.

Commented [ 23]: Mary Tietjen - What does the phrase "coincide with" mean here?

Commented [ 24]: Joseph Sathe - I think the definition does work here, but it is not the common use and could be changed.

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Commented [ 25]: Joseph Sathe - I have not seen other codes actually define "mixed us" or "mixed use building" but I do not see an issue with including a definition except that the two times "mixed use building" is used below (153.XXX (B) and (C) on p29) would only apply to buildings that have wholly dedicated floors.

Commented [ 26]: Joseph Sathe - This section is in a different font size

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MODULAR, PRE-FABRICATED. A dwelling unit which is of closed construction and which is made or assembled in manufacturing facilities on or off the building site for assembly and/or installation on the building site. A MANUFACTURED DWELLING UNIT may also mean a building of open construction, made or assembled in manufacturing facilities away from the building site for assembly and/or installation on the building site. This type of structure will be made permanently affixed to the building site, and shall be considered congruous to a onefamily dwelling.

MOTEL,MOTOR COURT, or MOTOR HOTEL. An establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom, located on a single zoning lot and designed for use by transient automobile tourists and furnishing customary hotel services.

MOTOR VEHICLE. Any passenger vehicle, truck, truck-trailer, motorcycle, or recreational vehicle propelled or drawn by mechanical power.

NON-CONFORMING SIGN. A sign which was lawful at the time it was erected but which does not now conform with the regulations of this chapter; also known as a LEGAL NONCONFORMING SIGN.

NOXIOUS MATTER OR MATERIAL. Material which is capable of causing injury to living organisms by chemical reaction, or is capable of causing detrimental effects on the physical or economic well-being of individuals.

NURSING, CONVALESCENT, AND RETIREMENT HOMES. A home for aged, chronically ill, or convalescent persons in which two or more persons not of the immediate family are received, kept, or provided with food, shelter, and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of disease or injury or mental illness.

OBSTRUCTION. Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by the water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.

ODOROUS MATTER. Any material or matter that yields an odor which is offensive in any way.

OPEN SPACE. Any open area not covered by structures owned by a person or persons including but not limited to the following uses: required or established yard areas, parking areas, sidewalks, school walks, trails, recreation areas, groundwater recharge areas, flood plain, floodway, flood fringe, erodible slopes, woodland, and soils with severe limitations for development.

## OWNER OR PROPERTY OWNER. The owner or taxpayer of record according to Hennepin County property tax records.

PARAPET. The part of any wall or wall-like structure entirely above the roof line.

Commented [ 27]: Joseph Sathe SP: Motor, Motor Court

## Deleted: MONUMENT SIGN.II

Commented [ 28]: Nancy Abts - I am not sure why we need this definition.

Commented [ 29]: Joseph Sathe - The Motel, Motor Court, or Motor Hotel definition likely covers establishments that have less than 8 rooms (Hotels are defined to include 8 or more). Crystal's definition includes "Hotel, Motel, Extended Stay" to include 4 or more guest rooms.

Deleted: MOTION SIGN. Any sign which revolves, rotates, has any moving parts, or gives the illusion of motion. I]

Deleted: NON-PROFIT ORGANIZATION. A
corporation formed under M.S. Ch. 317A, as it may be amended from time to time, or similar statute of another state or governing entity, and which is formed for a purpose not involving pecuniary gain to its shareholders or members and paying no dividends or other pecuniary remuneration, directly or indirectly, to its shareholders or members; or a community or civic group such as the Lions Club, League of Women Voters, or the like-II

Commented [ 30]: Joseph Sathe - How does this conflict with Specialized Care Facilities, defined below?

Deleted: , maternity cases,

PARKING SPACE, AUTOMOBILE. A suitably surfaced and permanently maintained area off the public street right-of-way, either within or outside of a building, of sufficient size to store one standard automobile, but in no event less than 180 square feet, exclusive of passageways, driveways, or other means of circulation.

PARTICULATE MATTER. Dust, smoke, or any other form of airborne pollution in the form of minute separate particles.

PARTY WALL. A wall which divides a structure into two independent buildings.
PENNANT. Attention-getting devices, such as streamers, constructed of paper, cloth, plastic, or other materials; excluding banners and flags.

PERFORMANCE STANDARDS. Criteria established to control noise, odor, toxic or noxious matter, vibration, fire and explosive hazards, glare, or heat, generated by or inherent in uses of land and buildings.

PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, or political body; and includes any trustee, receiver, assignee, or other similar representative.

PLANNING COMMISSION. The Planning Commission of the city.
PROPERTY LINES. The lines bounding a zoning lot as defined herein.
PUBLIC ENTRANCE. A passage or opening in a building, which passage or opening is designed primarily to facilitate the ingress or egress of members of the general public who are seeking the goods or services offered therein.
(1) The term members of the general public shall not include supportive service- and maintenance-related personnel.
(2) Factors to be used in determining that a passage or opening is a PUBLIC

ENTRANCE and which will be considered as affirming an entrance to be PUBLIC shall include such things as the location and design of the entrance, its role in the city's determination of the building's street address, and its use by the Postal Service as a delivery point of mail addressed to the building or the use therein.

PUBLIC UTILITY. A person, firm, or corporation, municipal department, board, or commission duly authorized to furnish and furnishing to the public, under federal, state, or municipal regulations, gas, steam, electricity, sewage disposal, communication, telegraph, transportation, or water.
RESTAURANT OR EATING ESTABLISHMENT. An establishment whose principal business is the selling of food and beverages to the customer in a ready to consume state. Restaurants or eating establishments may include, but are not limited to, cafes, coffee shops, and ice cream shops.

RETAIL ESTABLISHMENTS. Establishments primarily engaged in the sale of goods to the general public. Retail uses may include, but are not limited to, bookstores, bakeries, grocery stores, and other similar uses.

Deleted: PERMANENT SIGN. Any sign which is not a temporary sign.II

Deleted: PORTABLE SIGN. A sign so designed as to be movable from one location to another and which is not permanently attached to the ground, sales display device, or structure II
PRODUCT IPENTHFICATION SIGNS. $A$ sign that is not necessary to identify a business and identifies a product or service either sold on or off the premises on which the sign is located. II
PROJECTING SIGN. A sign, other than a wall sign, which is affixed to a building and which extends perpendicular from the building wall.II

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RECREATIONAL VEHICLE. Any type of vehicle, either self-powered or drawn by another vehicle, that is used primarily for purposes of recreation or transportation of recreational vehicles, equipment, and the like, including but not limited to campers, motor homes, travel trailers, snowmobiles, camper trailers, motorcycle trailers, snowmobile trailers, horse trailers, and the like.

ROOF. The outside top covering of a building designed to serve as the principal means of enclosing the building interior from descending outside elements such as, but not limited to, rain, snow, and sunlight.
ROOF LINE. The top of the coping or, where the building has a pitched roof, the intersection of the outside wall with the roof.

RUMMAGE SALE or GARAGE SALE. An infrequent temporary display and sale by an occupant on his or her premises of personal property, including general household rummage, used clothing, and appliances. The persons conducting the sale must be residents of the property on which the sale is conducted.

SATELLITE ANTENNA. A structure and all supporting apparatus which is used for receiving satellite signals. If the structure is roof-mounted and exceeds ten feet in height above the highest point of the roof, it is considered a roof-mounted antenna. If the structure is groundmounted it is considered an accessory structure.

## SETBACK.

(1) For signs, the minimum horizontal distance from the closest part of a sign to the property line, or public street easement or right-of-way.
(2) For structures, the minimum horizontal distance between the front, rear, or side line of the building or structure (excluding steps, unroofed porches, and overhangs) and the front, rear, or side lot line, unless specifically designated otherwise.

SHOPPING CENTER. An integrated grouping of commercial stores, under single ownership or control.
SIGN. Any letter, word or symbol, poster, picture, reading matter, or representation in the nature of
advertisement, announcement, message, or visual communication, other than a FLAG or MURAL as
defined in this section, whether painted, posted, printed, affixed, engraved, or constructed, including all
associated brackets, braces, supports, wires, and structures, which is displayed for informational or communicative purposes. This definition shall also include FLAGS that exceed the sizes specified by
§153.092(A)(3)(d).

## Signs shall be further defined as follows:

> ABANDONED SIGN. Any SIGN and/or its supporting sign structure, which has been removed or whose display surface remains blank for a period of one year or more, or any SIGN which has been erected in violation of this code. SIGNS applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one year or more. Any SIGN remaining after demolition of a principal structure shall be deemed to be abandoned. Any SIGN meeting this definition shall be considered abandoned even if the SIGN is legally nonconforming or authorized pursuant to a conditional use permit or variance.

Deleted:-READER BOARD SIGN. The portion of the sign used for removable or changeable letters and numbers to convey messages.II
REAL ESTATE SIGN. A business sign placed upen a
property advertising that particular property for sale, for rent, or for lease. II

Deleted:-ROOF SIGN. Any sign which is erected,
eonstructed, or attached wholly or in part upon or over the roof of a building. If
ROTATING SIGN. A sign which revolves or rotates on its axis by mechanical means.II

Deleted: shall

Commented [ 31]: Joseph Sathe - Paragraph formatting throughout "Sign" section is not uniform and has random line breaks.

Commented [ 32]: Mary Tietjen- We need to discuss whether you are repealing the definitions in section 153.091 in light of their insertion here.

Commented [ 33]: Joseph Sathe - Bold and italics formatting. This section highlights its own definition, but also the definitions of other sections in bold (e.g., "Building" under Attached Sign).

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ANIMATED SIGN. A SIGN that has any visible moving part, flashing or oscillating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, oscillate, or visibly alter in appearance in a manner that is not permitted by these regulations. ANIMATED SIGNS do not inherently include ELECTRONIC MESSAGE DISPLAY SIGNS, although it is possible that electronic message display signs be used or programmed as ANIMATED SIGNS.

ATTACHED SIGN. Any SIGN that lacks a supporting framework and is therefore attached or anchored to any BUILDING or other STRUCTURE; any SIGN that is not a FREESTANDING SIGN.

AWNING SIGN. A SIGN printed on or in some fashion attached directly to the AWNING material.

BANNER. A SIGN constructed of cloth, paper, plastic, or other material upon which copy is written and supported, either between poles or fastened to buildings or other structures, and that is supported or anchored on two or more edges or at three or more corners. BANNERS also include such SIGNS which are supported by an internal frame (such as an umbrella) or are anchored along one edge or two corners, with weights or supports installed that substantially reduce the reaction of the SIGN to wind.

BENCH SIGN. A SIGN located on any part of the surface of a bench or a similar type of outdoor furniture or seating, usually placed on or adjacent to a PUBLIC RIGHT-OF-WAY.

BUILDING SIGN. Any SIGN attached to or supported by any BUILDING.
CLASS A SIGNAGE. Durable and permanent SIGNS including:
(1) Any SIGN that requires a building or electrical permit to install; and
(2) SIGNS constructed from wood, plastic, metal, concrete, or other durable, weather-proof materials, with a weather-proof display area; and not otherwise specified as CLASS B or CLASS C SIGNS.

CLASS B SIGNAGE. Non-durable, impermanent SIGNS including:
(1) DEMOUNTABLE LETTER SIGNS
(2) MOVEABLE SIGNS;
(3) BANNERS;
(4) Other SIGNS not constructed from durable, weather-proof materials; and
(5) Other SIGNS, which, due to design, material, and installation method are temporary in nature. This includes SIGNS not displayed or intended to be displayed for a length of 30 days or longer.

CLASS C SIGNAGE.
(1) Obtrusive, impermanent, moving, or otherwise dynamic SIGNS including:
(a) INFLATED SIGNS;
(b) FEATHER BANNERS;
(c) PENNANT SIGNS;

[^0]ELECTRICAL SIGN. A SIGN that is powered by electricity.
ELECTRONIC MESSAGE DISPLAY (EMD). A single SIGN with up to two faces, capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

EXTERIOR SIGN. A SIGN located on the outside of a BUILDING, STRUCTURE, or outdoor display area, or located on the interior of a BUILDING, but which is primarily intended to be viewed from the exterior of the BUILDING.

FEATHER BANNER. A type of elongated BANNER and freestanding temporary sign typically made of a flexible fabric or similar material attached to a long rigid pole in the general shape of a feather, teardrop, or similar shape, not to exceed 28 square feet in total area. The definition includes functionally similar display devices. Also commonly known and referred to as a banana banner or teardrop banner.

FLAG. Any fabric or similar lightweight material attached at one edge or no more than two corners of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes, and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices or text. If any dimension of a FLAG is more than three times as long as any other dimension, it shall be regulated as a BANNER for the purposes of this subchapter.
FLASHING SIGN. A type of ANIMATED SIGN. A directly or indirectly illuminated SIGN which exhibits changing light or color effect by any means so as to provide intermittent illumination or which includes the illusion of intermittent flashing light by means of animation or any other mode of lighting, which may include, but is not limited to, zooming, twinkling, or sparkling.

FREESTANDING SIGN. Any SIGN which has supporting framework that is placed on or anchored in the ground and which is independent from any BUILDING or other STRUCTURE.

HEIGHT OF SIGN. For FREESTANDING SIGNS, the HEIGHT OF THE SIGN shall be the vertical distance measured from the base of the SIGN at average GRADE, to the top of the highest attached component of the SIGN. For SIGNS attached to BUILDINGS, the height shall be the vertical distance from the lowest attached component of the SIGN to the highest attached component.

ILLUMINATED SIGN. Any SIGN illuminated by a source of light which is directly cast upon the exterior surface or face of the SIGN and intended to illuminate the SIGN by reflection, or
which is illuminated from within or behind the SIGN so as to reflect or emanate light through the SIGN.

INFLATED SIGN. A SIGN consisting of a bag made of lightweight material supported by helium, hot, or pressurized air, which is secured to the ground or a STRUCTURE in some fashion, and which is greater than 18 inches in diameter.

INTERIOR SIGN. A SIGN which is located within the interior of any BUILDING or within an enclosed lobby or court of any BUILDING and which is primarily intended to be viewed from the interior of the BUILDING.

MONUMENT SIGN. Any FREESTANDING SIGN with its SIGN FACE mounted on the ground or mounted on a base, subject to the height limitations of the zoning district in which it is located.

MOVEABLE SIGN. A temporary SIGN, made of vinyl, paper, cloth or fabric, corrugated plastic, cardboard, plywood, or similar material, including SIGNS with wood or wire framing, posts, or stakes, supported by the ground but not permanently attached to the ground, which can be regularly moved from a location at periodic intervals, and which has a total height not exceeding four feet and a total area not exceeding six square feet. The term includes SANDWICH BOARD SIGNS. The term does not include BANNERS. A MOVABLE SIGN is not considered to be a PORTABLE TRAILERED SIGN.

MURAL. An image painted or applied on the exterior of a BUILDING wall or other permanent STRUCTURE and for which no more than 5\% of the total area covered by the MURAL, or 100 square feet (whichever is less), consists of text.

NONCOMMERCIAL SPEECH. Speech not defined as COMMERCIAL SPEECH which includes, but is not limited to, speech concerning political, religious, social, ideological, public service, and informational topics.

NONCONFORMING SIGN. A SIGN which was lawful at the time of its construction but does not now conform to this subchapter.

OFF-PREMISE SIGN. A COMMERCIAL SPEECHSIGN which directs the attention of the public to a business, activity conducted, or product sold or offered at a location not on the same PROPERTY where such SIGN is located.

OVERHANG SIGN. A SIGN that overhangs sidewalk rights-of-way a maximum of one and one-half feet, with a minimum clearance of eight feet between the bottom of the OVERHANG SIGN and the sidewalk surface.

PENNANTS. Pieces of cloth, paper, plastic, or similar material intended to be individually supported or attached to each other by means of rope, string, or other material and intended to be hung on BUILDINGS or other STRUCTURES or between poles, and does not include any written material, graphic, or other form of copy.

PENNANT SIGN. A display of PENNANTS on one PROPERTY that exceed the sizes specified by $\S 153.092(\mathrm{~A})(3)(\mathrm{e})$.

PORTABLE TRAILERED SIGN. Any SIGN which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support is converted to another SIGN or attached temporarily or permanently to the ground. A SIGN mounted on a vehicle identifying a business when the vehicle is being used in the normal day to day operation of that business is not subject to the regulations

Commented [ 34]: Joseph Sathe - Is this defined elsewhere in the code?
set forth in this section, provided the vehicle is in operable condition, carrying a current, valid license tag, and the vehicle does not remain parked at the same location for 48 continuous hours. BANNERS, MOVABLE SIGNS, PENANTS, PENANT SIGNS, and SANDWICH BOARD SIGNS shall not be considered PORTABLE TRAILERED SIGNS for the purpose of this subchapter.

PYLON SIGN. Any freestanding SIGN which has its supportive structure(s) anchored in the ground and which has a SIGN FACE elevated above ground level by pole(s) or beam(s) more than eight feet and with the area below the SIGN FACE open.

ROOF SIGN. Any SIGN erected and constructed wholly on or above the ROOF or parapet of a BUILDING or STRUCTURE and which is supported by the roof structure.

SANDWICH BOARD SIGN. A type of MOVEABLE SIGN that is a freestanding, selfsupporting SIGN hinged at the top, or attached in a way that forms a shape similar to the letter "A" when viewed from the side, also commonly known and referred to as an A-frame sign or a springboard sign.

SEASONAL, HOLIDAY, and FESTIVE DECORATION. HOLIDAY or FESTIVE shall mean a calendar date or dates associated with a specific event or season including, but not limited to, New Year's Day, Martin Luther King Jr. Day, Valentine's Day, Passover, Holi, Ramadan, Easter, Memorial Day, Independence Day, Labor Day, Halloween, Thanksgiving, Hanukah, Christmas, Kwanza; DECORATION shall mean ornaments, figures, statutes, inflatable characters, seasonal lighting, and related products that are placed on a property for a temporary period of time in observance of a holiday or festival.

SHIMMERING SIGN. A type of ANIMATED SIGN which reflects an oscillating or sometimes distorted visual image.

TOTAL SITE SIGNAGE. The maximum combined area of all SIGNS allowed on a
WALL SIGN. Any BUILDING SIGN attached parallel to, painted on the surface of, or erected on, and confined within the limits of, an outside wall of any BUILDING or STRUCTURE, which is supported by such WALL or BUILDING, and which displays only one SIGN surface.

WINDOW SIGN. A SIGN affixed to or inside of a window in view of the general public. This does not include merchandise on display.

SITE AREA. The area of a parcel or parcels of land to be developed under the R-2 and R 3 district regulations and to be developed as part of a single development action or a single stage of a staged development.

SPECILAIZED CARE FACILITIES. Any facility whose primary function is the provision, on a continuing basis, of nursing services and health-related services for treatment and in-patient care, such as nursing homes, memory care facilities, and hospices. This does not include senior housing or the residence of any individual who cares for another family member.

STREET, ARTERIAL. A street which provides for traffic movement to and from municipalities and the surrounding areas, to and from freeways or expressways and collector streets, and between major parts of an urban area. Intersections are at grade and direct access to abutting property should be avoided.

Commented [ 36]: Joseph Sathe - SP: Pennant

Commented [ 37]: Joseph Sathe - Formatting
Commented [ 38]: Nancy Abts - We don't have an R-3 zone...

Deleted: Any object, device, display, structure, or part thereof, situated outdoors or indoors, which is displayed to attract the attention of the public while on public streets, highways, or walkways to the object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected
images. SIGNS do not include flags of any nation, state, city, religion, or fraternal or civic organization, merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, scoreboards on athletic fields, sound trucks or other moving advertising media while operated on a public right-of-way, official traffic signs or symbols, banners announcing civic celebrations or events of special interest, mounted house numbers under 12 inches in height, mounted nameplates or building address numbers under six square feet in area identifying the occupants or address of a building, or address or public information signs displayed for the convenience of the traveling public, when established by a public agency. SIGNS also do not include murals, color schemes, or facade patterns which by themselves would not convey a message about business or product without other sign elements present.IT
SIGN, ADVERTISING. A sign which directs attention to a business, service, event, or location not related to the premises where the sign is located.II
SIGN, MAXIMUM HEIGHT OF. The vertical distance measured from the grade to the top of the sign.II
SIGN, MINIMUM HEIGHT OF. The vertical distance measured from the nearest finished grade to the lower limit of the sign.II
SIGN STRUCTURE. The supports, uprights, bracing, and framework for a sign, including the sign area.II
Commented [ 39]: Joseph Sathe - SP: Specialized
Commented [ 40]: Joseph Sathe - How does this conflict with "Nursing, Convalescence, and Retirement Homes" above? Also, I do not see where this appears again in the chapter

STREET, COLLECTOR. A street which collects and distributes the internal traffic within an area of a community such as a residential neighborhood or industrial district, and between arterial and local streets. It provides some access to abutting property.

STREET FRONTAGE. The proximity of a parcel of land to one or more streets. An interior lot has one STREET FRONTAGE and a corner lot has two STREET FRONTAGES.

STREET, LOCAL. A street of little or no continuity, designed to provide access to abutting property and leading into collector streets.
STRUCTURAL ALTERATION. Any change, other than incidental repairs, which would prolong or increase the life of the supporting members of a building, such as bearing walls, columns, beams, girders, or foundations.

STRUCTURE. Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground, including, but without limiting the generality of the foregoing, signs, billboards, retaining walls, or fences.
SWIMMING POOL. Any outdoor structure, basin, chamber, or tank containing an artificial body of water for swimming, diving, or recreational bathing used in connection with a residential dwelling and having a depth of more than 24 inches at any point and a surface area exceeding 150 square feet.
TOWER. A pole, spire, or structure, or any combination thereof, to which an antenna is attached, including supporting lines, wires, and braces.

TOWNHOUSE. A one-family dwelling unit horizontally attached to one or more similar dwelling units in a linear arrangement and structured on individual lots. Features of TOWNHOUSES are their private yards and private
entrances. A TOWNHOUSE development normally includes common open space for athletic and recreational purposes. TOWNHOUSES by this definition do not include multiple units in a single structure such as triplexes, four-plexes, or apartment buildings.

TOXIC MATTER OR MATERIAL. Those materials which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

TRAVEL TRAILER. A vehicular portable structure, built on a chassis, designed to be used as a temporary dwelling for travel, recreation, and vacation uses.
TRIANGLE. The triangular area defined as follows: beginning at the point of intersection of the rights-of-way of two intersecting streets or one intersecting street and one alley, thence 20 feet along one right-of-way line, thence diagonally to a point on the other right-of-way line 20 feet from the point of beginning, thence to the point of beginning.

UNLAWFUL SIGN. A sign which exists prior to or after the passage of this chapter or amendments thereto, which does not conform with the regulations of this chapter and is not an existing legal sign and is not a sign erected with a sign permit.

- USE. The purpose or activity for which the land or buildings thereon is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of performance of that activity with respect to the performance standards of this chapter.

Deleted: advertising

Deleted: TEMPORARY SIGN. Any sign which is erected or displayed with or without a permit for a specified period of time (such as banners, portable signs, searchlights, trucks, trailers, window signs, and the like). It

Deleted: USABLE OPEN SPACE. The required portion of a lot at ground level, unoccupied by buildings, and available to all the occupants of the building. This space of minimum prescribed dimensions shall not be devoted to service driveways or off-street parking space or loading berths but shall be usable for greenery, recreational space, and other leisure activities normally carried on outdoors. $\ddagger$

USE, ACCESSORY. A use which is:
(a) subordinate to and serves a principal building or principal use;
(b) subordinate in area, extent, and purpose to the principal structure or principal use as served; and
(c) located on the same lot as the principal structure or principal use served and except as otherwise expressly authorized by this chapter.

USE, CONDITIONAL. A use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would not be detrimental to public health, safety, or general welfare. After due consideration in each case of the impact of that use upon neighboring land, and the public need for the particular use at the particular location, the CONDITIONAL USE may or may not be granted.

USE, INTERIM. A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

USE, INCOMPATIBLE. A use which is contradictory, incongruent, or discordant with certain other uses.

USE, NON-CONFORMING. Any use of land, buildings, or structures lawfully existing at the time of adoption of this chapter which does not comply with all the regulations of this chapter or any amendments hereto governing the zoning district in which the use is located.

USE, PERMITTED. A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards, if any, of the district or districts.

USE, PRINCIPAL. The main use of land or buildings, as distinguished from a subordinate or accessory use. A principal use may be permitted or conditional. Or interim?

UTILITY ENTRANCE. A passage or opening in a building which is not a public entrance as defined herein.

## VERMIN. Pests or nuisance animals that spread diseases; destroy crops, livestock, or other property; e.g., rodents, insects.

VARIANCE. A modification or variation of the provisions of this chapter as applied to a specific piece of property, except that modification in the allowable uses within a district shall not be considered a VARIANCE

WALL. The building facade area that defines the front of the building. The front is the continuous line of a building that connects side wall to side wall and faces one public right-ofway. For a multi-tenant building on a corner lot, the front is the continuous line of a building which faces either a public right-of-way or a private road in a planned unit development.
WAREHOUSING. The commercial storage of merchandise and personal property.
WHOLESALING. A business engaged in selling to retailers or jobbers rather than consumers.

Deleted: subordinate to the principal use or building on the same lot and customarily incidental thereto as well as attached or detached therefrom.

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Deleted: A use, either public or private, which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district.

Commented [ 42]: Mary Tietjen - The last sentence seems to go beyond the definition.

Commented [ 43]: Mary Tietjen - I agree with adding a definition of Use, Interim. I suggest using the definition from state statute 472.3597: "A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it." Given the inherently temporary nature of interim uses, I think it would be unusual for one to be the "principal" use of a property.

Commented [NA44R43]: I think for the time it is occurring, it could be the principal use of the property.

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Commented [ 45]: Nancy Abts - Should "interim" be added to the list of potential principal uses, if it is adopted as a possibility elsewhere in the ordinance?

Commented [ 46]: Joseph Sathe - I suggest defining Use, Interim as a standalone section.
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Commented [ 47]: Joseph Sathe - Put in (parentheses)

Deleted: WALL GRAPHICS. A sign which is painted directly on an exterior wall surface. II
WALL SIGN. A sign which is affixed to the exterior walt of a building and which is parallel to the building wall. A WALL SIGN does not project more than 12 inches from the surface to which it is attached, nor extend beyond the top of the parapet wall.II

WORKSHOP. An accessory residential use for the creation of individual crafted artwork,
jewelry, furniture, sculpture, pottery, leathercraft, handwoven articles, and related items. A workshop may be either an accessory use within the principal building or may be an accessory building on the property.

YARD. the horizontal distance between the principal structure and a lot line, as measured perpendicular to the lot line. Eaves are not to be considered part of the principal structure for the purpose of determining the location or extent of a yard.


## Figure 5: Illustration showing yard locations

YARD, FRONT. A yard extending along the full width of the front lot line between the side lot lines.

YARD, REAR. A yard extending along the full width of the rear lot line between the side lot lines.

YARD, SIDE. A yard extending along a side lot line from the front yard to the rear yard.
ZONING MAP. The map setting forth the boundaries of the zoning districts of the city, which map is a part of this chapter.

ZONING OFFICER. The Zoning Officer of the city as duly appointed by the City Council.
(1997 Code, § 25.06) (Ord. passed 11-14-1994; Am. Ord. 2005-3, passed 4-11-2005; Am. Ord. 2017-3, passed 9-11-2017)

Deleted: WINDOW SIGN. A sign affixed to or inside of a window in view of the general public. This does not include merchandise on display-II

Deleted: An open space on the same zoning lot with a building or structure, which YARD is unoccupied and unobstructed. A YARD extends along a lot line and to a depth or width measured from the lot line specified in the YARDrequirements for the zoning district

Deleted: in which the zoning lot is located.II

## П§ 153.010 SEPARABILITY.

It is hereby declared to be the intention of the City Council that the several provisions of this chapter are separable in accordance with the following.
(A) If any court of competent jurisdiction shall adjudge any provision of this chapter to be invalid, the judgment shall not affect any other provisions of this chapter not specifically included in that judgment.
(B) If any court of competent jurisdiction shall adjudge invalid the application of any provision of this chapter to a particular property, building, or other structure, the judgment shall not affect the application of that provision to any other property, building, or structure not specifically included in that judgment.
(1997 Code, § 25.07) (Ord. passed 11-14-1994; Am. Ord. 2005-3, passed 4-11-2005)

## ZONING DISTRICTS AND MAPS

## わ§ 153.020 ZONING DISTRICTS ESTABLISHED.

The following zoning classifications are hereby established within the city:
(A) PI, public institution district;
(B) R-1, one- and two-family residential district;
(C) R-2, multiple-family residential district;
D) EMX, Edge mixed-use district.

CBD, central business district;
C-2, highway commercial district; including C-2 North and C-2 South districts and
(G) M, manufacturing and industrial district.
(1997 Code, § 25.07) (Ord. passed 11-14-1994)

## W§ 153.021 ZONING MAP ESTABLISHED.

The location and boundaries of the districts established by this text are hereby set forth on the zoning map entitled Zoning Map of the city, and is attached hereto as Appendix D.
(1997 Code, § 25.07) (Ord. passed 11-14-1994)

## W§ 153.022 DISTRICT BOUNDARY INTERPRETATION.

(A) The location and boundaries of each zoning district established by this chapter are as set forth in zoning district sections of this chapter and are shown on the official Zoning Map.
(B) Where uncertainty exists as to the boundaries as shown on the official Zoning Map, the following rules will apply.
(1) Boundaries indicated as approximately following the center line of streets, highways, or alleys shall be construed to follow those center lines.

Commented [ 51]: Nancy Abts - Update language?
Commented [ 52]: Joseph Sathe - Example:
Crystal Code Section 500.11 . Severability. If any section, subsection, sentence, clause, or phrase of this UDC is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity or enforceability of the remaining portions of this UDC. The city council hereby declares that it would have adopted this UDC in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

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## Deleted: or

(2) Boundaries indicated as approximately following platted lot lines shall be construed as following those lot lines.
(3) Boundaries indicated as approximately following city limits boundaries shall be construed as following those city limits boundaries.
(4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
(5) Boundaries indicated as parallel to or extensions of features indicated in § 153.131 of

## Field Code Changed

 this code, regarding non-conforming lots of record, shall be so construed. Distances not specifically indicated on the official Zoning Map shall be determined by the scale of the map.(6) Where physical or cultural features existing on the ground are at variance with those shown on the official Zoning Map, or in other circumstances not covered by § 153.131 of this code, regarding non-conforming lots of record, the Board of Appeals shall interpret the district boundaries.
(7) Where a district boundary line divides a lot which was in single ownership at the time of passage of this chapter, the Board of Appeals may permit, as a special exemption, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.
(1997 Code, § 25.07) (Ord. passed 11-14-1994)

## ZONING DISTRICTS; REQUIREMENTS AND USES

わ§ 153.034 PUBLIC INSTITUTION DISTRICT, PI.
(A) Intent. The intent of this district is to provide for public buildings, facilities, and land areas which are owned, controlled, regulated, used or proposed to be used by the city for the purposes of serving the residents and the community members of the city.
(B) Permitted uses.
(1) Municipal buildings and structures, including City Hall, Fire Department, Police Department, City or County Library, Public Services facilities, Community Center, recreation centers, lift stations, ice skating warming houses, water towers, and any other governmental office buildings or facilities;
(2) Public parks, playgrounds and athletic fields or ice skating rinks;
(3) Off-street parking areas, provided they are open to the general public;
(4) Outdoor storage of equipment, landscaping materials, sand/salt materials or other public street improvement materials;
(5) Historical sites;
(6) Cellular telephone or communications towers and/or antennas;
(7) Commercial signage limited to billboards or any other governmental signage; and
(8) Any other uses determined by the city to be the same or similar type uses.

## (C) Conditional uses.

(1) Religious institutions, such as chapels, temples, synagogues, and mosques limited to worship and related social events;
(2) Outdoor recreation areas, such as golf courses, private/public swimming pools, and private community clubs;
(3) Cemeteries or memorial gardens; and
(4) Any other uses determined by the city to be the same or similar type uses.
(Ord. 2014-4, passed 12-8-2014)

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W§ 153.035 ONE-AND TWO-FAMILY RESIDENTIAL DISTRICT, R-1.
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(A) Intent. To recognize fully or partially developed one- and two-family residential areas including supporting public and semi-public facilities, to provide for future development of a similar nature, and to protect the desired low intensity living environment from encroachment by conflicting land uses.
(B) Permitted uses.
(1) One- and two-family detached dwellings, including manufactured homes, with an attached or detached private garage;
(2) Customary accessory uses incidental to the permitted residential uses, such as:
(a) Screen houses;,
(b) Private recreational facilities such as swimming pools and tennis courts
(c) Rummage sales, provided no more than 4 sales are held per property per calendar year, each lasting no more than 3 consecutive days and that exchange or sale of merchandise is conducted inside the garage or one-half the required setback length from the street.
(3) Home occupations;
(4) Licensed day care or residential facilities permitted as single family residential uses per M.S. 462.357
(5) Essential structures and uses.
(C) Conditional uses.
(1) Public and semi-public facilities such as religious institutions, schools, and parks of a non-commercial nature; and,
(2) Manufactured home parks, per M.S. 462.357.

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Commented [ 56]: Joseph Sathe - Crystal Section 515.25 includes Garage/Yard sales in "Permitted Temporary Uses and Structures".

I suggest not including rummage sales as home occupations.
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(D) Lot requirements and standards. Refer to Appendix A of this chapter.
(1997 Code, § 25.08) (Ord. passed 11-14-1994)

## W§ 153.036 HIGH-DENSITY RESIDENTIAL DISTRICT, R-2.

(A) Intent. To recognize the demand for apartment, condominium, and multiple-family dwellings; to provide for these apartments upon fairly sizable tracts of land, thereby allowing increased design flexibility and a more compatible development pattern; and to permit these apartments at densities high enough to allow high quality development yet low enough to provide a desirable living environment for residents.
(B) Permitted uses.
(1) Multiple-family dwellings; and

Deleted: of three or more dwelling units per structure
(2) Customary accessory uses incidental to the permitted residential uses such as private garages and private recreational facilities such as swimming pools and tennis courts.
(C) Conditional uses.
(1) Essential service structures and uses;
(2) Public and semi-public facilities such as religious institutions, schools, and parks of a non-commercial nature;
(3) Nursing, convalescent, and retirement homes; and
(4) Health care facilities, including hospitals and medical and dental clinics.
(5) Licensed day care or residential facilities permitted as multifamily residential uses per M.S. 462.357 .

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(D)
(E) Lot requirements and standards. Refer to Appendix A of this chapter.
(1997 Code, § 25.08) (Ord. passed 11-14-1994)

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§ 153.XXX Edge Mixed-Use, District, EMX.
(A) Intent. The intent of this district is to accommodate uses that are predominantly residential in nature
and mixed-use buildings with neighborhood-serving retail, entertainment, civic, institutional, and office
uses in key ground-floor locations and residential uses between and above the nonresidential space. The
ground level shall be pedestrian-oriented and shall promote the health and well-being of residents by
encouraging physical activity, alternative transportation, and social interaction. Development in the
district shall facilitate transition between commercial areas and nearby neighborhoods.
(B) Permitted Uses. Multi-family residential uses and limited commercial uses within mixed use
buildings. In order to illustrate the types of establishments which this division is designed to cover, the
following examples are set forth. These examples are not meant to illustrate the only establishments
intended to be covered:
```

    (1) All permitted uses in the Central Business District (CBD), provided that such uses are combined
    with other permitted or conditional uses when within a mixed-use building, and that the gross floor
area occupied by any such single use shall not exceed the gross floor area of the ground floor.
(2) All Permitted Uses in the High Density Residential District (R-2).
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Commented [ 60]: Joseph Sathe - I suggest including some indication that this is the EMX district, and if so, use the full name: Edge Mixed Use.
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(C) Conditional Uses. Commercial uses. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:
(1) Permitted Uses in the Central Business District (CBD) occupying more than the gross floor area of the ground floor when within a mixed use building;
(2) Conditional uses in the Central Business District (CBD)

## (E) Lot requirements and standards. Refer to Appendix A of this chapter.

(F) Building Performance Standards. Development shall be substantially compliant with the Architectural Design Guidelines for Osseo Business Districts, copies of which are available at City Hall, regarding Height, Setbacks/Building Siting, Fenestration, Rhythm/Continuity, Materials, Detailing, Lighting, Rear Entrances, and Parking. Substantial compliance shall be determined as part of § 153.153 Site and Building Plan Approval.

## (G) Site Performance Standards

(1) Open Space. When public open space is provided on site in a manner consistent with that outlined in the Comprehensive Plan, a height bonus may be considered upon approval of the City Council. The intent of the bonus is to encourage the provision of public open space and amenities.
(2) Fencing. Requirements shall be the same as for the R2 District.
(3) Landscaping and Outdoor Storage and Screening. Requirements shall be the same as for the CBD.
(4) Off-street vehicular parking shall be provided in accordance with Appendix B: Off-Street Parking Space Requirements, with the following exceptions:
(a) One off-street parking space must be provided for each dwelling unit.
(b) No off-street parking is required for non-residential uses in the district unless such uses exceed 3,000 square feet of gross floor area in which case off-street parking must be provided for the floor area in excess of 3,000 square feet.
(c) Off-street parking spaces must be located to the rear of the principal building or otherwise screened so as to not be visible from public streets or residential zoning districts.
(5) Bicycle Parking.
(a) Applicability. Bicycle parking shall be provided for all new commercial, industrial, community service use, and multifamily residential development [in the EMX District].
(b) Quantity of Spaces
i. The quantity of required bicycle parking spaces shall be as described in this subsection. In no case shall fewer than two (2) spaces be required.
a. Unless otherwise specified, the number of bicycle parking spaces shall be at least $10 \%$ of the minimum required motor vehicle parking for the use, up to 30 bicycle parking spaces.
b. Multifamily residential development with 4 or more units shall provide 1 space per unit.

Deleted: with the exception of § 153.037(C)(8) Commercial businesses intending to sell or serve liquor as part of regular business and $\S 153.037$ (C)(9) Artisan manufacturing businesses;

Commented [ 62]: Mary Tietjen - Did the term "bonus" come from another Code? I'm not familiar with it in this context. Are there any objective standards for a "bonus"?

## Deleted: Central Business District

Commented [ 64]: Nancy Abts - May apply here for EMX district only, or, upon Planning Commission \& Council direction, may apply Citywide and be relocated to the 'Parking' section

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    ii. Covered or enclosed bicycle parking. A minimum of 50% of the bicycle spaces
            shall be covered and/or enclosed (in lockers or a secure room) in any of the
            following situations:
            a. When 10% or more of automobile parking is covered; or
            b. If more than 10 bicycle parking spaces are required.
(c) Bicycle Parking Standards. Each required bicycle parking space must be accessible
        without moving another bicycle and its placement shall not result in a bicycle
        obstructing a required walkway. Bicycle racks shall be permanently installed to the
        manufacturer's specifications, including the minimum recommended distance from
        other structures. In addition:
    i. Bicycle parking facilities shall meet the following requirements:
            a. Securely anchored to a hard, durable surface.
            b. Located within 50 feet of the main building entrance.
            c. Designed to provide direct access to a public right-of-way.
            d. Dispersed for multiple entrances.
            e. In a location that is visible to building occupants or from the
                main parking area.
            f. Designed not to impede pedestrians along sidewalks or public rights-of-
                way.
            g. Separated from motor vehicle parking areas by curbing or other similar
                physical barriers.
    ii. To the extent feasible, property owners are encouraged to conform to the
        Association of Pedestrian and Bicycle Professionals (APBP) Guidelines, copies
        of which are available at City Hall.
    iii. The public right-of-way may be utilized for bicycle parking when parking cannot
        be reasonably accommodated on the site and the location is convenient to the
        building's main entrance. The bicycle parking area in the right-of-way when
        bicycles are parked must leave a clear, unobstructed four-foot width of sidewalk
        if present and be approved by the Public Works Director. A right-of-way permit
        is required.
(d) Alternative Compliance. The City may approve alternative compliance from the
        provisions of this Section, which may include, but need not be limited to, a reduction or
        deviation in the number, type, or location of the required bicycle parking. Considerations
        used in the determination to grant or deny alternative compliance may include, but are
        not limited to, existing site constraints, proximity to existing bicycle parking, and the
        nature of the proposed building or use.
```

内§ 153.037 CENTRAL BUSINESS DISTRICT, CBD.
(A) Intent. The intent of this district is to accommodate central business type uses that include joint-use parking areas and business uses primarily oriented to the walking public.

## (B) Permitted uses.

(1) Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

## Deleted:

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(a) Retail establishments such as grocery, hardware, drug, clothing, appliances, furniture stores, and restaurants;
(b) Personal services such as laundry, barber, shoe repair, beauty salon, and photography studio;
(c) Professional services such as medical clinics, dental clinics, law offices, and accounting offices;
(d) Finance, insurance, and real estate services;
(e) General commercial office space; and
(f) Repair services such as jewelry, radio, and television repair shops (not auto repair).
(2) Public and semi-public facilities serving all or portions of the city, such as municipal offices, library, and post office;
(3) Apartments, if located above the street level in mixed use buildings;
(4) Essential service structures and uses; and
(5) Any other uses determined by the city to be the same or similar type uses.
(C) Conditional uses. Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

## (1) Essential service structures and uses;

(2) Entertainment and amusement services such as arcades, billiards, bowling alleys, lounges, clubs, and lodges;
(3) Private institutions (e.g., religious institutions and schools);
(4) Dry cleaning;
(5) Blueprint and photocopying establishments;
(6) Pet shops;
(7) Seasonal businesses, including locations where Transient Merchants conduct their transactions;
(8) Commercial businesses such as on- or off-sale liquor establishments (taverns, pubs) and restaurants intending to sell or serve liquor as part of regular business;
(9) Artisan manufacturing businesses;
(10) Professional personal services businesses (e.g., massage therapy, body art establishments, etc), when operating without a license from the City of Osseo, Hennepin County, or the State of Minnesota; and
(10) Any other uses determined by the city to be the same or similar type uses.
(D) Lot requirements and standards. Refer to Appendix A of this chapter.

Commented [ 65]: Joseph Sathe - Should we change this to "mixed-use" now that mixed-use is defined?

Deleted: non-residential
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Commented [ 66]: Nancy Abts - Listed under both Permitted and Conditional Uses-what is the intent? । suggest taking out this reference-it's not a "Commercial establishment"

Commented [ 67]: Joseph Sathe - Unless there needs to be some differentiation between governmentally owner and privately owed essential structure services - as outlined in 153.007

Commented [NA68R67]: 153.007 says that
Governmentally owned essential services are exempt from the application of this chapter-so I assume both instances are referring to privately owned essential services.

Commented [ 69]: Joseph Sathe - Does this conflict with the "Convalescent, Nursing, and Retirement" definition above?

Deleted: , convalescent housing, infirmaries, nurseries,
Commented [ 70]: Joseph Sathe - Transient Merchant is not defined above and may be an antiquated term.
Commented [ 71]: Mary Tietjen - But I believe it's defined elsewhere in city code.
(1997 Code, § 25.08) (Ord. passed 11-14-1994; Am. Ord. 2005-3, passed 4-11-2005; Am. Ord. 2010-3, passed 6-28-2010; Am. Ord. 2017-3, passed 9-11-2017)
W§ 153.038 HIGHWAY COMMERCIAL DISTRICT, C-2.
(A) Highway Commercial District, C-2 North.
(1) Intent. The intent of this district is to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner.
(2) Permitted uses. Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:
(a) Uses permitted within the CBD ;
(b) Auto accessory stores; and
(c) Any other uses determined by the city to be the same or similar type uses.
(3) Conditional uses. Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:
(a) Conditional uses permitted in the CBD;
(b) Major auto service stations that include facilities for chassis and gear lubricating, and car washing;
(c) Garages for the storage and repair of vehicles including body repair and painting, but not including vehicle wrecking yards;
(d) Live bait stores;
(e) Outdoor motor vehicle sales, recreational vehicle sales, truck sales, and motorcycle sales, which meet all of the following requirements:

1. Minimum lot size of one acre;
2. Minimum building size must be at least $10 \%$ of lot size;
3. Business must have own building separate from any other use on the property;
4. Area used for sales must be separate and in addition to off-street parking area; and
5. All vehicle repair and maintenance must take place within a completely enclosed building. Repaired vehicles or vehicles waiting to be repaired shall be considered storage and must be within a screened or enclosed area.
(f) Indoor motor vehicle, recreational vehicle, truck and motorcycle sales, which meet the following requirement:
6. All vehicle repair and maintenance must take place within a completely enclosed building. Repaired vehicles or vehicles waiting to be repaired shall be considered storage and must be within a screened or enclosed area.

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(g) Mortuaries;
(h) Drive in businesses which meet the following requirement:

1. Minimum lot size of .5 acre;
(i) Automobile detailing and/or washing; and
(j) Any other uses determined by the city to be the same or similar type uses.
(4) Lot requirements and standards. Refer to Appendix A of this chapter.
(B) Highway Commercial District, C-2 South.
(1) Intent. The intent of this district is to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner.
(2) Permitted uses. Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:
(a) Uses permitted within the Highway Commercial C-2 North District;
(3) Conditional uses:
(a) Conditional uses permitted in the Highway Commercial C-2 North District;
(b) Warehousing and shipping of warehoused goods; and
(c) Any other uses determined by the city to be the same or similar type uses.
(4) Lot requirements and standards. Refer to Appendix A of this chapter.
(1997 Code, §25.08) (Ord. passed 11-14-1994; Am. Ord. 2005-3, passed 4-11-2005; Am. Ord. 2008-3, passed 2-11-2008; Am. Ord. 2010-3, passed 6-28-2010; Am. Ord. 2014-1, passed 2-102014)

## W§ 153.039 MANUFACTURING AND INDUSTRIAL DISTRICT, M.

(A) Intent. The intent of this district is to provide land in proximity to major thoroughfares for the development of certain manufacturing and industrial activities that will strengthen the local employment opportunity and tax base in the city.
(B) Permitted uses. Manufacturing and industrial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:
(1) Uses permitted within the C-2, highway commercial district;
(2) Fabricating, manufacturing, production, processing, and storage of material goods and products, subject to the performance standards set forth in $\S 153.050$ of this code and as set forth in the rules and regulations of the Minnesota Pollution Control Agency;
(3) Motor freight terminals;
(4) Research, electrical and metallurgical, but not chemical;

Deleted: , auto repair and service,

Commented [ 76]: Nancy Abts - Simplify text by simply referring to C2 North requirements

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Deleted: . Commercial establishments. In order to illustrate the types of establishments which this division is designed to eover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered

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(b) Major atto service stations that include facilities for chassis and gear lubrieating, and ear washing; fll
(c) Garages for the storage and repair of vehicles including body repair and painting, but not including vehicle wreeking yards; [f
(d) Live bait stores; $\ddagger$
(e) Outdoor motor vehicle sales, recreational vehicle sales, truck sales, and motorcycle sales, which meet all of the following requirements:

1. Minimum lot size of one acre; [l]
2. Minimum building size must be at least $10 \%$ of lot size; II

- 3. Business must have own building and propery; ill 4. Area used for sales must be separate and in addition to off-street parking area; and $I$

5. All vehicle repair and maintenance must take place within a completely enclosed building. Repaired vehicles or vehicles waiting to be repaired shall be considered storage and must be within a screened or enclosed area.II
(f) Indoor motor vehicle, recreational vehicle, truck, and motorcycle sales; If
(g) Mortuaries; II
(h) Drive in businesses, auto repair and service, which meet the following requirement: If
6. Minimum lot size of .5 acre; $f$
(i) Automobile detailing and/or washing;

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Field Code Changed
(5) Public uses and public utility facilities; and
(6) Any other uses determined by the city to be the same or similar type uses.
(C) Conditional uses.
(1) Conditional uses permitted within the C-2, highway commercial district, with the exception of $\S \underline{153.038(C)(5) \text { motor vehicle, recreational vehicle, truck, and motorcycle sales; }}$
(2) Manufacturing and sale of concrete products;
(3) Manufacturing of miscellaneous building materials (such as, prefabricated housing, wallboard, partitions, and panels);
(4) Metal fabrication;
(5) Storage of the following:
(a) Coal and gas; or
(b) Auto wrecking, junk, and salvage.
(6) Sexually oriented businesses;
(7) Uses not specifically set forth herein which in the opinion of the City Council would be compatible with the area in which located and which would not constitute a public nuisance, and which would not materially affect sewer capacity.
(D) Lot requirements and standards. Refer to Appendix A of this chapter.
(1997 Code, § 25.08) (Ord. passed 11-14-1994; Am. Ord. 2006-4, passed 5-8-2006; Am. Ord. 2008-3, passed 2-11-2008; Am. Ord. 2010-3, passed 6-28-2010).

## GENERAL REQUIREMENTS AND DEVELOPMENT STANDARDS

ద§ 153.050 SPECIAL REGULATIONS; PERFORMANCE STANDARDS.
Every use permitted by this chapter shall be so established and maintained as to comply with the provisions of the following performance standards.
(A) Residual features. No activity or operation shall be established or maintained which by reason of its nature or manner of operation will cause the emission of noise, odor, toxic or noxious fumes, gases, smoke, dust, and particulate matter in concentrations so as to be detrimental to or endanger the public health, welfare, comfort, and safety or cause injury to property or business.
(B) Glare. Direct or reflected glare, such as from floodlights, spotlights, or high temperature processes, and as differentiated from general illumination, shall not be visible beyond the site of origin at any property line. Any lighting used for exterior illumination (including off-street parking areas) shall be directed away from adjacent properties.
(C) Vibration. No activity shall at any time cause earth vibrations perceptible beyond the limits of the site on which the use is located. Vibrations created during the process of construction are exempt from this standard.

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§§ 153.040 PROVIDING FOR A MORATORIUM ON GRANTING CONDITIONAL USE PERMITS FOR A USE ASSOCIATED WITH AUTOMOTIVE REPAIR OR OUTDOOR STORAGE OR SALES OF RECREATIONAL VEHICLES OR TRAILERS, TRUCKS OR AUTOMOBILES IN THE HIGHWAY COMMERCIAL DISTRICT (C-2) AND IN THE MANUFACTURING AND INDUSTRIAL DISTRICT (M). $\boldsymbol{\|}$
(A) Authority. Pursuant to M.S. § 462.355 , Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or part of the city while the city is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has adopted Chapter 153 , the zoning ordinance, including $\S 153.152$ governing amendment of the zoning ordinance. The city declares that this interim section is adopted pursuant to M.S. § 462.355 , Subd. 4 , and the applicable provisions of Osseo Code of Ordinances, Chapter 153. ${ }^{[I I}$
(B) Findings and purpose. II
(1) The City Council is concerned about the effects of conditional uses in the Highway Commercial District (C-2) and in the Manufacturing and Industrial District (M), especially as certain conditional uses are incompatible with the design and use of permitted uses in these districts and may detract from the desirability of these districts as places to establish businesses that are permitted uses in these districts. The City Council is also concerned that certain conditional uses may negatively affect the elimination of blighted properties. The City Council is also concerned that certain conditional uses may negatively impact adjoining residential districts by the creation or allowing of night lighting, noise and outside storage of vehicles and other business property. If
(2) The City Council is currently studying a master plan for redevelopment in the city and is concurrently studying changes to the comprehensive plan. The City Council is interested in promoting the economic vitality of the Highway Commercial District and the Manufacturing and Industrial District. Several sites are currently available for new businesses within the study area. The City Council is concerned that new conditional uses in these districts could be in conflict with changes to the comprehensive plan and could negatively affect existing and future commercial development in these districts. [I
(3) As a result of the important land use and zoning issues cited above, the city, through its Planning Commission, will conduct studies to consider possible amendments to the comprehensive plan or official zoning controls to address these issues. The City Council finds that this interim section should be adopted to protect the planning process and the public health, safety, aesthetics, economic viability and general welfare of the city. II
(C) Zoning study. The Highway Commercial District (C2) and the Manufacturing and Industrial District (M), as shown on the City of Osseo Zoning Map (§ 153.021 , Appendix D), is hereby declared to be an interim zoning
(D) Explosives. Any use requiring the storage, utilization, or manufacturing of products which should decompose by detonation shall be located not less than 400 feet from any residential district. This standard shall not apply to the storage or usage of liquefied petroleum or natural gas for normal residential or commercial purposes.
(E) Waste material. In commercial or industrial districts, without first having received a permit to do so from the city, liquid wastes containing any organic or toxic matter shall not be washed into the public sanitary sewer system or storm sewer system. If this permit is not granted, a method of disposal shall be devised which will not require continuous land acquisition for permanent operation and will not cause a detrimental effect to adjacent land. Should the waste be of solid form rather than fluid, it shall be stored within a completely enclosed structure or contained in a closed container designed for that purpose. Such a waste storage structure or container shall be so located and fenced as to be removed from public view. In all districts, all waste material, debris, refuse, garbage, and materials not currently in use for construction or otherwise regulated herein, shall be kept in an enclosed building or property and contained in a closed container designed for that purpose. The owner of vacant land shall be responsible for keeping that vacant land free of waste material and noxious weeds.
(F) Radiation and electrical emissions. No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas. There shall be no electrical disturbance (except from domestic household appliances) adversely affecting the operation at any point of any equipment including but not limited to radio and television reception other than that of the creator of the disturbance.
(G) Traffic control. The traffic generated by any use shall be channeled and controlled in a manner that will avoid congestion on public streets, safety hazards, and excessive traffic through residential areas. Traffic into and out of all commercial and industrial uses and areas shall in all cases be forward moving with no backing onto streets or pedestrian ways. No access drive to any lot shall be located within 30 feet of any two intersecting street right-of-way lines.
(H) Land slope. No building or structure shall be constructed on slopes of $18 \%$ or more in grade.
(1997 Code, § 25.08) (Ord. passed 11-14-1994) Penalty, see § 10.99

## わ§ 153.051 LAND ALTERATION; EROSION CONTROL.

(A) Land alteration restricted; exceptions. Land alteration is the process of changing the existing landscape by excavating, filling, or grading. Subject to the exceptions set forth below, no land shall be altered, excavated, filled, or graded and no vegetation shall be removed without first obtaining a permit from the city. The following exceptions shall be allowed:
(1) A fill less than one foot in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical, or less than three feet in depth, not intended to support structures, which does not exceed 25 cubic yards and does not obstruct a drainage course; and other exceptions as are listed the State Building Code;
(2) Construction of buildings for which a permit has been applied for and issued, provided the contemplated excavation or filling operation was sufficiently described at the time of building permit application;

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Commented [ 82]: Nancy Abts - Staff suggest removing this exception, but we could also reduce this number to 25 , 10, or 5 cubic yards
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Commented [ 83]: Joseph Sathe - Maple Grove, Woodbury, and Richfield all exempt less than 50 cubic yards.

I found that MN Rules 6120.3300 subd. 4 (B) imposes requirements on local permitting authorities in shoreland areas if more than 50 cubic yards of material will be moved. This may be how 50 cubic yards was established.
(3) Excavations or fills by state, county, or city authorities in connection with the construction or maintenance of roads, highways, parks, or utilities or on slope or utility easements, provided the activity is conducted within public rights-of-way or easements and has obtained any necessary Right of Way permits for the work;
(4) Curb cuts, utility hook-ups, or street openings for which another permit is required from the city; or
(5) Grading plans approved as part of plat approvals.
(B) Requirements. Issuance of a grading permit shall be made subject to the following minimum requirements, and other requirements as the City Council may specify to protect the public interest:
(1) Setback from adjacent property. All operations shall be conducted within the property lines. Grading that extends over the property lines shall require easements from adjacent property owners. Grading within the rights-of-way shall be by city permit;
(2) Excavation. It shall be unlawful for any person to dig and leave open, unfenced, unbarricaded, or uncovered, any pit, quarry, hole, or excavation, including basements, wells, septic tanks, or cesspools;
(3) Restoration. Upon completion of excavation or filling operations, the disturbed area shall be restored with topsoil or other approved cover material and shall be reseeded to establish approved vegetation;
(4) Finished grades. Finished grades shall not adversely affect adjacent properties;
(5) Drainage. Drainage facilities shall be provided to effectively divert or convey storm water runoff and follow the requirements of $\S 153.061$;
(6) Fire, yermin, wind, and hauling control. Provisions for effectively controlling fire, vermin, and dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site shall be made; and
(7) Permit period. The excavation or filling permit shall run for six months unless a greater period is requested and approved by the City Council.
(C) Erosion control.
(1) Criteria. Erosion and sediment control plans shall comply with the following criteria:
(a) Before a construction activity begins where soil will be disturbed, that requires a permit, an erosion control plan shall be submitted to the city for approval.
(b) All development shall conform to the natural site topography and soil conditions to control runoff in order to create the best potential for preventing soil erosion.
(c) All erosion and sediment control measures shall be installed prior to land disturbance activities, and shall not be removed without city approval. The developer or land owner is responsible for removal and disposal of erosion control devices.

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Commented [ 84]: Nancy Abts - I prefer a broader term, to include insects and other animal species (e.g., raccoons, opossums, etc)

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Commented [ 85]: Mary Tietjen - Do you want this to be subject to Council approval?

Commented [NA86R85]: It seems like a reasonable requirement. I wouldn't want the permit to be open indefinitely. I guess we could also just require a new permit every 6 months, with no option for extension.
(d) Land disturbance activities shall be phased when possible to minimize the amount of soil exposed to erosion at any one time.
(e) Erosion and sediment control measures shall be consistent with approved best management practices and shall be sufficient to retain sediment on-site.
(f) All areas disturbed by excavation and backfilling operations, shall have the turf reestablished after the completion of the work in that area. All seeded areas shall be fertilized, mulched, and secured and stabilized as necessary for seed retention.
(g) At the close of the construction season, the entire site must be stabilized, using a heavy mulch layer, or another method that does not require germination to control erosion.
(2) Clean-up. The developer or land owner shall maintain a neat and orderly site and daily clean, on and off site, dirt and debris from the street and the surrounding area which has resulted from construction work by the developer or land owner, its agents or assigns.
(3) Maintenance. The developer or land owner shall be responsible for proper installation, operation, and maintenance of all stormwater pollution controls and soil stabilization measures in conformance with approved best management practices. The developer or land owner is responsible for the operation and maintenance of temporary erosion prevention and sediment control best management practices for the duration of the construction work at the site.
(4) Notification. If a construction site or buildable lot is sold before work is completed, the owner is required to notify the buyer of the erosion control, clean-up, and landscaping requirements.
(5) Landscaping. The developer shall provide for the installation of landscaping in accordance with the landscape plan approved by the city. The developer shall sod the drainage swales. All trees, grass, and sod shall be warranted to be alive, or of good quality and diseasefree at installation. All trees shall be warranted for 12 months after planting.
(6) Noncompliance. If the developer or land owner does not comply with the erosion control plan the city may take action as it deems appropriate to control erosion at the developer's or land owner's expense. The city will endeavor to notify the developer or land owner in advance of any action, but failure of the city to do so will not affect the developer's or land owner's and city's rights and obligations hereunder.
(7) Additional rules apply. During construction and until permanent cover is established, any land alteration that exceeds an area of 43,560 square feet (one acre) shall require compliance with the rules and procedures of the Watershed Management Commission having jurisdiction.
(1997 Code, § 25.08) (Ord. passed 11-14-1994; Am. Ord. 2012-8, passed 5-29-2012) Penalty, see § 10.99

冋§ 153.052 TREE REMOVAL REGULATIONS.
(A) Purpose. It is the intent and desire of the city to protect, preserve, and enhance the natural environment and beauty of the city by encouraging the resourceful and prudent development of wooded areas, and with respect to specific site development to retain, as far as practical, substantial tree stands which can be incorporated into the development. No clear cutting of woodland areas shall be permitted.

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## (B) Tree inventory and landscape plan required.

(1) The developer of any property with wooded areas shall complete a tree inventory survey showing all significant trees with their respective locations on the site along with the species names and condition of trees.
(2) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

SIGNIFICANT TREE. A deciduous tree that is 12 inches or larger in diameter, or a coniferous tree seven inches or larger in diameter.
(C) Replacement guidelines. Tree removal for construction of public and or private improvements shall be on a proportionate basis. The proportion of tree replacement shall be $50 \%$ replacement per caliper inches lost of all significant trees removed from the development or lot in question.
(1) Once the amount of tree replacement has been determined, the owner will be required to submit a planting plan detailing the location, type, and size of trees to be replaced. The minimum size of trees which shall be given credit for tree replacement are as follows:
(a) Deciduous trees: two and one-half inches in diameter as measured six inches above ground; and
(b) Coniferous trees: four feet in height.
(2) Trees designated for replacement shall be of similar variety to trees which are removed.
(D) Performance bond. The city shall require the owner to provide a performance bond in the form of cash, corporation surety bond, approved letter of credit, or other surety satisfactory to the city to guarantee that the required trees to be replaced are done according to this chapter. The performance bond shall be furnished by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed. The performance bond shall be held by the city and must cover one calendar year subsequent to the installation of the landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan.
(1997 Code, § 25.08) (Ord. passed 11-14-1994) Penalty, see § 10.99

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## W§ 153.053 BUILDING MATERIAL REGULATIONS.

(A) Purpose. The purpose of this section is to assure that buildings in commercial and industrial areas of the city will be of high quality in both visual and functional terms. To that end, this section identifies permitted building materials which are durable and long-lasting and which generally present a more attractive visual appearance than less durable materials.
(B) Application. The provisions of this section shall apply to all new structures including additions or remodeling and to all new developments within all zoned districts within the city.
(C) Exterior elevation. Exterior elevation drawings of the proposed structure must be submitted which will accurately indicate the height, size, design, and appearance of all elevations of the proposed structure. A description of the construction materials to be used must also be submitted.
(D) Architectural design. The exterior architectural appearance of the proposed structure shall not be so at variance with the exterior architectural appearance of existing structures within the immediate area, or with the intended character of the applicable zoning districts, taking into consideration building materials, size, shape, and heights, so as to cause an adverse impact upon property values in the immediate area, or the city as a whole, or adversely affect the public health, safety, and general welfare of the portion of the city in which the property is located or the city as a whole. All additions or remodeling shall be compatible in scale, material, and massing.
(E) Permitted materials. Structural systems of all buildings shall be as required by the State Building Code.
(1) Exterior building materials shall not be so at variance with the exterior materials of existing structures within the immediate area or the city as a whole as to adversely impact the property values in the affected area or the city as a whole, or adversely affect the public health, safety, and general welfare.
(2) Exterior building finishes shall consist of materials comparable in grade and quality to the following:
(a) Brick;
(b) Natural stone;
(c) Precast concrete units and concrete block, provided that surfaces are molded, serrated, or treated with a textured material in order to give the wall surface a three-dimensional character;
(d) Wood, provided surfaces are finished for exterior use and only woods of proven exterior durability are used, such as cedar, redwood, and cypress;
(e) Fiberglass and aluminum (non-structural, non-load bearing), provided these panels are factory-fabricated and finished with a permanent durable non-fade surface and their fasteners are of a corrosion-resistant design; and provided further that no more than one-third of the wall surface abutting a public street, or adjacent to a residential or public area, consists of this type of panels. The requirement of no more than one-third of the wall surface being covered by the aforementioned materials may be permitted if it can be shown that the building is screened by other means such as berming, plantings, or other proposals that may be submitted by the builder; or
(f) Glass curtain wall panels.

## (F) Prohibited materials.

(1) Face materials which rapidly deteriorate or become unsightly, such as galvanized metal, unfinished structural clay tile, and metal panels not factory finished with a permanent surface;
(2) Buildings comprised exclusively of metal;
(3) Sheet metal, plastic, or fiberglass siding, unless that siding is a component of a factory fabricated and finished panel.
(1997 Code, § 25.08) (Ord. passed 11-14-1994) Penalty, see § 10.99

Deleted: (3) (a) Pole buildings, defined as follows. II (b) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning. II

POLE BUILDING. Any building using wood or metal poles as a principal structural support where those supports are not affixed to a floor slab but inserted directly into the ground to achieve alignment and bearing capability.II
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## W§ 153.054 OUTSIDE STORAGE AND SCREENING.

All material and equipment shall be stored within a building or fully screened so as to not be visible from adjoining properties. Any such screening method, whether a physical structure or landscaping, shall reduce visibility in a manner that restricts vision of the object being screened. Physical structures, such as fences, shall be constructed in a style that is architecturally compatible with the primary structure. All screening methods shall be approved by the Zoning Official. Screening is not required in the following instances:
(A) Construction and landscaping materials and equipment temporarily being used on the premises (limited to a duration of 14 days or the length of an active Building or Excavation permit);
, (B) Off-street parking facilities, except as otherwise herein regulated, and except in residential districts where any off-street parking area containing over six spaces may be required to be screened; and
(C) In commercial districts, merchandise of the type customarily displayed outdoors for retail sale may be so displayed beyond the principal structure without screening, provided that in no event shall the unscreened outside display area:
(1) Exceed $5 \%$ of the ground floor area of the principal structure;
(2) Impede normal pedestrian or vehicular traffic; and
(3) CBD businesses may utilize public right-of-way for outside display areas as long as it adheres to all requirements of this section, and:
(a) Display areas must be approved by the Zoning Official; and
(b) Merchandise display is only allowed during business hours.
(1997 Code, § 25.08) (Ord. passed 11-14-1994; Am. Ord. 2008-3, passed 2-11-2008) Penalty, see § 10.99

## §§ 153.055 CONSTRUCTION STANDARDS.

(A) All structures permitted in all zoning districts shall be constructed in accordance with the State Building Code and shall be constructed with a floating four-inch, or greater, concrete slab floor throughout the structure or with concrete frost footings and foundations, as specified by the State Building Code, along the entire perimeter of the structure. All structures in the zoning districts set forth shall possess wall and ceiling joist construction consisting of framing materials of at least one and one-half inch by three and one-half inch dimensions. Pole-type construction, with or without frost footings and foundations and with or without metal exterior walls or metal roofs, shall not be permitted.
(B) Structures to be utilized for one-family inhabitation in allowable districts, as set forth by this chapter, shall have a minimum overall building width of 24 feet and shall have a minimum roof slope ratio of $4: 12$ (four-inch rise to 12 -inch run).
(C) All other structures to be built in any zoning district shall comply with all requirements as described in this chapter and the State Building Code.

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Commented [ 91]: Nancy Abts - This seems to duplicate Chapter 150: Building Regulations

Commented [ 92]: Joseph Sathe - Do A and B provide additional requirements, such as the one-half inch by three and one-half inch framing materials?
Deleted: (PI, R-1, R-2, EMX, CBD, C-2N, C-2S, and M)
Commented [NA95]: According to Metro West, this section duplicates content covered in the State Building Code. It could be removed.

Commented [ 96]: Nancy Abts - $623^{\text {rd }}$ Ave NW is $\sim 23 \mathrm{ft}$ wide, as is 108 Broadway Street East

Commented [NA97R96]: A smaller minimum width—or no minimum width at all?-could be considered. The building code otherwise regulates the minimum size of rooms within a structure-but not the width of the overall structure itself.

Commented [ 98]: Joseph Sathe - Assuming they were built before the requirement was enacted then they would be considered a "non-conforming" use.

Commented [ 99]: Mary Tietjen - I agree with Joe, as long as the width was permissible at the time of enactment.
(1997 Code, § 25.08) (Ord. passed 11-14-1994) Penalty, see § 10.99

W§ 153.056 ACCESSORY BUILDINGS AND STRUCTURES.
(A) General Provisions.
(1) Small accessory structures such as arbors, benches, doghouses, playsets, garden decorations, pergolas, and 'Little Free Libraries' are exempt from the provisions of this subsection, but cannot be located in public rights-of-way without an approved permit for such occupancy.
(2) Tents, play houses, or similar structures shall not be used as temporary or permanent dwelling units, but may be used for recreational purposes.
(3) Any accessory structure used for the parking or storage of motor vehicles, such as a garage or carport, shall have a floor constructed of poured concrete in accordance with standards approved by the building official.
(4) Accessory structures shall only be constructed concurrent with or after the construction of the principal building on the same site.
(5) Uses and structures that are accessory to a conditional principal use shall be permitted in accordance with this subsection, without requiring a conditional use permit amendment, unless specifically required as a condition of the conditional use permit approval.
(B) Regulations. Accessory buildings and structures shall be subject to the following regulations.
(1) Accessory buildings and structures attached to or part of the principal building shall maintain the same setbacks as required for the principal building.
(2) Except for private garages, no accessory building shall exceed ten feet in height or 200 square feet in floor area, nor shall accessory structures exceed ten feet in height or 150 square feet in floor area in R-1 and R-2 zoning districts, as set forth in the table below.
(1997 Code, § 25.08)

| Accessory Structures |  |  |
| :--- | :--- | :--- |
| Zoning District | Maximum Height, in Feet | Maximum Floor Area, in Square Feet |
| R-1 \& R-2 | 10 | 150 |
| Other Districts | 15 | 200 |

(1997 Code, Ch. 25, Table 2)
(3) No detached accessory building shall be erected or moved within five feet of the principal structure.

Deleted: (6) Table XX lists the accessory uses allowed within all zoning districts. If an application is submitted for a use of structure that is not listed in Table XX, the zoning administrator is authorized to classify the new or unlisted use or structure, with consultation from appropriate city
departments, into an existing use or structure type that most closely fits the new or unlisted use. If no similar use determination can be made, the zoning administrator shall refer the use to the planning commission, who may initiate an amendment to this chapter to clarify where and how the use shall be permitted.II

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Commented [ 103]: Joseph Sathe - The decision would then need to be which current regulation to adopt in regards to maximum height and maximum floor area.

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- (4) A maximum of one accessory structure is permitted per lot, including but not limited to storage sheds and yard barns, but not including garages.
(5) Motor Fuel Stations. For motor fuel stations, the setback of any overhead canopy or weather protection, freestanding or projecting from a building, shall not be less than 15 feet from the street right-of-way line, nor less than 20 feet from an adjacent property line. The distance of the setback shall be measured from the roof line of the structure to the property line.
(D) Private garages. The maximum capacity of a private garage shall not exceed a total of three passenger vehicles in the $R-1$ District or two passenger vehicles per dwelling unit in the $R$ 2 District, The maximum aggregate floor space of all private garages on a single lot shall be 1,000 square feet. The maximum building height for private garages shall be 15 feet.
(1997 Code, § 25.08)
(Ord. passed 11-14-1994; Am. Ord. 2005-5, passed 8-8-2005) Penalty, see § 10.99


## П§ 153.057 LANDSCAPING.

## (A) Purpose and objectives.

(1) The primary purpose of this section is to establish minimum requirements and standards relative to landscaping, buffering, and screening to be implemented concurrently with site plans approved by the city. The standards and criteria shall be used by city staff and the Planning Commission in the review and evaluation of those plans and development proposals.
(2) The objectives of these requirements are to establish and maintain forestation of the city; to provide appropriate ground cover vegetation for controlled soil erosion; to enhance, when necessary, the natural environment, particularly in instances where the natural environment is disturbed during the course of development; and to establish standards for utilization of natural materials to achieve desired screening and buffering.
(B) Minimum standards. This section sets forth minimum requirements of landscaping and limitations to assure that the result is consistent with reasonable maintenance requirements on a long-term basis and to assure that the results provide an aesthetic urban environment.
(1) CBD, central business district and EMX, Edge Mixed Use District.
(a) One tree for every 1,000 square feet of total building area. If landscaping cannot be accommodated on site the City Council will require the plantings to be placed in City Park or city right-of-way. Placement of this landscaping shall be approved by the City Council.
(b) Off-street parking areas in the CBD shall be demarcated or defined so as to separate cars from pedestrian walkways and minimize the impact on the urban fabric of large expanses of asphalt and automobiles. This demarcation may be accomplished by the use of low walls, landscaping, or other combinations consistent with the city's Architectural Design Guidelines. Parking areas that face or abut a residentially zoned area shall be screened. This screening can be accomplished by an earth berm with shrub plantings, by hedge with various deciduous and coniferous trees, or by other combinations approved by the city.

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Deleted: Commercial and industrial districts. Accessory buildings and structures in CBD, C-2N, C2-S, and M zoning districts shall be subject to the following regulation:
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Commented [ 104]: Nancy Abts - This actually seems to be about motor fuel stations, not Commercial and industrial districts.
Commented [ 105]: Joseph Sathe - If private garages are allowed in CBD; C-2s; and M, then leaving this distinction in makes sense when searching for residential and commercial differences.

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Commented [NA106]: It would probably be a good idea to exempt multi-family buildings from this requirement. I'm not sure the best way to do that.

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Commented [ 107]: Joseph Sathe - If this is the name of the new district, it should be established earlier in the section.

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(c) Loading docks and loading berths that face a residentially zoned area shall be screened so as not to be seen from the residential area. Various deciduous and coniferous trees or fencing approved by the city may be used as the screening device.
(d) All trash and trash handling equipment shall be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.
(e) Light from automobile headlights and other sources shall be screened whenever it may be directed onto adjacent residential windows.

## (2) $C-2 N \& C-2 S$, highway commercial districts.

(a) One tree for every 1,000 square feet of total building floor area or one tree for every 50 feet of site perimeter, whichever is greater.
(b) The light from automobile headlights and other sources shall be screened whenever it may be directed onto adjacent residential windows.
(c) Loading docks and loading berths that face a residentially zoned area shall be screened so as not to be seen from the residential area. Various deciduous and coniferous trees or fencing approved by the Planning Commission may be used as the screening device.
(d) Parking lots that serve a highway business use or health care use that face or abut a residentially zoned area shall be screened so as to minimize the visual impact of the large expanses of asphalt and automobiles. This screening can be accomplished by an earth berm with shrub plantings or by a hedge with various deciduous and coniferous trees or by other combinations approved by the city.
(e) Trees planted to satisfy the requirements of divisions $(B)(2)(b),(B)(2)(c)$, or $(B)(2)(d)$ above, will not be counted towards the requirement of one tree per 1,000 square feet of building or one tree per 50 feet of site perimeter unless otherwise approved by the city.
(f) All trash and trash handling equipment shall be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.
(3) $M$, manufacturing and industrial district.
(a) One tree per 1,000 square feet of gross building floor area.
(b) Where industrial zoned land is adjacent to or across the street from property zoned for residential development, that industry shall provide screening as follows.

1. Loading docks and loading berths that face a residentially zoned area shall be screened so as not to be seen from the residential area. Various deciduous and coniferous trees or fencing approved by the city may be used as the screening device.

Commented [ 109]: Joseph Sathe - If we differentiate C2 N and $\mathrm{C}-2 \mathrm{~S}$ otherwise, we should do so here.
2. Parking lots that serve an industrial use that face or abut a residentially zoned area shall be screened so as to minimize the visual impact of the large expanses of asphalt and automobiles. This screening can be accomplished by an earth berm with shrub plantings or by a hedge with various deciduous and coniferous trees or by other combinations approved by the city.
3. Trees planted to satisfy the requirements of divisions $(B)(3)(b) 1$. and (B)(3)(b)2. above will not be counted towards the requirement of one tree per 1,000 square feet of building unless otherwise specified by the city.
4. All trash and trash handling equipment shall be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structures.
5. Light from automobile headlights and other sources shall be screened whenever it may be directed onto adjacent residential windows.
(4) $R$-1, one- and two-family residential district, and $R$-2, multiple-family residential district.
(a) The minimum number of trees meeting the Minimum Size requirements in Subsection 6) shall be as follows:
i. Single and Two Family Uses. A minimum of two trees per parcel.
ii. Townhouse and Multiple Family Uses of 4 or fewer units. A minimum of one tree per dwelling unit.
iii. Multiple Family Uses of 5 or more units. Whichever is greater: one tree per 1,000 square feet of gross building floor area or one tree per fifty lineal feet of site perimeter.
(b) Where any multiple-family use with more than four parking spaces adjoins another residential use, the off-street parking for that use shall be screened from adjoining properties by a hedge or other various plantings as approved by the city.
(c) Lights from automobiles and parking lot lights shall be screened whenever the light may be directed onto residential windows to the extent that it will cause an unreasonable disturbance.
(5) Landscape requirements applicable to all districts.
(a) Unless otherwise directed by the city, all plantings shall be placed on the private property on which the development is taking place.
(b) Landscape screening exceeding 30 inches in height as measured from the top side of the curb is not permitted within 15 feet of any street or alley.
(c) All areas not otherwise improved in accordance with approved site plans or subdivisions shall be sodded and maintained.

Deleted: (a) A planting trip and/or earth berm, not exceeding a slope of $3: 1$, shall be placed in all newly platted residential developments that abut an arterial road as
identified in the city's Comprehensive Plan. If

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Deleted: n the R-1 and R-2 districts, each newly platted lot shall have two trees

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(d) The owner shall provide the city with cash, corporate surety bond, approved letter of credit, or other surety satisfactory to the city to guarantee the proper installation and growth of the approved landscape plan. The performance bond shall be furnished by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed. The performance bond shall be held by the city and must cover one full calendar year subsequent to the installation of the landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan.
(6) Minimum size of plantings.
(a) Unless otherwise specified herein with respect to specific zoning districts, required trees shall be of the following minimum planting size:

1. Deciduous trees: two and one-half inches in diameter as measured six inches above ground;
2. Coniferous trees: four feet in height; and
3. Major shrub or berm plantings: five gallons.
(b) Evergreen shrubs used for screening purposes, including those used in conjunction with berming, shall be a minimum of 24 inches in height.
(7) Species.
(a) All trees used in site developments shall be indigenous to the appropriate hardiness zone and physical characteristics of the site.
(b) All deciduous trees proposed to satisfy the minimum requirements of this policy shall be long-lived hardwood species.
(c) The complement of trees fulfilling the requirements of this policy shall not be less than $25 \%$ deciduous and not less than $33 \%$ coniferous.
(8) Prohibited species. The following species are prohibited and shall not be used toward meeting the requirements of this chapter.

| Genus | Species | Common Name |
| :--- | :--- | :--- |
| Acer | Megundo | Boxelder |
| Gingko | Biloba | Gingko_(female only) |
| Populus | Deltoides | Eastern cottonwood |
| Populus | Nigra Italica | Lombardy poplar |

(1997 Code, § 25.08) (Ord. passed 11-14-1994) Penalty, see § 10.99

Commented [ 114]: Nancy Abts - Would it be
better/possible to incorporate references to the "approved planting" Tree List used by Hennepin County Forestry, or is it too difficult to reference a dynamic document (that may be updated, or abolished) in ordinance?

Commented [ 115]: Joseph Sathe - Crystal Code Section 520.11 provides for a "City Approved Tree List" which could be created and maintained by the Osseo City Council.

Commented [ 116]: Mary Tietjen - I think you could refer to an outside document, but it might be more practical to keep a city-approved list.

## W§ 153.058 FENCING.

(A) Building permit required.
(1) No fence exceeding six feet in height shall be constructed without a building permit. The application shall be accompanied by a plot plan clearly describing the type, location, and method of anchoring the fence. Permit applications shall be reviewed by the Zoning Officer or their designee.
(2) Fences may be erected, placed or maintained along or adjacent to a lot line. The property owner shall be responsible for properly locating all property lines before construction of any
fence. Boundary line fences shall be located entirely upon the private property of the party constructing the fence unless the owner of the property of the adjoining property agrees, in writing, that the fence may be erected on the division line of the respective properties. The property owner shall be responsible for verifying the location of their property line and for maintaining that part of their property between fence and property line.
(3) Permanent fencing is required to meet the standards of the State Building Code.
(B) Fencing standards for all districts. Fencing in all districts shall conform to the following.
(1) Fence Design. Fences shall be constructed, designed and maintained as follows:
(a) Permitted materials. Fences shall be constructed of wood, metal, bricks, masonry or other permanent materials designed for permanent fencing. Fences constructed of wood shall be resistant to decay. Fences shall be maintained so that the exposed outer surface shall be uniformly painted or stained in a neat and aesthetically pleasing condition.
(b) Hazardous and prohibited materials. Fences shall not be constructed of electrically charged wire, razor wire, chain link with slats, chicken wire, rope, cable, railroad ties, landscape timbers, utility poles or any other similar materials or materials not specifically manufactured for permanent fencing. The cut or selvage end of wire or metal fencing materials may not be exposed at the top of a fence if the height of the fence is less than six and one-half ( $61 / 2$ ) feet. Barbed wire may be permitted at the top of a fence if the height of the barbed wire is not less than six and one-half $(61 / 2)$ feet and the fence is not less than three feet from a public sidewalk or way.
(c) Posts and supporting members. All fence posts and related supporting members of the fence shall be erected so that the finished side or sides of the fence shall be facing the adjacent property or public right-of-way.
(2) No fence shall be permitted on a public right-of-way without first obtaining the appropriate permit(s) for encroachment.
(3) No fence shall be erected on a corner lot that will obstruct or impede the clear view of an intersection by approaching traffic and no fence shall obstruct free access to a fire hydrant.
(4) All snow-stop fencing may be used from November 1 to April 1. No permit shall be required for temporary fencing.

Commented [ 117]: Nancy Abts - I prefer not to require a permit for residential fences <6' tall (like Maple Grove, Minneapolis, \& many other cities).
Commented [ 118]: Joseph Sathe - I see no issue with this.
Deleted: , except temporary fencing
Deleted: ,
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Commented [ 120]: Joseph Sathe - I suggest changing this to property owner so it is clear who is responsible.

Commented [ 121]: Joseph Sathe - This creates a twostep process for verifying the lot line. Fence owner and fence constructor.

Deleted: persons, firms, or corporations constructing or causing the construction of the fence
Deleted: City staff will require any applicant for a fence permit to establish the boundary lines of his or her property by a survey thereof to be made by any registered land surveyor or by showing the stake markers of the surveyed lot.II
Commented [ 122]: Joseph Sathe - :
Commented [ 123]: Joseph Sathe -

Deleted: (1) Fences in all districts shall be maintained so that the exposed outer surface shall be uniformly painted or stained in a neat and aesthetically pleasing condition.II
Deleted: or boulevard area
Deleted: the fence owner
Deleted: without special permission from the City Council.II
Commented [ 127]: Joseph Sathe - Does this conflict with earlier mention/removal of temporary fencing?
(5) Any fence which is dangerous to the public safety or general welfare and health is a public nuisance and the city may commence proceedings for the abatement thereof.
(C) Fencing standards in residential districts ( $R-1$ and $R-2$ ). Fence height shall be limited by its location as specified below. Except as otherwise provided in section (1) below, the maximum fence height may be increased by two (2) feet if the entire fence is constructed of open, decorative, ornamental fencing materials that is not more than $50 \%$ opaque (such as vinyl coated chain link). In no case shall a fence exceed eight (8) feet in height, regardless of location.
(1) A fence may be located along the rear lot line to a maximum height of up to six feet and to a maximum height of six feet along the side lot lines up to the point where it is parallel with the front edge of the house. From this point forward to the right-of-way, the height of the fence shall not exceed three feet. The maximum height of a fence in the front yard may be increased to four feet if the material type of the fence is not more than $50 \%$ opaque (such as vinyl coated chain link). The front of a house situated on a corner lot shall be the architectural front of the house facing the street from which the house is addressed.
(2) A variance is needed for fences exceeding the above mentioned heights. No fence may be placed in violation of the restrictions of this section. Refer to Appendix A.
(1997 Code, § 25.08; Am. Ord. passed 10-27-2003)

| Residential Fence Requirements |  | Maximum <br> Height, in Feet |
| :--- | :--- | :--- |
| Fence Location | Maximum <br> Opaqueness |  |
| Front yard at right-of-way, and <br> Side yards from front edge of house forward to right-of- <br> way | 4 | $100 \%$ |
| Rear yard and Side yards from rear lot line to the front <br> edge of house | 6 | $50 \%$ |

## (1997 Code, Ch. 25, Table 3)

(D) Fencing in commercial, manufacturing, and industrial districts (CBD, $C-2 N \& C-2 S$, and $M$ ). Fences may be located along a lot line to a height of eight feet. Fences over eight feet in height shall require a variance.
(E) Required fences; swimming pools.
(1) All swimming pools shall be completely enclosed by a type of fence resistant to being climbed unless specifically exempted in this section.
(a) All fence openings or points of entry into the pool area enclosure shall be equipped with gates.
(b) The fence and gates shall be at least four feet in height.

Deleted: Electric fences may not be used as boundary fences, and material such as hog wire fencing, barbed wire fencing, or snow fencing will not be allowed as permanent fencing. II
(6) The side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property. Abutting property owners will be notified by the constructor of the fence five calendar days before the building permit is issued.II

Deleted: Any fence that crosses the width of the front yard shall not exceed three feet in height.
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Deleted: Side lot lines from rear lot line to the front edge of house

Deleted: (2) Fences around dog kennels not exceeding 50 square feet in size, fences around garbage cans, and garden fences will not require fence permits but shall adhere to the other regulations of this section. Il

Commented [ 129]: Joseph Sathe - Should this be broken down into C-2N and C-2S? Use whatever is established above as the consistent protocol.
(c) One gate shall be equipped with self-closing and self-attaching devices placed at the top of the gate or otherwise inaccessible to small children. Any gate in the fence will be presumed to be solely for maintenance purposes and shall remain locked at all times when not used for maintenance purposes.
(d) The openings between the bottom of the fence and the ground or surface shall not be more than four inches.
(2) Above-ground pools of four feet or more in wall height shall be exempt from complete enclosure by a type of fence resistant to being climbed. However, above-ground pools shall be equipped with a fence and gate system at all points of entry to the pool. The fence and gate system shall effectively control access to the pool and shall be constructed pursuant to the specifications listed in this section.
(F) Existing fences. No existing fence in violation of this section will be allowed to be replaced or rebuilt. Should an existing fence be replaced or rebuilt, it must come under the regulation of this section.
(G) Traffic visibility at corner lots. On corner lots, in all districts, no fence in excess of 30 inches above the street centerline grade shall be permitted within a triangular area defined as follows: beginning at the intersection of the extension of the existing curb lines of two intersecting streets, thence 30 feet back along one curb line, thence diagonally to a point 30 feet from the point of beginning back along the other curb line, thence to the point of beginning.
(Am. Ord. passed 10-27-2003)
(H) Violations; remedies. Violation of this section may be enforced by injunction and the city shall be entitled to the remedy of abatement in order that a fence erected in violation of this section may be removed.
(1997 Code, § 25.08)
(Ord. passed 11-14-1994) Penalty, see § 10.99

## W§ 153.059 ANTENNAE AND TOWERS.

(A) Compliance required. Except as otherwise provided in this section, no antenna or tower may be erected, constructed, placed, re-erected, or replaced in a residential zoning district of the city except in conformance with this section.
(B) Permit required. Except as provided in division (B)(2) below, no person may erect, construct, place, re-erect, reconstruct, or replace an antenna or tower in the city without first making application for and obtaining a permit therefor from the Building Official.
(1) Information. The applicant for the permit shall provide at the time of application sufficient information to indicate that the erection, construction, placement, re-erection, reconstruction, or replacement will not create a safety hazard or damage to the property of other persons.
(2) Exceptions. Permits are not required for:

Commented [ 130]: Nancy Abts - This is an unusual violation/remedy section for the Zoning Code. Is it legally (\& procedurally) appropriate?

Commented [ 131]: Joseph Sathe - Minn. Stat. 462.362 provides that a city may enforce an ordinance by injunction.

Field Code Changed
(a) An antenna or combination of antenna(e) and tower rigidly attached to a building, provided that the combination of antenna and tower does not exceed a total height of ten feet above the highest point of attachment;
(b) Antennae and tower used by the city for city purposes;
(c) Adjustment, repair, or replacement of the elements of an antenna, provided the adjustment, repair, or replacement does not reduce the safety factor; or
(d) Temporary antennae or towers erected for test purposes, emergency communication, or for broadcast remote pick-up operations; temporary antennae and towers shall be removed within 72 hours following installation.
(C) Performance standards; co-location requirements. All towers erected, constructed, or located within the city shall comply with the following requirements. A proposal for a new tower shall not be approved unless the City Council finds that the wireless telecommunication equipment planned for the proposed tower cannot be accommodated on an existing or approved tower, building, or structure within a one-mile radius of the proposed tower due to one or more of the following reasons, except that the radius shall be one-half mile for towers between 80 and 120 feet and one-quarter mile for towers under 80 feet:
(1) The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost;
(2) The planned equipment would cause interference materially impacting the usability of other existing equipment at the tower or building as documented by a licensed professional engineer and the interference cannot be prevented at a reasonable cost;
(3) Existing or approved towers or buildings within the radius cannot accommodate the planned equipment at a height necessary to function reasonably, as documented by a licensed professional engineer; or
(4) Other unforeseen reasons that make it infeasible to locate the planned telecommunication equipment upon an existing or approved tower or building.

## (D) Location.

(1) Side yards. A tower or antenna or combination thereof may not be located in any front yard or side yard except that the towers or antennae rigidly attached to the side of the building may project into a required interior side yard provided they are at least four feet from an interior side property line.
(2) Satellite antennae. Ground-based satellite antennae are permitted only in the rear yard and, for purposes of this zoning chapter, are accessory structures. The structures are subject to the requirements for accessory structures located in this chapter.
(3) Extension into streets. No part of any antenna or tower nor any lines, cable, equipment, or wires, or braces in connection with either shall at any time extend across or over any public right-of-way, streets, highways, sidewalk, or alleys, or over any property line.
(4) Height. The total height of any tower, antennae, or combination thereof shall not exceed 35 feet from the lowest grade level at the base to the highest point of the tower, antennae, or combination thereof. The total height of roof-mounted towers, antennae, or combination thereof may not exceed 35 feet above the average elevation of the lot along the front building line of the building it is mounted on.
(E) Construction.
(1) Wind. Towers with antennae shall be designed to withstand applicable wind load requirements as prescribed in the State Building Code.
(2) Treatment. Metal towers shall be constructed of, or treated with, corrosive resistant material. Wood poles shall be treated wood in conformance with the State Building Code.
(3) Grounding. Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with the National Electrical Code.
(4) Climbing. A tower affixed to the ground shall be protected to discourage climbing of the tower by unauthorized persons.
(5) Appurtenant structures. No antenna or tower shall have affixed or attached to it, in any way, except during time of repair or installation, any lights, reflectors, flashers, or other illuminating device, except as required by the Federal Aviation Agency or the Federal Communication Commission, nor shall any tower have constructed thereon or attached thereto any platform, catwalk, crow's nest, or like structure, except during periods of construction or repair.

## (F) Non-conforming installations.

(1) General rule. Antennae and towers in existence on November 23, 1994, which do not conform to or comply with this section, may continue to exist for purposes now used but may not be replaced or structurally altered, except as provided in division (B) of this section, without complying with this division (F).
(2) Restoration. A non-conforming antenna or tower which is damaged by fire or other cause to an extent of more than $50 \%$ of its market value shall not be restored except in conformity with the regulations of this chapter. However, if a building permit has been applied for within 180 days of when the antenna or tower is damaged, then the antenna or tower may be restored to its pre-damage non-conforming status subject to the applicability of the Minnesota State Building Code and other requirements of the Osseo Code of Ordinances.
(G) Variances. The City Council may grant variances to the literal provisions of this section in the same manner granted under this zoning chapter.
(H) Amateur radio towers/antennas. Amateur radio support structures (towers) shall be installed in accordance with the instructions furnished by the manufacturer of that tower model. Because of the experimental nature of the amateur radio service, antennas mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.
(1997 Code, § 25.08) (Ord. passed 11-14-1994; Am. Ord. passed 12-11-2000; Am. Ord. 2006-3, passed 5-8-2006) Penalty, see $\S 10.99$

## П§ 153.060 HOME OCCUPATIONS.

All home occupations permitted by this chapter shall be so established and maintained as to comply with the provisions of the following standards:
(A) Conduct of the home occupation does not result in any alterations to the exterior of the residence or involve interior or exterior construction features not customarily found in dwellings;
(B) Signage consists of no more than one single- or double-faced unlighted sign with a maximum area of two square feet not located on a public right-of-way;
(C) Conduct of the home occupation does not generate more noise, vibration, glare, fumes, odors, or electrical interference than normally associated with residential occupancy in the neighborhood;
(D) The home occupation is not of a scale requiring the use of a commercial vehicle for the delivery of materials to or from the premises;
(E) The use shall not generate sewage of a nature or rate greater than that normally associated with residential occupancy, nor shall it generate hazardous waste or solid waste at a rate greater than that normally associated with residential occupancy;
(F) Except for articles produced on the premises, no stock-in-trade shall be displayed or sold on the premises;
(G) The home occupation shall not increase vehicular traffic flow and parking by more than two customer cars at a time, and any need for parking generated by the conduct of a home occupation shall be met off the street and other than in a required front yard, or in a driveway in a manner so that access to the garage is not eliminated;
(H) No more than two people other than those living in the residence may be employed in the home occupation;
(I) No outdoor display of goods or outside storage of equipment or materials is permitted;
(J) A home occupation may be located within the dwelling, an accessory building, or both, provided that the total area of the home occupation is not greater than $50 \%$ of the finished floor area of the dwelling;
(K) No home occupation will be allowed that jeopardizes the health and safety of residents of the city. Home businesses shall not create nuisances as provided in the Osseo City Code Chapter 93. Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises. The use shall not employ the storage of explosive, flammable, or hazardous materials beyond those normally associated with residential use;
(L) There shall be no renting of space in a residence for non-residential purposes (1997 Code, § 25.09) (Ord. passed 11-14-1994) Penalty, see § 10.99

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## Commented [ 132]: Joseph Sathe - "and"

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Deleted: (M) Home occupation shall not operate between 10:00 pm and 6:00 am; II

Field Code Changed

## W§ 153.061 STORMWATER MANAGEMENT.

(A) Applicability. Projects disturbing more than one acre shall follow the most current general permit to Discharge Stormwater Associated with Construction Activity No. MN R100001 (Permit) issued by the Minnesota Pollution Control Agency (MPCA), as amended.
(B) Investigation. After a building permit has been applied for and prior to the issuance of the permit, the city shall thoroughly investigate the existing drainage features of the property to be used.
(C) Obstruction of natural drainage prohibited. No building permit shall be issued for the construction of any building on which construction or necessary grading thereto shall obstruct any natural drainage waterway.
(D) Undrainable lands. No building permit shall be issued for the construction of any building upon ground which cannot be properly drained.
(E) Protection of existing drainage installations. Where application is made for a building permit and subsequent investigation shows that the property to be occupied by the building is adjacent to a portion of a public road or street containing a drainage culvert, catch basin, sewer, special ditch, or any other artificial drainage structures used for the purpose of draining that property or neighboring property, the applicant shall specifically agree in writing to protect these waterways in such a way that they shall not be affected by the proposed building construction or grading work incidental thereto.
(F) Order to regrade. The city may order the applicant to regrade property if existing grade does not conform to any provision of this section, if the grade indicated in the preliminary plan has not been followed, or if the grade poses a drainage problem to neighboring properties.
(G) Construction site stormwater runoff control. Owners and operators of a construction activity shall develop site plans that must be submitted for review and approval, prior to the start of construction activity. Site plans must be kept up-to-date by the owners and operators of a construction activity with regards to stormwater runoff controls. Site plans shall incorporate erosion and sediment controls, waste controls, and best management practices as described in the permit.

## (H) Post-construction stormwater management.

(1) All owners and/or operators must submit site plans with post-construction stormwater best management practices, for review and approval, prior to the start of construction activity.
(2) Stormwater runoff rates for proposed activities, development or redevelopment conditions, shall not exceed the existing conditions. Runoff rates may be restricted to less than the existing rates when necessary for the public health and general welfare of the watershed.
(3) For new development projects there shall not be a net increase from pre-project conditions (on an annual average basis) of:
(a) Stormwater volume, unless precluded by the limitations and exceptions in the permit;
(b) Stormwater discharges of total suspended solids (TSS); and
(c) Stormwater discharges of total phosphorus (TP).
(4) For redevelopment projects there shall be a net reduction from pre-project conditions (on an average annual basis) of:
(a) Stormwater volume, unless precluded by the limitations and exceptions in the permit;
(b) Stormwater discharges of total suspended solids (TSS); and
(c) Stormwater discharges of total phosphorus (TP).
(5) Regional detention basins shall be utilized to manage peak flow rates and meet water quality objectives when feasible.
(6) Stormwater calculations shall be provided for the two-year, ten-year and 100-year, 24hour storm events. The precipitation depths for these storm events shall be obtained from National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Volume 8, published June 2013, or its successor, using the online NOAA precipitation frequency estimates. The applicant must document the location and event depths used.
(a) The hydrologic and hydraulic design calculations shall include the design storm frequency, time of concentration, soil curve numbers, peak runoff rates and volumes for each watershed area, flow velocities, and infiltration rates where applicable.
(b) A calculation summary report shall be submitted.
(7) Storm sewer pipes shall be designed for a ten-year storm event, unless a lower intensity event is allowed by the City Engineer. The use of the rational method shall be used for pipe design calculations.
(8) If a stormwater management control measure depends on the hydrologic properties of soils (e.g. infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles.
(9) Permanent sedimentation and water quality ponds shall be designed to meet Nationwide Urban Runoff Program (NURP) standards per Protecting Water Quality in Urban Areas (MPCA 2000). Provide an outlet skimmer to prevent migration of floatables and oils for at least the one year storm event; baffled weirs are not allowed.
(10) The owner of a detention basin, water quality pond, infiltration facility, or a water quality treatment device, if not a governmental unit, shall provide to the city a recordable agreement detailing an operations and maintenance plan that assures that the structure(s) will be operated and maintained as designed.
(11) Structure elevations. Any new residential, commercial, industrial or other habitable structures shall be constructed with the low opening elevation at least one foot above the 100year flood level. The low floor shall be at least one foot above the normal water level. Low openings shall be at least one foot above the emergency overflow.
(12) Development that creates one acre or more of new impervious surface must infiltrate runoff from impervious areas and address the use of best management practices to limit the effect of the loss of previous area.
(a) One inch of impervious surface runoff must be infiltrated within 48 hours using accepted BMPs for infiltration, such as infiltration trenches, rainwater gardens, or infiltration basins. Infiltration volumes and facility sizes shall be calculated using the appropriate hydrological soil group classification and saturated infiltration rate from the table below. Documented site-specific infiltration or hydraulic conductivity measurements completed by a licensed soil scientist or engineer can be used in place of the values in the table.

| Hydrologic Soils <br> Group | Infiltration Rate <br> (in/hr) | Soil Texture |
| :---: | :---: | :--- |
| A | 0.30 | Sand, loamy sand, or sand loam |
| B | 0.15 | Silt loam or loam |
| C | 0.07 | Sandy clay loam |
| D | 0.03 | Clay loam, silt clay loam, silty clay, or <br> clay |

(b) Prior to infiltrating runoff, pretreatment shall be required before the runoff enters the infiltration practice.
(c) Prohibitions and/or restrictions may be placed on the infiltration techniques used to achieve conditions for post-construction stormwater management, without higher engineering review, sufficient to provide a functioning treatment system when the infiltration device will be constructed in areas as outlined in the permit.
(d) Linear projects. Where lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management, a lesser volume control may be approved as allowed in the permit. A reasonable attempt must be made to obtain right-of-way during the project planning process for volume control practices.
(I) When the post-construction stormwater management for total suspended solids and total phosphorus cannot be cost effectively managed on the site of the original construction activity, mitigation measures shall be met as required by the permit.
(J) A legal mechanism(s) must be established for long-term maintenance of structural stormwater best management practices, constructed after August 1, 2013, that are not owned or operated by the city, but that are within the city's jurisdiction. The legal mechanism(s) shall meet the permit requirements.
(K) Project review thresholds. No person or political subdivision shall commence a land disturbing activity or the development or redevelopment of land without first submitting plans to and obtaining approval from the city or commission as required in the Rules and Standards of the Shingle Creek and West Mississippi Watershed Management Commissions Rule D - Stormwater Management.
(Ord. 2015-2, passed 4-27-2015)

## W§153.XXX ALTERNATIVE ENERGY SYSTEMS

A. Purpose. To provide a resiliency and quality of life for the City's residents; making careful and effective use of available natural, human, and economic resources; and ensuring that resources exist to maintain and enhance the quality of life for future residents. The City finds that it is in the public interest to encourage alternative energy systems that have a positive impact on energy production and conservation while not having an adverse impact on the community. The purpose of this Section is to:

1) Accommodate alternative energy sources by creating a clear regulatory path for approving alternative energy systems.
2) Create a livable community where development may incorporate resilient design elements such as resource and energy conservation and use of renewable energy.
3) Protect and enhance air quality and decrease use of fossil fuels.
4) Accommodate alternative energy development in locations where the technology is viable and environmental, economic, and social impacts can be mitigated.
5) Encourage development by establishing reasonable requirements for performance, safety, design, and aesthetics of alternative energy systems.
B. Solar Energy Systems.
6) Zoning District Allowance. Solar energy systems in accordance with the standards in this chapter are allowed as a permitted accessory use in all zoning districts.
7) General Standards.
i. Exemption. Passive or building integrated solar energy systems are exempt from the requirements of this Section and shall be regulated as any other building element.
ii. Height. Roof mounted solar energy systems shall comply with the maximum height requirements in the applicable zoning district. Ground mounted solar energy systems shall not exceed fifteen (15) feet in height.
iii. Location. In residential zoning districts, ground mounted solar energy systems shall be limited to the rear yard. In nonresidential districts, ground mounted solar energy systems may be permitted in front yards, side yards adjacent to public rights-of-way, and rear yards.
iv. Setbacks. Ground mounted solar energy systems shall comply with all accessory structure setbacks in the applicable zoning district. Roof mounted systems shall comply with all building setbacks in the applicable zoning district and shall not extend beyond the exterior perimeter of the building on which the system is mounted.
v. Roof Mounting. Roof mounted solar collectors may be flush mounted or bracket mounted. Bracket mounted collectors shall be permitted only when a determination is made by the City Building Official that the underlying roof structure will support apparatus, wind, and snow loads and all applicable building standards are satisfied. The Building Official may require the applicant to supply engineers' drawings, reports, analyses, or other documents to aid in this determination.
vi. Easements. Solar energy systems shall not encroach on public drainage, utility roadway, or trail easements.
vii. Screening. Solar energy systems shall be screened from view to the extent possible without impacting their function.

Commented [ 133]: Joseph Sathe - Confirm
Commented [ 134]: Mary Tietjen - Need to make sure the numbering/lettering matches other sections of the Code (A), (1), etc.

What is the source of this new Section?
Commented [NA135R134]: North St. Paul, MN via WSB
\& Associates
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viii. Maximum Area. Ground mounted solar energy systems shall be limited in size to the maximum area requirement allowed for accessory structures or no more than twentyfive (25) percent of the rear yard, whichever is less.
ix. Aesthetics. All solar energy systems shall minimize glare toward vehicular traffic and adjacent properties.
x. Feeder Lines. The electrical collection system shall be placed underground within the interior of each parcel. The collection system may be placed overhead near substations or points of interconnection to the electric grid.
xi. Standards and Certification.

1. Standards. Solar energy systems shall meet the minimum standards outlined by the International Electrotechnical Commission (IEC); the American Society Of Heating, Refrigerating, And Air-Conditioning Engineers (ASHRAE); ASTM International; British Standards Institution (BSI); International Organization For Standardization (ISO); Underwriter's Laboratory (UL); the Solar Rating And Certification Corporation (SRCC); or other standards as determined by the City Building Official.
2. Certification. Solar energy systems shall be certified by Underwriters Laboratories, Inc., and the National Renewable Energy Laboratory, the Solar Rating And Certification Corporation or other body as determined by the Zoning Officer for conformance to IEC or AWEA standards. The City reserves the right to deny a building permit for proposed solar energy systems deemed to have inadequate certification.
xii. Utility Connection. All grid connected systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect shall be provided if required by the utility.
xiii. Abandonment. If a solar energy system remains nonfunctional or inoperative for a continuous period of one (1) year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including transmission equipment.
xiv. Permit. A building permit shall be obtained for any solar energy system prior to installation.
3) Application Criteria for Deviations from Standards. Deviations to the standards in this Section may be permitted as a Conditional Use. In granting a Conditional Use Permit, the City Council shall consider the following additional criteria unique to alternative energy systems:
i. That the deviation is required to allow for the improved operation of the alternative energy system.
ii. That the alternative energy system has a net energy gain.
iii. That the alternative energy system does not adversely affect solar or wind access to adjacent properties.
iv. That the alternative energy system complies with all other engineering, building, safety, and fire regulations.
v. That the alternative energy system is found to not adversely impact the area, including impacting the health, safety, and general welfare of occupants of neighboring properties and users of public rights-of- way

Commented [ 138]: Joseph Sathe - Use of parcel, property, or lot?

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## OFF－STREET PARKING

目§ 153.070 PURPOSE；SITE PLAN．
（A）The regulation of all off－street parking spaces is intended to alleviate or prevent congestion of the public right－of－way and so to promote the safety and general welfare of the public，by establishing minimum requirements for off－street parking in accordance with the utilization of various parcels of land or structures．
（B）All applications for permits required under this chapter in all districts shall be accompanied by a site plan drawn to scale and dimension indicating the location of off－street parking and loading spaces in compliance with the following requirements．The parking plan shall also show pedestrian connections within the property and to existing or planned public sidewalk and trail connections．
（1997 Code，§ 25．10）（Ord．passed 11－14－1994）

## わ§ 153.071 YARDS．

Parking areas and garage stalls accessory to residential structures shall be subject to front yard and to side yard requirements on a street abutting a corner lot in accordance with the requirements for the use district in which the parking is located，except that when the parking area is the primary rather than accessory use of a particular property and when that property abuts a lot in the commercial or industrial districts and is in the same ownership as the land in those districts，the front and side yard depths may be reduced to not less than ten feet．
（1997 Code，§ 25．10）（Ord．passed 11－14－1994）

## わ§ 153.072 SEATING CALCULATION；BENCHES．

In stadiums，religious institutions，and other places of public assembly in which patrons or spectators occupy benches，pews，or other similar seating facilities，each 22 inches of seating facility shall be counted as one seat for the purpose of determining required parking．
（1997 Code，§ 25．10）（Ord．passed 11－14－1994）
冋§ 153.073 PARKING SPACES；DIMENSIONS．
1
（A）Each parking space and aisle shall comply with the minimum dimensions in Table \＃\＃as illustrated in Figure \＃\＃．

| Parking Space and Aisle Dimensions |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $\frac{\text { Angle of }}{\text { Parking }}$ |  | Two－Way Maneuvering Aisle Width （Feet）＂A＂ | Parking Stall Width（Feet）＂B＂ |  |  | Parking Stall Length（Feet） |  |  |
|  |  |  |  |  |  | ＂C＂ |  |  |
|  |  |  | $\frac{\text { Compact }}{\text { Size }}$ | $\frac{\text { Low }}{\text { Turnover }}$ | $\frac{\text { Full }}{\text { Size }}$ | $\frac{\overline{\text { Compact }}}{\text { Size }}$ | Low <br> Turnover | $\frac{\text { Full }}{\text { Size }}$ |
| $0^{\circ}-$ | 12 | 20 | 8 | 8.5 | 9 | 18 | 22. | $\underline{22}$ |
| Parallel |  |  |  |  |  |  |  |  |
| $30^{\circ}-53^{\circ}$ | 14. | $\underline{20}$ | 8 | 8.5 | 9 | 16 | 20 | 20 |
| 540－750 | 18. | $\underline{\underline{22}}$ | 8 | 8.5 | 9 | 16 | $\underline{20}$ | $\underline{20}$ |
| 760．90 | $\underline{\underline{22}}$ | $\underline{\underline{24}}$ | $\underline{8}$ | 8.5 | $\underline{9}$ | 16 | 18 | $\underline{18}$ |

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Deleted：Each parking space shall be not less than nine feet wide and 20 feet in length，and each space shall be served adequately by access drives．For purposes of calculating parking space requirements，one parking space for one vehicle shall equal 300 square feet of storage and maneuvering area，including access drives．

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(B) When the length of a parking space abuts a column, fence, wall, or other obstruction, the required width of the entire parking space shall be increased by at least one foot.
(C) Use of compact vehicle spaces.
(1) A maximum of 20 percent of spaces required for a use may be provided by compact parking spaces.
(2) Compact spaces shall be clearly labeled for "compact cars" and grouped together in one or more locations or at regular intervals so that only compact cars can easily maneuver into the space.
(D) Use of low turnover parking. Narrow parking spaces may be established in locations where the typical user parks for more than two hours. Minimum off-street parking dimensions for low turnover parking spaces are identified in Table \#\#.
(1997 Code, § 25.10) (Ord. passed 11-14-1994)

## W§ 153.074 RESIDENTIAL PARKING FACILITIES; USE RESTRICTIONS.

Off-street parking facilities accessory to residential use shall be utilized solely for the parking of passenger automobiles. No motor vehicle over one and one-half ton capacity bearing a commercial license and no commercially licensed trailer shall be parked or stored in a residential district except when loading, unloading, or rendering a service. Under no circumstances shall parking facilities accessory to residential structures be used for open area storage of commercial vehicles.
(1997 Code, § 25.10) (Ord. passed 11-14-1994)

## W§ 153.075 PARKING SPACE LOCATION.

(A) Spaces for dwellings shall be on the same lot as the dwelling unit.
(B) Spaces for commercial retail uses or for public or semi-public uses, excepting shopping centers, shall be within 300 feet of the main entrance of the building being served.
(C) Spaces for industrial uses shall be within 800 feet of the main entrance of the building being served.
(1997 Code, § 25.10) (Ord. passed 11-14-1994)
W§ 153.076 SETBACK REQUIREMENTS.

## (A) Residential districts.

(1) Open parking spaces accessory to one- and two-family structures may be located anywhere on the lot containing the principal structure.
(2) Open parking spaces or areas designed for three or more vehicles and garage stalls accessory to residential structures shall be set back at least five feet from an interior side lot line and at least eight feet from a rear lot line.
(3) Motor vehicles are required to be parked on designated parking spaces or areas (such as, driveway). All other parking areas are prohibited.
(B) All other districts. Off-street parking spaces shall not be less than ten feet from a street right-of-way line nor less than five feet from any interior side lot line or rear lot line, except where a side lot line or rear lot line is abutting a residential district, when off-street parking shall not be less than ten feet from those lot lines.
(1997 Code, § 25.10) (Ord. passed 11-14-1994) Penalty, see § 10.99

## Field Code Changed

## W§ 153.077 JOINT PARKING FACILITIES.

(A) Required parking facilities serving two or more uses may be located on the same lot or in the same structure, provided that the total number of parking spaces so furnished shall be not less than the sum total of the separate requirements for each use during any peak hour parking period when the parking facility is utilized at the same time by two or more uses.
(B) Conditions required for joint use are:
(1) The proposed joint parking space is within 400 feet of the use it will serve;
(2) The applicant(s) shall show that there is no substantial conflict in the principal operating hours of the two or more buildings or uses for which joint use of off-street parking facilities is proposed; and
(3) A properly drawn legal instrument approved by the City Attorney, executed by the parties concerned for joint use of off-street parking facilities, shall be filed with the Administrator. This instrument may be a three- or more party agreement including the city.
(1997 Code, § 25.10) (Ord. passed 11-14-1994)

## W§ 153.078 DESIGN AND MAINTENANCE.

(A) Access. Access and parking areas shall be designed so as to provide an adequate means of access to a public alley or street. The driveway shall be limited so as to cause the least interference with traffic movement. All public parking areas shall have access off driveways and
not directly off a public street. Traffic shall be channeled and controlled in a manner that will avoid traffic hazards including obstacles to safe pedestrian access.
(B) Calculating space. All square-footage-based parking standards shall be computed on the basis of gross floor area of all floors in a nonresidential building. Up to 15 percent of the gross floor area may be excluded from the above calculation if the area is used for storage, loading, unloading, or for mechanical equipment. When the determining of the number of required offstreet parking spaces results in a fraction, each fraction of one-half or more shall constitute another space. Entrances, exits, or driveways shall not be computed as any part of a required parking lot or area, except in the case of one or two family dwellings where driveways may be used in calculating the amount of off-street parking.
(C) Signs. Signs located in any parking area necessary for orderly operation of traffic movement shall be in addition to accessory signs permitted in other sections of this chapter.
(D) Surfacing. All of the area intended to be utilized for parking space and driveways shall be surfaced with an impervious material to control dust and drainage and subject to the approval of the Council except parking areas for less than three vehicles. This requirement also applies to open sales lots.
(1) Within all zoning districts, parking lots and driveways shall be paved and permanently maintained with asphalt, concrete, or approved paving units.
(2) Parking lots and driveways may be constructed with the use of other all-weather surfacing as determined to be appropriate by the City Engineer, where it is first determined that a surface other than asphalt or concrete is consistent with the driveway of similar properties in the vicinity, and that the alternate surface will not impair accessibility for emergency vehicles.
(E) Striping and identification. Parking spaces shall be clearly outlined with four-inch wide lines painted on the parking surface. The striping shall be continuously maintained in a clear and visible manner in compliance with the approved plans.
(E) Lighting. Exterior lighting shall not be directed upon adjacent land or the public right-ofway.
(F) Curbing and landscaping. All open off-street parking areas designed to have head-in parking, or any other off-street parking area configuration, along the interior property line, shall provide a concrete bumper curb not less than five feet from that property line or a guard of normal bumper height not less than five feet from that property line. When the area is for six spaces or more and not located to the rear of the building, a fence or hedge not over three feet in height shall be erected or planted along the front yard setback line, and grass or hedge shall occupy the space between the sidewalk and fence.
(G) Curb and gutter. Off-street parking facilities are required to have concrete curbing and guttering. Existing off-street parking facilities are required to meet this requirement when modifying or expanding the facility.
(H) Permanent spaces. Each parking space shall be permanent available, marked, and maintained for parking purposes for the use which it is intended to serve.

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Commented [ 143]: Joseph Sathe - " $s$ "
Commented [NA144R143]: I am hoping each property only has one driveway

Commented [ 145]: Joseph Sathe - Is this a term Osseo uses? It is directly from Crystal's code and is the only time "approved plans" appears in this document.
Commented [NA146R145]: I'm open to suggestions on revision. We do approve site plans under 153.153 or as part of a CUP or PUD; that is what I am trying to refer to.

Commented [ 147]: Joseph Sathe - "ly"
(I) Spaces for people with disabilities. Parking spaces serving people with disabilities shall be provided in compliance with all applicable state and federal requirements. If practicable, spaces for people with
disabilities shall be located so they provide easy access from the closest parking are to the major entrance of the use for which they are provided.
(1997 Code, § 25.10) (Ord. passed 11-14-1994) Penalty, see § 10.99
W§ 153.079 REQUIRED NUMBER OF OFF-STREET PARKING SPACES.
The required number of off-street automobile parking spaces shall be as set forth in Appendix $B$ of this chapter.

## Bicycle parking shall be provided as follows..

(1997 Code, § 25.10) (Ord. passed 11-14-1994)

## 冋§ 153.080 CBD DISTRICT; SPACE REDUCTION.

In general, the above off-street parking requirements may be reduced when applied to uses within the CBD district, upon approval of the City Council. The intent of the reduction is to preserve the compact, pedestrian-oriented character of the downtown to the extent possible. In the event of a sizable redevelopment project within the CBD district, off-street parking spaces shall be provided as required by the City Council.
(1997 Code, § 25.10) (Ord. passed 11-14-1994)

## SIGNS

## PLANNED UNIT DEVELOPMENTS

NON-CONFORMING STRUCTURES, USES, AND LOTS
П§ 153.130 NON-CONFORMING STRUCTURES AND USES.
(A) Purpose. This subsection is intended to provide for the regulation of uses, structures, lots, or site improvements which lawfully existed prior to the effective date of the zoning ordinance or subsequent amendments, but which fail to comply with one or more current regulations.
(B) Definitions. The following terms and accompanying definitions are used in the context of nonconformities.
(1) Expansion. For the purposes of nonconformities, expansion includes, but is not limited to, intensification of the use, expansion of the use to a portion of the property not previously used, or increased structure dimensions.
(2) Improvement. Where a nonconformity is made more compatible with the use of adjacent properties, efficient, and/or more aesthetically pleasing. For the purposes of nonconformities, an improvement does not include an expansion.
(3) Maintenance. Normal repair, restoration, and improvement including cosmetic changes. For the purposes of nonconformities, maintenance does not include new construction or expansion of a use or structure.

## Field Code Changed

Commented [ 148]: Nancy Abts - Pending Planning Commission/Council decision on whether to incorporate here (citywide application) or only in the EMX districts.
Commented [ 149]: Joseph Sathe - Would this be incorporated later as an amendment?

Commented [NA150R149]: It currently is in the language for the EMX District but could be moved here.

Commented [ 151]: Nancy Abts - Section recently updated; no changes proposed

Commented [ 152]: Joseph Sathe - Why is it not included here? Since the definitions are being updated, should the section be included as well?

Commented [ 153]: Mary Tietjen - Agree that if the definitions are being stricken from this existing section, we'll need to include it so we can repeal those definitions and adopt them in the earlier Definitions section.

Commented [ 154]: Nancy Abts - No changes proposed at this time
Commented [ 155]: Joseph Sathe - Should this be included to confirm there is no conflict with the new sections?

Commented [ 156]: Mary Tietjen - Even if no substantive changes, we should review to make sure we don't need to update terms, etc. in order to stay consistent with any amended sections.
(4) Repair. For the purposes of nonconformities, repair means to restore to good condition by replacing or reassembling broken, worn out or malfunctioning components. Repair does not include expansion.
(5) Replacement. Construction that provides a substitute substantially equivalent to the preexisting conditions that preceded damage or destruction.
(6) Restoration. For the purposes of nonconformities, restoration means to restore or repair to good condition by replacing or reassembling broken, worn out or malfunctioning components. Restoration does not include expansion.
(C) Existing uses. The lawful use or occupation of any land or building existing at the time of the adoption of the zoning ordinance or subsequent amendments may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless: (1) the nonconformity or occupancy is discontinued for a period of more than one year; or (2) any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged Nonconformities, however, shall be subject to the following
(D) Non-conforming use not made conforming. The use of any land or buildings that did not conform to the provisions of the prior city zoning ordinance adopted December 29, 1955, or amendments thereto, do not become conforming uses under this chapter unless specifically provided in this chapter. This chapter does not make permitted uses out of any uses that were not permitted under the prior city zoning ordinance unless specifically permitted by this chapter.

## (E) Restrictions on changes.

(1) Repair or maintenance. A non-conforming building or structure may be repaired or maintained, subject to the limitations of this chapter. Normal maintenance of a non-conforming building or structure is permitted; including necessary non-structural repairs and incidental alterations which do not physically extend or intensify the non-conforming use.
(2) Enlargement. A non-conforming building, structure or use shall not be expanded in any manner unless the additions or enlargements constitute improvements made to bring the building or structure into conformity with the regulations of this chapter. No non-conforming use shall be expanded to occupy a greater area than was occupied when the use became non-conforming, except in the following case: a non-conforming use may be extended throughout any parts of a building which were arranged or designed for that use when the use became non-conforming, but no such use shall be extended to occupy land outside the building.
(3) Restoration. A non-conforming building or structure which is damaged by fire or other cause to an extent of more than $50 \%$ of its market value shall not be restored except in conformity with the regulations of this chapter. However, if a building permit has been applied for within 180 days of when the building or structure is damaged, then the building or structure may be restored to its pre-damage non-conforming status subject to the applicability of the Minnesota State Building Code and other requirements of the Osseo Code of Ordinances.
(4) Relocation. No non-conforming use or structure shall be moved in whole or in part to any other part of the parcel of land upon which the same was conducted at the time of passage of

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Commented [ 160]: Mary Tietjen - Suggesting changes to coincide with state statute.

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(5) Enlargement or alteration. No non-conforming structure or use shall be enlarged, increased, or extended to occupy a greater area than was occupied when the use became non-conforming, except in the following case: a non-conforming use may be extended throughout any parts of a building which were arranged or designed for that use when the use became non-conforming, but no such use shall be extended to occupy land outside the building. It

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this chapter, nor shall that use or structure be moved in whole or in part to any other lot, except to bring it into conformance with the regulations of this chapter.
(5) Discontinuance or abandonment. A non-conforming use or structure that has been discontinued or abandoned for more than one year shall not be re-established, and any future use shall be in conformity with the regulations of this chapter.
(6) Status change. A non-conforming use of a building or land may be changed to a similar non-conforming use or a more restrictive non-conforming use. Once a structure or parcel of land has been changed to a more restrictive non-conforming use, it shall not return to a less restrictive use.
(a) When a non-conforming structure or use of land has been changed to a conforming use, it shall not thereafter be changed back to a non-conforming use.
(b) When a non-conforming use or structure meets the requirements for, and is granted, a conditional use permit as an allowed conditional use in that district, the use or structure is thereafter deemed a conforming use,
(7) Safety. Nothing in this subsection shall prevent the repairing of a structure to a safe condition when said structure is declared unsafe by the proper authority.
(1997 Code, § 25.07) (Ord. passed 11-14-1994; Am. Ord. 2006-3, passed 5-8-2006) Penalty, see § 10.99

## W§ 153.131 NON-CONFORMING LOTS OF RECORD.

(A) Dwellings on small lots. In any district in which one-family dwellings are permitted, a one-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. The lot must be in separate ownership. This provision shall apply even though the lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which the lot is located, but in no case shall building be permitted on a lot less than 50 feet in width. Variance of yard requirements shall be obtained only through action of the Board of Appeals.
(B) Lots in the same ownership. If two or more lots, or combinations of lots and portions of lots, with continuous frontage in single ownership are of record at the time of passage or amendment of this chapter, and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this chapter, and no portion of the parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this chapter, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this chapter.
(1997 Code, § 25.07) (Ord. passed 11-14-1994) Penalty, see § 10.99

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## ADMINISTRATION AND ENFORCEMENT

П§ 153.145 ZONING OFFICER; ADMINISTRATOR.
(A) Zoning Officer. The specific duties of the Zoning Officer include:
(1) Providing zoning information upon request;
(2) Receiving applications for conditional use permits, variances, amendments, and appeals, referring the applications to the appropriate official body, notifying affected property owners of required public hearings, and publishing notice of the hearings;
(3) Notifying applicants for conditional use permits, variances, amendments, and appeals of actions taken by the official bodies relative to their applications;
(4) Periodically inspecting buildings, structures, and uses of land to determine compliance with the terms of this chapter. In regard to performance standards, the Zoning Officer may require the services of a testing laboratory to determine compliance. The cost of employing the laboratory shall be paid for by the owner if a violation of this chapter is established, otherwise by the city;
(5) Investigating violations, notifying persons accused of violations and describing the nature thereof, and initiating appropriate actions against violators as provided by law;
(6) Maintaining permanent and current records of this chapter and the official Zoning Map, including but not limited to special use permits, variances, amendments, appeals, and applications therefor; and
(7) Ordering discontinuance of illegal use of land, buildings, or structures; ordering removal of illegal buildings, structures, additions, alterations; ordering discontinuance of illegal work being done; or taking any other action authorized by this chapter to insure compliance with or to prevent violation of its provisions.
(B) Administrator. This chapter shall be administered and enforced by the Administrator who is appointed by the City Council. The Administrator may institute in the name of the city appropriate actions or proceedings against a violator as provided by statute, charter, code provision, or ordinance.
(1997 Code, § 25.12) (Ord. passed 11-14-1994) Penalty, see § 10.99

## П§ 153.146 BOARD OF APPEALS.

(A) Statutory authority. M.S. § 462.354, as it may be amended from time to time, requires any municipality having in effect a zoning ordinance to provide by ordinance for a board of appeals and adjustments. The statute also states that the governing body may provide, alternatively, that there be a separate board of appeals and adjustments, or that the governing body, the planning commission, or a committee of the planning commission serve as the board of appeals and adjustments, and it may provide an appropriate name for the board. The board may be given other duties as the governing body may direct.
(B) Establishment. The City Council is hereby established as the required board of appeals and adjustments, this board to be herein referred to as the Board of Appeals or the Board. The

City Council, acting as the Board of Appeals, shall be vested with that administrative authority as is hereinafter provided or as provided by state law.
(C) Duties. The duties of the Board of Appeals shall be:
(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by the Zoning Officer;
(2) To hear and decide requests for variances from the literal provisions of this chapter; and
(3) To interpret the meaning of the chapter in cases of ambiguity and to make rulings with respect to the application of the provisions.

## (D) Proceedings.

(1) The Board of Appeals may adopt rules necessary to the conduct of its affairs and in

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Commented [ 167]: Nancy Abts - If Interim Uses are adopted by the City, elsewhere in this ordinance
(C) To consider applications for variances and appeals and to transmit a recommendation to the Board of Appeals.
(1997 Code, § 25.12) (Ord. passed 11-14-1994)

## ద§ 153.149 BUILDING PERMITS.

(A) Building permits. Hereafter no person shall erect, alter, remodel, wreck, or move any kind of a structure, building, or part thereof without first securing a building permit from the city.
(B) Certificate of occupancy. Hereafter, no new building or addition, and no land whose use has been changed, shall be occupied other than for a public utility use until a certificate of occupancy has been issued stating that the new occupancy complies with all applicable ordinances and code provisions.
(C) Exhibits. Each application for a building permit shall be accompanied by the following exhibits unless waived by the Zoning Officer: exposed lot pins, plot plan, or certificate of survey indicating location, size, and place of proposed structure and yards, parking and loading facilities, vehicular access and egress, and utility plan including surface drainage, foliage, topography, waterways, and soil boring is to be included if pertinent.
(D) Permit application procedure. The procedure for applying for a building permit shall be as follows.
(1) The property owner or his or her agent shall meet with the Zoning Officer to explain his or her situation, learn the procedures, and obtain an application form.
(2) The applicant shall file the completed application form, together with the required exhibits, including building plans, with the Zoning Officer or Building Official.
(3) The Building Official shall review the application and plans and determine their compatibility with the Building Code and ordinances and code provisions.
(4) The Zoning Officer determines the permit fee and collects the fee from the applicant. The building permit will then be issued if the proposed project complies with the provisions of this chapter.

## (E) Expiration of building permit.

(1) If the work described in any building permit has not begun within 90 days from the date of issuance thereof, the permit shall expire; it shall be cancelled by the Zoning Officer, and written notice thereof shall be given to the persons affected.
(2) If the work described in any building permit has not been substantially completed within two years of the date of issuance thereof, or if no work has been done on the building for 90 days, the permit shall expire and be canceled by the Zoning Officer, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new building permit has been obtained.
(1997 Code, § 25.12) (Ord. passed 11-14-1994) Penalty, see § 10.99

## W§ 153.150 VARIANCES.

(A) Limitations. Variations from the provisions of this chapter may be granted by the Board of Appeals only in instances where all of the following criteria are found to exist:
(1) The applicant establishes that there are practical difficulties in complying with the official control. "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 ordinance. 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
(2) Unusual or unique circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and such circumstances were not created by any persons presently having an interest in the property; and
(3) The variance, if granted, would not alter the character of the neighborhood. The completed project would not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion of public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish property values, or have a detrimental or injurious impact on surrounding properties; and
(4) The variance requested is the minimum variance that would alleviate the practical difficulty; and
(5) The variance requested will not alter the essential character of the locality; and
(6) The variance requested is in harmony with the general purpose and intent of the ordinance and consistent with the comprehensive plan.
(B) The Board of Appeals may not permit as a variance any use that is not permitted under the ordinance for property in the zone where the affected person's land is located. However, the Board may permit as a variance the temporary use of a one-family dwelling as a two-family dwelling.
(C) The Board may impose restrictions and conditions upon the premises benefitted by a variance as it considers necessary so that the public health, safety, and general welfare may be secured and substantial justice done.
(D) Exhibits. Application for variances shall be accompanied by the boundary survey and site plan as required for building permit applications.
(E) Application procedure. The procedure for applying for a variance from the regulations of this chapter shall be as follows.
(1) The property owner or his or her agent shall meet with the Zoning Officer to explain his or her situation, learn the procedures, and obtain an application form.

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Commented [ 169]: Joseph Sathe - The term "control" is unique to this section, I suggest using "ordinance" instead as is done in subsection 6. The language is from Minn. Stat. 462.357 subd. 6 (2).

Commented [ 170]: Mary Tietjen - Or change to "this Chapter"

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Commented [ 171]: Joseph Sathe - Revise the list punctuation in 1-6

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Deleted: the strict enforcement of this chapter would cause undue hardship because of circumstances unique to the individual property under consideration, and only when it is demonstrated that the variance will be in keeping with the spirit and intent of this chapter. Undue hardship, as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, 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 shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section M.S. § 216C.06, Subd. 2, as it may be amended from time to time, when in harmony with this chapter.

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Commented [NA172]: Can a variance be "temporary"?
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(2) The applicant shall file the completed application form, together with the required exhibits, with the Zoning Officer and shall pay the required filing fee.
(3) The Zoning Officer shall transmit the application and one copy of the exhibits to the Chair of the Board of Appeals and Planning Commission.
(4) The Planning Commission shall consider the application for variance and make recommendations to the Board of Appeals.
(5) The Board of Appeals may hold public hearings as it may consider necessary on a proposed variance.
(D) Standards for granting variance. The Board of Appeals may vary the regulations of this chapter when supporting evidence in each specific case indicates that the criteria in subsection (A) have been met.
(E) Recording of variance. If approved, a certified copy of the variance decision shall be filed by the applicant with the Hennepin County Recorder or Registrar of Titles.
(F) Expiration of variance. Any variance shall expire one year after it has been granted unless:
(1) The project for which the variance was granted is completed within the one-year period;
(2) Building permits have been issued and substantial work performed; or
(3) Upon written request of the person or corporation holding the variance, the Council extends the expiration date for the unexpired variance for an additional period.
(G) Term of variance. If the project is completed as approved, the variance shall run with the land and remain in effect for so long as the conditions regulating it are observed,
(1997 Code, § 25.12) (Ord. passed 11-14-1994)

Commented [ 173]: Joseph Sathe - Consistent use of "council" or "city-council"

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Deleted: (1) Because of the particular physical surroundings, shape, or topographic conditions of the specific parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere
inconvenience, if the strict letter of the regulations were to be carried out;TI
(2) The conditions upon which the petition for a variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other property with the same zoning classification; $\mathbb{1}$
(3) The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the parcel of land;"II
(4) The alleged difficulty or hardship is caused by the provisions of this chapter and has not been created by any persons presently or formerly having an interest in the parcel of land; $;$
(5) The granting of the variance will not be detrimental to the public welfare or injurious to other land or
improvements in the vicinity in which the parcel of land is located; $; \mathbb{I}$
(6) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity; and ${ }^{\text {d }}$
(7) Adherence to the regulations of this chapter would create an undue hardship because of inadequate access to direct sunlight for solar energy systems.II

## W§ 153.151 CONDITIONAL USE PERMITS.

(A) Permit required. Before a building or premises is devoted to any use classified under conditional uses in this chapter, a conditional use permit must be granted by the City Council following a recommendation by the Planning Commission.
(B) Exhibits. The following exhibits shall be required:
(1) The boundary survey and site plan as required for building permit applications, including the property legal description; and
(2) Elevation drawings indicating the design treatment of all proposed buildings and structures, and general floor plans of the buildings, and .

- (C) Procedures. The procedure for obtaining a conditional use permit is as follows.

Deleted: .II
(1) The property owner or his or her agent shall meet with the Zoning Officer to explain his or her situation, learn the procedures, and obtain an application form.
(2) The applicant shall file the completed application form, together with the required exhibits, with the Zoning Officer and shall pay the required filing fee.
(3) The Zoning Officer shall transmit the application and exhibits to the Planning Commission and shall place the matter on the next available Planning Commission agenda.
(4) The Planning Commission shall study the application to determine possible adverse effects of the proposed conditional use and to determine what additional requirements may be necessary to reduce those adverse effects, and shall recommend one of three actions: approval, denial, or conditional approval. The Planning Commission may hold public hearings as it may consider necessary on a proposal for a conditional use permit.
(5) The Planning Commission shall transmit its recommendation to the City Council for its official action.
(6) The City Council shall act on the application after receiving the recommendation of the Planning Commission.
(D) Standards for granting conditional use permits.
(1) A conditional use permit may be granted by the City Council after demonstration by evidence that:
(a) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare;
(b) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood;
(c) The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
(d) Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided;
(e) Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and
(f) The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.
(2) The Planning Commission may recommend, and the City Council may determine, conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the conditional use as deemed necessary for the protection of the public interest and to secure compliance with the requirements specified in this chapter.

## (E) Revocation of conditional use permits.

(1) Where a conditional use permit has been issued pursuant to the provisions of this chapter, the permit shall become null and void without further action by the Planning Commission or the City Council unless work thereon commences within one year of the date of granting that conditional use. A conditional use permit shall be deemed to authorize only one particular use and shall expire if that use shall cease for more than 12 consecutive months.
(2) Failure to comply with any condition set forth in a conditional use permit shall be a misdemeanor and shall also constitute sufficient cause for the revocation of the conditional use permit by the City Council following a public hearing. The property owner shall be notified in advance of the City Council's review of the permit.
(3) Inspections may be conducted as needed to determine compliance with the terms of a conditional use permit ${ }_{\vee}$
(F) Amendment of a Conditional Use Permit. A previously-approved Conditional Use Permit may be amended by the City Council following the same procedures used to establish a Conditional Use Permit,
(F) Accessory uses to a conditional use. Uses and structures that are accessory to a conditional use shall be allowed as provided by this chapter, without requiring a conditional use permit amendment, unless specifically required as a condition of the conditional use permit approval.
(1997 Code, § 25.12) (Ord. passed 11-14-1994) Penalty, see § 10.99

### 151.15X Interim use permits.

(A ) Purpose. The purpose and intent of allowing interim uses is:
(1) To allow a use for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the Comprehensive Plan; and
(2) To allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future or will be replaced in the future by a permitted or conditional use allowed within the respective district.
(3) To allow a use which is reflective of anticipated long range change to an area and which is in compliance with the comprehensive plan provided that said use maintains harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development.
(B) Application, public hearing, notice and procedure. The application, public hearing, public notice and procedure requirements for interim use permits shall be the same as those for conditional use permits as provided in $\S$ 153.151. In addition to the general planning and zoning application requirements, applications for interim use permits shall include:
(1) A signed statement agreeing:
a. That the applicant, owner, operator, tenantland/or user has no entitlement to future reapproval of the interim use permit;
b. That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
c. That the applicant, owner, operator, tenant and/or user will abide by conditions of approval that the City Council attaches to the interim use permit.
(2) A statement addressing the relationship of the proposed project to the neighboring uses.
(C) General issuance standards. The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permit only if it finds, based on the proposed location, that:
(1) The period of time for which the interim use permit is to be granted will terminate before any adverse impacts are felt upon adjacent properties;
(2) The use will terminate upon a date or even that can be identified with certainty. Interim use permits may not be granted for a period greater than five (5) years;
(3) The use will not adversely impact the health, safetylland welfare of the community during the period of the interim use;
(4) The use is similar to existing uses in the area;

Commented [ 176]: Joseph Sathe - Why interim instead of temporary? This new section borrows almost exclusively from Richfield Ord. 547.15

Commented [ 177]: Mary Tietjen - "Interim" uses is the statutory term under 462.3597. It is by definition a temporary use.

This new Section seems overly complicated to me.
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Commented [ 186]: Joseph Sathe - Should not include "that" at the beginning of the sentence.

Commented [ 187]: Joseph Sathe - Consistent use of Council v. City Council

## Commented [ 188]: Joseph Sathe - event?

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(5) An interim use shall conform to zoning regulations except the City Council may waive ordinance provisions upon a finding that the temporary nature of the interim use will eliminate the adverse effects the provisions were intended to prevent;
(6) There is adequate assurance that the property will be left in suitable condition after the use is terminated;
(7) By agreement, the use will not impose additional costs on the public if it is necessary for the public to take the property in the future;
(8) The property owner, by agreement, agrees to any conditions that the City Council has deemed appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover the cost of removing the interim use and interim structures upon the expiration of the interim use permit; and
(9) The property owner agrees to abide by any additional conditions that the Council deems appropriate for permission of the use.

Commented [ 190]: Joseph Sathe - Are these repetitive?
(D) Security deposit. Security deposits shall be provided as required by the City.
(E ) Termination. An interim use permit shall terminate upon the occurrence of any of the following events; whichever first occurs:
(1) The date stated in the permit; or
(2) Upon violation of conditions under which the permit was issued.

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冋§ 153.152 AMENDMENTS; PROCEDURES.
(A) Adoption. This chapter may be amended, changed, or altered only by a favorable majority vote of all members of the City Council, except that the adoption or amendment of any portion of this chapter which changes all or part of the existing classification of a zoning district from residential to either commercial or industrial requires a two-third's majority of all members of the City Council, and only after a public hearing has been duly advertised and held by the Planning Commission.
(B) Kinds of amendments. An amendment to this chapter may be one of the following:
(1) A change in a district's boundary (rezoning);
(2) A change in a district's regulations; or
(3) A change in any other provision of this chapter.
(C) Initiation of proceedings. Proceedings for amending this chapter shall be initiated by at least one of the following three methods:
(1) By petition of an owner or owners of property which is proposed to be rezoned, or for which district regulation changes are proposed;
(2) By recommendations of the Planning Commission; or
(3) By action of the City Council.
(D) Exhibits. Required exhibits for rezoning or district regulation changes initiated by a property owner are:
(1) The boundary survey and plot plan as required for building permit applications;
(2) Elevation drawings indicating the design treatment of all proposed buildings and structures, and general floor plans of those buildings; and
(3) A written narrative describing the proposed rezoning or district regulation changes and the reason for the request; and

- (E) Procedures. The procedure for a property owner to initiate a rezoning or district regulation change applying to his or her property is as follows.
(1) The property owner or his or agent shall meet with the Zoning Officer to explain his or her situation, learn the procedures, and obtain an application form.
(2) The applicant shall file the completed application form, together with the required exhibits, with the Zoning Officer and shall pay the required filing fee.
(3) The Zoning Officer shall transmit the application and required exhibits to the Planning Commission. Written notice of the public hearing shall be mailed at least ten days before the date of the hearing to the property owners within the affected zone and within 350 feet of the outer boundaries of the area in question; however, failure of any property owner to receive notification shall not invalidate the proceedings.
(4) The Zoning Officer shall have notice of the required public hearing published in the official municipal newspaper not less than ten calendar days prior to the date of the hearing.
(5) The Planning Commission shall hold the public hearing and shall recommend one of three actions: approval, denial, or conditional approval.
(6) The Planning Commission shall transmit its recommendation to the City Council for its official action.
(7) The City Council shall act upon the application after receiving the recommendation of the Planning Commission.
(1997 Code, § 25.12) (Ord. passed 11-14-1994)


## W§ 153.153 SITE PLAN APPROVAL.

The following provisions shall govern the Site and Building Plan approval process, as they relate to the scope of the proposed construction.
(A) Site and Building Plan Approval Required. It is declared to be the policy of the city to preserve and promote attractive and stable business environments for its citizens through encouraging well-conceived, high quality developments. To this end, imaginative site design
concepts shall be employed in the development and redevelopment of respective sites. With the exception of single family dwellings and two family dwellings, this site plan approval process applies to all new construction in the One and Two Family District (R-1), the High-Density Residential District (R-2), the Edge Mixed Use District (EMX), the Central Business District (CBD), the Highway Commercial Districts (C-2N \& C-2S), and the Manufacturing and Industrial District (M) that involves one or more of the following:
(1) New construction;
(2) Construction or reconstruction that substantially alters the floor area of the building greater than or equal to $10 \%$;
(3) Construction or reconstruction involving modification or replacement of the exterior materials on the building; or
(4) Construction or reconstruction to change the configuration of the parking area.
-(B) Application.
(1) Prior to commencing any construction, a Site and Building Plan application shall be initiated by the owner of subject property or by an authorized agent. The applicant shall submit a Site and Building Plan application to the Zoning Officer, copies of which are available at the municipal offices, together with a fee in an amount established by City Council resolution.
(2) The Zoning Officer shall refer the matter to the Planning Commission by placing the application upon the agenda of the Commission's next available regular meeting.
(C) Exhibits. In addition to the application, the following exhibits shall be required:
(1) A survey drawing by a registered engineer or land surveyor showing pertinent existing conditions, accurately dimensioned.
(2) A complete set of preliminary drawings prepared by a registered civil engineer or landscape architect showing:
(a) An accurately scaled and dimensioned site plan indicating parking layout, including access provisions, location of structures, grading plans, building elevations, landscaping, including trees and shrubbery with indication of species, planting, size, and location.
(b) Fences, walls, or other screening, including height and type of material.
(c) Lighting provisions, including type and location.
(d) Curbs.
(D) Procedures. The procedure for obtaining Site and Building Plan approval is as follows.
(1) The property owner or his or her agent shall meet with the Zoning Officer to explain his or her situation, learn the procedures, and obtain an application form.
(2) The applicant shall file the completed application form, together with the required exhibits, with the Zoning Officer and shall pay the required filing fee.

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Commented [ 194]: Joseph Sathe - "; or"
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Commented [ 195]: Joseph Sathe - What does "available" mean?

Commented [NA196R195]: There needs to be some 'discretion' or wiggle room in placing an item on the agenda-if I get an application on Friday, it can't be considered at a meeting the following Monday even if that is the "next regular meeting". I have a set schedule of application deadlines that is established annually, which allows time for staff review of an application \& proper notice of a public hearing. The deadlines end up being on a Thursday about a month before the Planning Commission meeting, but that process is not reflected in ordinance. I'm open to suggestions about how to revise this section.
(3) The Zoning Officer shall transmit the application and exhibits to the Planning Commission and shall place the matter on the next available Planning Commission agenda.
(4) The Planning Commission shall study the application to determine possible adverse effects of the proposed Site and Building Plan and to determine what additional requirements may be necessary to reduce those adverse effects, and shall recommend one of three actions: approval, denial, or conditional approval. The Planning Commission may hold public hearings as it may consider necessary on a proposal for Site and Building Plan approval.
(5) The Planning Commission shall transmit its recommendation to the City Council for its official action.
(6) The City Council shall act on the application after receiving the recommendation of the Planning Commission.
(E) Lapse of Site and Building Plan. An approved Site and Building Plan shall lapse and become null and void one year following the date on which the application was approved, unless prior to the expiration of one year, the Building Official issues a building permit and construction is commenced toward completion on the subject site. A Site and Building Plan may be renewed for a period of one year by the City Council.
(F) Conditions and restrictions. The Planning Commission may recommend and the City Council may impose such conditions and restrictions as deemed necessary to protect the public interest and to secure compliance with the requirements of this section. The conditions may include the execution and submission of a Performance Agreement with a supporting financial guarantee that the subject property will be constructed, developed, and maintained in conformance with the plans, specifications, and standards.
(Ord. 2005-4, passed 7-11-2005)

## П§ 153.154 FEES.

(A) Fees for building permits, variances, conditional use permits, and amendments shall be established from time to time by resolution of the City Council.
(B) Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal. There shall be no fee in the case of applications filed in the public interest by the City Council, Economic Development Authority or by the Planning Commission. If a dispute arises over a specific fee, the amount of the fee shall be paid but deposited and held in escrow, and the person aggrieved by the fee may appeal to district court. An approved application shall proceed as if the fee had been paid, pending a decision of the court.
(1997 Code, § 25.12) (Ord. passed 11-14-1994; Am. Ord. 2005-4, passed 7-11-2005)

## ద§ 153.155 VIOLATIONS; REMEDIES NOT EXCLUSIVE.

(A) Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor. Each day the violation continues shall be considered a separate offense.
(B) The owner or tenant of any building, structure, premises, or part thereof, and any builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation as described above may be found guilty of a separate offense and suffer the penalties provided in this code.
(C) Nothing herein contained shall prevent the city from taking other lawful action as is necessary to prevent or remedy any violation.
(1997 Code, § 25.12) (Ord. passed 11-14-1994; Am. Ord. 2005-4, passed 7-11-2005) Penalty, see § 10.99

## W§ 153.156 JUDICIAL REVIEW.

Any person aggrieved by a decision or order of the City Council or Board of Appeals acting pursuant to this chapter may have the decision or order reviewed by an appropriate remedy in the District Court, subject to the provisions of state law.
(1997 Code, § 25.12) (Ord. passed 11-14-1994; Am. Ord. 2005-4, passed 7-11-2005)
W§ 153.157 CONSISTENCY WITH STATE LAW.
Notwithstanding anything in this chapter to the contrary, the provisions of M.S. § 15.99, as it may be amended from time to time, and the following sections shall govern the process for making decisions under this chapter. To the extent to which these sections conflict with the provisions of M.S. § 15.99, as it may be amended from time to time, the provisions of the statute shall apply.
(Am. Ord. 2005-4, passed 7-11-2005)

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## W§ 153.158 APPLICATIONS.

(A) Notwithstanding anything to the contrary in this chapter, all applications for any city approval required by this chapter, or to amend this chapter, shall be made in writing on a form provided by the city, if the city has a form, to the Zoning Officer. The Zoning Officer is authorized to reject in writing any incomplete application as provided in M. S. 15.99 , as it may be amended from time to time. This rejection shall be sent by first-class mail to the applicant. Every application shall contain the legal description of the property and a statement of the specific permit or action being sought. Nothing in this section shall be deemed to prevent the city from requesting additional information from the applicant upon which to base a decision.

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(Am. Ord. 2005-4, passed 7-11-2005)

## W§ 153.159 FINAL ACTIONS.

(A) As required by M.S. § 15.99 , as it may be amended from time to time, the following provisions apply to the process for approving or denying applications which requires a city approval under chapter.

1.
(Am. Ord. 2005-4, passed 7-11-2005)

## W§ 153.160 ADDITIONAL EXTENSIONS OF TIME.

Minnesota Statutes § 15.99, as it may be amended from time to time, provides for certain exceptions to the time limits established in $\S 153.159$. These exceptions are as follows. If the provisions of M.S. $\S 15.99$, as it may be amended from time to time, are inconsistent with this section, then the provisions of that statute shall apply.
$\downarrow$
(Am. Ord. 2005-4, passed 7-11-2005)
W§ 153.161 APPLICATIONS FOR SUBDIVISION APPROVAL AND BUILDING PERMITS.
Sections 153.157 through 153.159 shall not apply to any request for action under the city's subdivision regulations or under M.S. $\S 462.358$ or Ch .505 , as they may be amended from time to time. Neither shall they apply to request for a building permit.
(Am. Ord. 2005-4, passed 7-11-2005)

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Deleted: (B) If a dispute arises over a specific fee imposed by the city, the amount of the fee must be deposited and held in escrow, and the person aggrieved by the fee may appeal to district court, as provided by M.S. § 462.361, as it may be amended from time to time. The application shall proceed as if the fee had been paid, pending a decision of the court

Commented [NA199]: KG to revise to remove duplication of statue language in ordinance

Deleted: for a zoning amendment, site plan, conditional use permit, land use permit, variance, or any other application

Commented [SJL202]: Minn. Stat. 15.99, subd. 2 (c)
Deleted: (B) The city shall take final action to approve or deny an application described above within 60 days of receiving an application, unless the application is not accepted under $\S 153.156$. If the city cannot take action to approve or deny the application within 60 days of receiving the application, the Zoning Administrator Officer is authorized before the end of the initial 60-day period, to make a one-time extension of the time for taking action by providing written notice by first-class mail to the applicant of the extension, the reasons for the extension, and its anticipated length, which may not exceed an additional 60 days unless approved by the applicant in writing.

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Deleted: (B) The time limit in $\S 153.159$ is also extende
Deleted: (C) In cases described in division (B), the
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Field Code Changed

APPENDIX A: LOT REQUIREMENTS AND STANDARDS
APPENDIX B: OFF-STREET PARKING SPACE REQUIREMENTS
APPENDIX C: DISTRICT SIGN REGULATIONS
APPENDIX D: ZONING MAP

APPENDIX A: LOT REQUIREMENTS AND STANDARDS

| Zoning District | $\begin{aligned} & \text { Building } \\ & \text { Height } \\ & \text { Max. } \\ & (\text { feet })^{e} \end{aligned}$ | Access. Height Max. (feet) | Lot Size <br> Min (s.f) |  | Setbacks ${ }^{\text {f }}$ |  |  |  |  | Minimum Area Per Dwelling Unit (sq. feet) | Dwelling <br> Floor Area Ratio | Max. <br> Impervious Surface(\%) |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  | $\begin{aligned} & \text { Front } \\ & \text { Yard } \\ & \text { (Feet) } \end{aligned}$ | Corner <br> Side <br> Yard <br> (Feet) | Side Interior (Feet) | $\begin{aligned} & \text { Rear } \\ & \text { Yard } \\ & \text { (Feet) } \end{aligned}$ | Accessory Side/Rear Yard (Feet) (Alley) |  |  |  |
| R-1 <br> Onefamily Twofamily | 25 25 | $10^{8}$ $10^{8}$ | $\begin{array}{r} 8,250 \\ 10,000 \end{array}$ | 50 50 | 25 | $\begin{aligned} & 25^{\mathrm{c}} \\ & 25^{\mathrm{c}} \end{aligned}$ | $\begin{aligned} & 15^{\mathrm{b}} \\ & 15^{\mathrm{b}} \end{aligned}$ | $\begin{aligned} & 5 \\ & 5 \end{aligned}$ | 5 5 |  | 0 | $50 \%$ $50 \%$ |
| R-2 <br> Multiple family | $35(65)^{\text {b }}$ | $\underline{10}$ | $\underline{21,780}$ | 130 | 35. | 25, | 10 | 10 |  |  | N/A | 60\% |
| Efficiency |  |  |  |  |  |  |  |  |  | 400 |  |  |
| 1bedroom |  |  |  |  |  |  |  |  |  | 525 |  |  |
| 2bedroom |  |  |  |  |  |  |  |  |  | 650 |  |  |
| More |  |  |  |  |  |  |  |  |  | Add 125 <br> s.f. each <br> additional <br> bedroom |  |  |
| CBD | 45 | 15 | 7,200 | 50 | 0 | 0 | $0^{\text {d }}$ | 0 | 0 | N/A | N/A | 100\% |
| C-2 | 35 | 15 | 7,200 | 50 | 20 | 20 | 10 | 10 | 10 | N/A | 1 | 60\% |
| M | 40 | 15 | 20,000 | 100 | 20 | 20 | 10 | 10 | 10 | N/A | 1 | - |
| $\begin{gathered} \text { Definitions: } \\ \text { 43,560 squ } \\ \text { Floor area } \end{gathered}$ | are feet $=1$ ratio $=$ total | floor area of | principal and | accessory str | ucture in | direct ratio | to the gro | ss area of | the lot |  |  |  |
| Notes: <br> ${ }^{\text {a }} 65 \mathrm{ft}$. if stru | cture is des | gned for $m$ | ltiple resident |  |  |  |  |  |  |  |  |  |


| Deleted: Site |
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${ }^{\text {b }}$ On interior lots, there must be at least 15 feet between dwellings with a minimum of 5 feet from the lot line
c The buildable principal structure area must not be less than 32 feet in width, exclusive of setback
${ }^{d}$ When a commercial building shares a common boundary with a residential use property, a side yard set back of 10 feet is required
${ }^{\text {e }}$ The building height limits established herein for districts shall not apply to the following: belfries; chimneys or flues; church spires; cooling towers; cupolas and domes which do not contain useable space; elevator penthouses; flag poles; monuments; parapet walls extending not more than 3 feet above the limiting height of the building
${ }^{5}$ The following shall not be considered as encroachment on required yard setbacks:
(1) Flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than two feet into the required yard
(2) Ground level patio, i.e., patio that is flush with the ground
(3) In rear yards, recreational and laundry drying equipment, arbors and trellises, detached outdoor living rooms, and air conditioning or heating
equipment to a point not less than ten feet from the rear lot line
(4) A one-story enclosed entrance for a detached one-family, duplex, or townhouse dwelling may extend into the front yard setback not exceeding four feet
Except private garages are allowed to be up to 15 feet in height


# Agenda Item: Adopt 2020 City Budget and Tax Levy (Resolution) 

Meeting Date: December 9, 2019<br>Prepared by: Riley Grams, City Administrator<br>Attachments: 2020 Tax Levy Worksheet<br>2020 Expenditures Budget Summary<br>2020 Expenditures Budget Detail<br>2020 Revenue Budget Detail<br>Sample Property Tax Statements<br>Resolution Adopting the 2020 City Budget and Tax Levy<br>Resolution Reducing Debt Service Tax Levies for 2020

## Policy Consideration:

Consider adopting the 2020 City of Osseo final budget and tax levy.

## Background:

After Staff recommendations, Council Budget and Finance Committee recommendations, City Council member recommendations and comments from Osseo taxpayers, I am pleased to present the 2020 City Budget and Tax Levy for approval. The 2020 City Budget shows a fully balanced budget between expenditures and revenues.

## Expenditures:

The 2019 approved expenditures budget was $\$ 2,622,871$. The proposed 2020 expenditures budget is $\$ 2,813,266$. This represents an increase in expenditures spending of $\$ 190,395$, or $7.26 \%$ over 2019.

There are a few areas that comprise the vast majority of the proposed expenditures increase. They include:

- New sixth full-time Police Officer position
- Employee medical and dental insurance changes
- 2020 elections
- On-going information technology costs moving from Cable Fund to General Fund
- Comp plan ordinance update costs (professional services and publication costs)
- Fire Department Education/Training Aid (pass thru with offsetting Revenue line item)

These areas represent the vast majority of the expenditures increase for 2020. Other expenses include minor Departmental budget increases, as well as approved Staff salaries (which includes the MN CIP agreed upon 2\% cost-of-living increase).

## Revenues:

The 2019 approved revenue only (not including the tax levy) budget was $\$ 1,168,010$. The proposed 2020 revenue budget (non-tax levy) is $\$ 1,240,688$. This represents an increase in revenues of $\$ 72,6788$ or $6.22 \%$ over 2019.

The proposed 2019 revenue budget shows some minor increases and decreases in anticipated revenue streams. Local Government Aid (LGA) increased for 2020 by approximately $\$ 19,324$. Franchise fees, City issued permits, rental licenses, police fines/forfeitures, community center and Gateway Sign rentals are all expected to increase slightly in 2020.

## City Tax Levy:

In order to fully balance the 2020 budget, the City must levy taxes from all Osseo properties to cover the expected gap in the budget. With expenditures and revenues balanced and proposed at $\$ 2,813,266$ for 2020, the anticipated 2020 City Tax Levy amount is $\$ 1,572,578$ for the General Fund. The Council has also discussed shifting a total of $\$ 100,000$ from utility funds to offset the 2010A refunding bonds (Public Works building) in 2020. This move will reduce the debt service tax levy amount from $\$ 289,241$ in 2019 to $\$ 197,445$ in 2020 . The net result of this budget is that the overall City tax levy will go from $\$ 1,447,575$ in 2019 to $\$ 1,480,903$ in 2020 (an increase of $\$ 33,328$ or $2.30 \%$ ).

By passing this proposed 2020 budget, the City will again lower the City tax rate from $60.01 \%$ in 2019 to $59.04 \%$ in 2020. This represents the lowest City tax rate since 2011, and the seventh consecutive year in which the City has approved a lower tax rate than the previous year.

## Previous Action or Discussion:

The City Council discussed the preliminary 2020 budget at the August 26, 2019 work session meeting. The City Council approved the preliminary 2020 budget at their September 9, 2019 meeting. The Council held the Truth in Taxation public hearing on November 25, 2019 and continued the Truth in Taxation public hearing to the December 9, 2019 Council meeting, allowing taxpayers an opportunity to comment on the proposed 2020 budget. The Council Budget and Finance Committee also met several times with Staff.

## City Goals Met By This Action:

Ensure the City's continued financial stability
Improve the City's aging and deteriorating infrastructure
Maintain as low a tax rate as possible
Promote a healthy and high quality standard of living
Stay current with new technologies
Prove a variety of cultural activities

## Options:

The City Council may choose to:

1. Approve the 2020 City Budget and General Tax Levy and adopt the attached Resolutions;
2. Approve the 2020 City Budget and General Tax Levy and adopt the attached Resolutions, with noted changes/as amended;
3. Deny approving the 2020 City Budget and General Tax Levy and attached Resolutions;
4. Table action on this item for more information.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the 2020 City Budget and General Tax Levy and adopt the attached Resolutions.

## Next Step:

Upon approval of the 2020 budget and tax levy, City Staff will prepare the final budget to be submitted to Hennepin County by December 31, 2019.



Updated 12/5/19 RDG

|  | A | - C |  |  | D |  | E |  | F | \| ${ }^{\text {\| }}$ |  | H | I | J |  | K | \| L | M | N | 0 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | City of Osseo <br> General Fund Expenditures Budget Worksheet For the Year 2020 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 2 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 3 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | Note: Account | indi | licating an "A" are allocatable to enterprise funds |
| 5 |  |  |  |  | 2016 |  | 2017 |  | 2018 |  |  |  |  | 019 |  |  |  |  |  | 2020 PROPOSED |
| 6 | ACCOUNT | DESCRIPTION |  |  | Actual |  | Actual |  | Actual |  |  | udgeted | 6/30/2019 | \% of Budget\| |  | emaining |  | Amount |  | Notes |
| 8 | MAYOR AND COUNCIL |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 9 | 101-41000-106 | PART TIME WAGES |  | \$ | 13,200 | \$ | 13,200 | \$ | 13,200 |  | \$ | 19,000 | \$ 9,500 | 50.00\% | \$ | 9,500 |  | \$ 19,000 |  | Council pay review every odd year |
| 10 | 101-41000-125 | EMPLOYER FICA CONTRIBUTION |  | \$ | 1,010 | \$ | 995 | \$ | 1,010 |  | \$ | 1,454 | \$ 727 | 49.98\% | \$ | 727 |  | \$ 1,454 |  | 7.65\% |
| 11 | 101-41000-139 | WORK COMP INSURANCE |  | \$ | 76 | \$ | 52 | \$ | 50 |  | \$ | 62 | \$ 85 | 137.10\% | \$ | (23) |  | \$ 85 |  |  |
| 12 | 101-41000-211 | OPERATIONS |  | \$ | 766 | \$ | 916 | \$ | 722 |  | \$ | 400 | \$ 136 | 34.02\% | \$ | 264 |  | \$ 750 |  | Chamber supplies, Council supplies, Council Chamber logo replacement (one) |
| 13 | 101-41000-218 | UNIFORMS/APPAREL |  | \$ |  | \$ | 120 | \$ | 32 |  | \$ | 300 |  | 0.00\% | \$ | 300 |  | 300 |  | \$60 per Councilmember |
| 14 | 101-41000-255 | DUES/MEMBERSHIPS |  | \$ | 8,770 | \$ | 4,161 | \$ | 4,291 |  | \$ | 4,343 | \$ 3,373 | 77.67\% | \$ | 970 |  | 4,700 |  | LMC (3150), Metro Cities (1256), West Metro Mayors (30), NW League of Muni (200) |
| 15 | 101-41000-260 | REGISTRATION/TRAINING/TRAVEL |  | \$ | 722 | \$ | 899 | \$ | 680 |  | \$ | 6,500 | \$ 3,291 | 50.63\% | \$ | 3,209 |  | 2,500 |  | Council training and travel |
| 16 | 101-41000-307 | RECORDING SERVICES |  | \$ | 6,303 | \$ | 5,973 | \$ | 10,127 |  | \$ | 13,500 | \$ 2,267 | 16.79\% | \$ | 11,233 |  | \$ 15,000 |  | Meeting minutes, codfying, CCX televing, recording |
| 17 |  |  | total | \$ | 30,847 | \$ | 26,315 | \$ | 30,112 |  | \$ | 45,559 | \$ 19,378 | 42.53\% | \$ | 26,181 |  | \$ 43,789 |  | -3.89\% |
| 19 | ADMINISTRATION |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 20 | 101-41110-101 | FULL TIME WAGES |  | \$ | 159,574 | \$ | 194,230 | \$ | 199,881 |  | \$ | 210,752 | \$ 103,166 | 48.95\% | \$ | 107,586 |  | \$ 218,643 | A | Standard step increase plus 2\% COLA (30\% of wages allocated to enterprise funds) |
| 21 | 101-41110-124 | PERA CONTRIBUTION |  | \$ | 13,018 | \$ | 15,690 | \$ | 14,650 |  | \$ | 15,806 | \$ 7,738 | 48.95\% | \$ | 8,069 |  | \$ 16,398 | A | 7.50\% |
| 22 | 101-41110-125 | EMPLOYER FICA CONTRIBUTION |  | \$ | 12,173 | \$ | 11,387 | \$ | 16,105 |  | \$ | 16,476 | \$ 7,722 | 46.87\% | \$ | 8,754 |  | \$ 17,184 | A | 7.65\% |
| 23 | 101-41110-130 | MED/DEN/LIFE/LTD INSURANCE |  | \$ | 5,802 | \$ | 26,969 | \$ | 19,310 |  | \$ | 20,214 | \$ 10,636 | 52.62\% | \$ | 9,577 |  | \$ 14,940 | A | Estimated insurance - Includes STD estimate (\$360/Employee) |
| 24 | 101-41110-135 | CElL/TRAVEL/INSURANCE ALLOW |  | \$ | 7,830 | \$ | 5,355 | \$ | 4,620 |  | \$ | 4,620 | \$ 2,132 | 46.16\% | \$ | 2,488 |  | \$ 4,750 | A |  |
| 25 | 101-41110-139 | WORK COMP INSURANCE |  | \$ | 2,389 | \$ | 966 | \$ | 1,103 |  | \$ | 1,032 | \$ 940 | 91.09\% | \$ | 92 |  | \$ 1,425 | A |  |
| 26 | 101-41110-201 | OFFICE SUPPLIES |  | \$ | 2,383 | \$ | 2,383 | \$ | 2,155 |  | \$ | 2,300 | \$ 652 | 28.35\% | \$ | 1,648 |  | \$ 2,250 | A |  |
| 27 | 101-41110-211 | OPERATIONS |  | \$ | 2,580 | \$ | 1,705 | \$ | 1,790 |  | \$ | 1,900 | \$ 1,001 | 52.69\% | \$ | 899 |  | \$ 2,000 | A | Water cooler and copier (1600) |
| 28 | 101-41110-218 | UNIFORMS/APPARAL |  | \$ |  | \$ | 180 | \$ | 60 |  | \$ | 240 | \$ 31 | 13.12\% | \$ | 209 |  | 300 | A | \$60 per Staff member (5) |
| 29 | 101-41110-255 | DUES/MEMBERSHIPS |  | \$ | 861 | \$ | 1,147 | \$ | 1,275 |  | \$ | 1,500 | \$ 1,272 | 84.82\% | \$ | 228 |  | \$ 2,000 |  | ICMA, GFOA, MCFOA, MAMA, MCMA |
| 30 | 101-41110-260 | REGISTRATION/TRAINING/TRAVEL |  | \$ | 2,110 | \$ | 4,229 | \$ | 5,207 |  | \$ | 9,700 | \$ 3,203 | 33.02\% | \$ | 6,497 |  | \$ 14,000 |  | ICMA, GFOA, MCFOA, MCMA |
| 31 | 101-41110-308 | PROPERTY ASSESSING |  | \$ | 23,748 | \$ | 25,945 | \$ | 25,904 |  | \$ | 26,000 | 71 | 0.27\% | \$ | 25,929 |  | \$ 29,000 |  | Agreement with Hennepin County (2016-2020), levying, open book meeting |
| 32 | 101-41110-310 | OTHER PROFESSIONAL SERVICES |  | \$ | 3,591 | \$ | 2,294 | \$ | 107 |  | \$ |  | \$ - | \#DIV/0! | \$ |  |  | 500 |  | Misc. Engineering or other non-finance related consulting |
| 33 | 101-41110-311 | RENTAL INSPECTION PROGRAM |  | \$ | 16,396 | \$ | 14,120 | \$ | 16,274 |  | \$ | 16,500 | \$ - | 0.00\% | \$ | 16,500 |  | \$ 16,500 |  | Roger Lenz Consulting ( $60 \%$ of total revenue) |
| 34 | 101-41110-321 | TELECOMMUNICATIONS |  | \$ | 617 | \$ | 668 | \$ | 567 |  | \$ | 650 | \$ 318 | 48.86\% | \$ | 332 |  | 650 |  | City Administrator cell phone ( $52.88 / \mathrm{mo}$ ) |
| 35 | 101-41110-322 | POSTAGE/DELIVERY SERVICES |  | \$ | 2,663 | \$ | 3,172 | \$ | 1,435 |  | \$ | 2,400 | \$ 582 | 24.27\% | \$ | 1,818 |  | 2,500 | A | Postage machine (1029.99/quarter), (400/quarter goes to UB) |
| 36 | 101-41110-351 | PRINTING/PUBLISHING |  | \$ | 12,707 | \$ | 8,842 | \$ | 13,785 |  | \$ | 11,000 | \$ 3,318 | 30.16\% | \$ | 7,682 |  | \$ 13,000 | A | Osseo Outlook newsletter (about 1600/quarter) and Ordinance amendments |
| 37 | 101-41110-355 | PERSONNEL/RECRUITMENT |  |  |  |  |  |  |  |  |  |  | \$ 314 | \#DIV/0! | \$ | (314) |  | \$ |  | None expected |
| 38 | 101-41110-376 | AUTO INSURANCE |  | \$ | 79 | \$ | 63 | \$ | 63 |  | \$ | 66 | \$ 144 | 217.69\% | \$ | (78) |  | \$ 150 |  | 5\% increase of YTD amount |
| 39 | 101-41110-384 | RECYCLE/ORGANICS/CLEANUP DAY |  | \$ |  | \$ | 1,061 | \$ | 1,490 |  | \$ | 1,200 | \$ 2,172 | 181.00\% | \$ | (972) |  | \$ 2,200 |  | Promotion and actual cost of event (offsetting Hennepin County amount in Revnue) |
| 40 | 101-41110-410 | LEASES/RENTALS |  | \$ | 1,696 | \$ | 1,644 | \$ | 1,679 |  | \$ | 2,100 | \$ 822 | 39.14\% | \$ | 1,278 |  | \$ 2,000 | A | Lease for copier, postage machine, and water cooler |
| $\frac{41}{4 \%}$ |  |  | total | \$ | 270,217 | \$ | 322,051 | \$ | 368,679 |  | \$ | 344,456 | \$146,234 | 42.45\% | \$ | 198,222 |  | \$ 360,390 |  | 4.63\% |
| 43 | ELECTIONS |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 44 | 101-41410-106 | WAGES - JUDGES |  | \$ | 2,417 | \$ |  |  | 3,353 |  | \$ |  | \$ 41 | \#DIV/0! | \$ | (41) |  | \$ 3,500 |  | Wages: 9.65/hr and 10.65/hr (Includes City Clerk OT) |
| 45 |  | WAGES - CLERK |  |  |  |  |  |  | 1,262 |  | \$ | - | \$ | \#DIV/0! | \$ | (3) |  | \$ 1,500 |  | City Clerk OT due to election hours |
| 46 | 101-41410-124 | EMPLOYER PERA EXPENSE |  |  |  |  |  | \$ | 54 |  | \$ | - | \$ 3 | \#DIV/0! | \$ | (3) |  | \$ 75 |  | City Clerk |
| 47 | 101-41410-125 | EMPLOYER FICA EXPENSE |  |  |  |  |  | \$ | 81 |  | \$ | - | \$ - | \#DIV/0! | \$ | - |  | \$ 90 |  | City Clerk |
| 48 | 101-41410-139 | WORK COMP INSURANCE |  | \$ | 9 | \$ | 5 | \$ | 10 |  | \$ |  | \$ | \#DIV/0! | S |  |  | \$ $\quad 15$ |  | Election Judges only |
| 49 | 101-41410-210 | OPERATIONS |  | \$ | 2,216 | \$ | 955 | \$ | 2,833 |  | \$ | 950 | \$ 694 | 73.09\% | \$ | 256 |  | \$ 4,000 |  | Election machine maintenace contract, publishing, newsletter, etc |
| 50 |  |  | TOTAL | \$ | 4,642 | \$ | 960 | \$ | 7,594 |  | \$ | 950 | \$ 742 | 78.06\% | \$ | 208 |  | \$ 9,180 |  | 866.32\% |
| 52 | LEGAL |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 53 | 101-41500-211 | LEGAL EXPENSES |  | \$ | 3,059 | \$ | 727 | \$ | 1,103 |  | \$ | 1,000 | \$ 462 | 46.25\% | \$ | 538 |  | \$ 1,000 |  | Mileage, copying, postage, fees |
| 54 | 101-41500-304 | LEGAL SERVICES - CIVIL |  | \$ | 27,847 | \$ | 21,896 | \$ | 25,812 |  | \$ | 30,000 | \$ 10,416 | 34.72\% | \$ | 19,584 |  | \$ 30,000 |  | Kennedy Graven retainer (33k/yr less EDA and special projects), Ordinance updates |
| 55 | 101-41500-306 | LEGAL SERVICES - PROSECUTION |  | \$ | 12,000 | \$ | 12,000 | \$ | 12,792 |  | \$ | 14,400 | \$ 7,310 | 50.76\% | \$ | 7,090 |  | \$ 14,500 |  | Tallen Baertschi retainer (slight increase for 2020) |
| 56 |  |  | total | \$ | 42,906 | \$ | 34,623 | \$ | 39,707 |  | \$ | 45,400 | \$ 18,189 | 40.06\% | \$ | 27,211 |  | \$ 45,500 |  | 0.22\% |
| 58 | INFORMATION TECHNOLOGY |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 59 | 101-41515-302 | IT CONSULTANT |  |  | 13,975 | \$ | 22,950 |  | 16,020 |  | \$ | 22,800 | \$ 7,980 | 35.00\% | \$ | 14,820 |  | \$ 22,800 | A | Element retainer (1900/mo allocated) |
| 60 | 101-41515-309 | WEBSITE |  |  |  |  |  |  |  |  |  |  | \$ | \#DIV/0! |  |  |  | \$ 1,230 |  | Hosting costs: $100 / \mathrm{mo}$ and Website domain: 30/yr |
| 61 | 101-41515-309 | EMAIL/LICENSING |  |  |  |  |  |  |  |  |  |  | \$ | \#DIV/0! |  |  |  | \$ 8,000 |  | Software costs for all Departments |
| 62 |  |  | TOTAL | \$ | 13,975 | \$ | 22,950 | \$ | 16,020 |  | \$ | 22,800 | \$ 7,980 | 35.00\% | \$ | 14,820 |  | \$ 32,030 |  | 40.48\% |
| 64 | FINANCE CONSULTING |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 65 | 101-41550-300 | PAYROLL SERVICE |  | \$ | 6,088 | \$ |  | \$ |  |  | \$ |  | \$ | \#DIV/0! | \$ | - |  | \$ |  |  |
| 66 | 101-41550-300 | ACTUARY SERVICE - CITY |  | \$ |  | \$ |  | \$ | 700 |  | \$ | 400 | \$ - | 0.00\% | \$ | 400 |  | \$ | A | 2020 is an off year, 1000 (40\%) Van Iwaarden |
| 67 | 101-41550-309 | BANYON DATA SYSTEMS SOFTWARE |  |  |  |  |  |  |  |  |  |  | \$ - | \#DIV/0! |  |  |  | \$ 700 |  | Banyon - Fund accounting/Payroll/Revtrak Software (40\% of 1685) |
| 68 | 101-41550-301 | FINANCIAL CONSULTANT |  | \$ | 40,465 | \$ | 5,194 | \$ | 6,019 |  | \$ | 5,200 | \$ 3,391 | 65.22\% | \$ | 1,809 |  | \$ 6,000 | A | Gary Groen (40\% of 15000) |
| 69 | 101-41550-301 | AUDITING |  | \$ |  | \$ | 9,000 | \$ | 9,400 |  | \$ | 9,650 | \$ 9,550 | 98.96\% | \$ | 100 |  | \$ 9,650 | A | BerganKDV (40\% of 24125) |
| 70 |  |  | total | S | 46,553 | \$ | 14,194 | \$ | 17,662 |  | \$ | 15,250 | \$ 12,941 | 84.86\% | \$ | 2,309 |  | \$ 16,350 |  | 7.21\% |



|  | I | C |  | D |  | E |  | F | \|G| |  | H | 1 | J |  | K | \| L | | M | N | 0 |
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| 1 | City of Osseo <br> General Fund Expenditures Budget Worksheet For the Year 2020 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 2 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 3 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | Note: Accounts indicating an "A" are allocatable to enterprise funds |  |  |
| 5 |  |  |  | 2016 |  | 2017 |  | 2018 |  | 2019 |  |  |  |  |  |  |  |  | 2020 PROPOSED |
| 6 | ACCOUNT | DESCRIPTION |  | Actual |  | Actual |  | Actual |  |  | Budgeted | [6/30/2019 | \% of Budget\| |  | Remaining |  | Amount |  | Note |
|  | POLICE |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| ${ }^{130}$ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| ${ }^{131}$ | 101-41900-101 | FULL TIME WAGES - OFFICERS | \$ | 388,495 | \$ | 439,661 | \$ | 451,989 |  |  | 442,321 | \$ 234,520 | 53.02\% |  | 207,801 |  | 525,076 |  | Per Police contract (includes addition of new FT Police Office position) |
| ${ }^{132}$ | 101-41900-101 | FULL TIME WAGES - NON OFFICERS |  |  |  |  |  |  |  |  | 56,722 |  | 0.00\% |  |  |  | 59,595 |  | Standard step increase plus 2\% COLA |
| ${ }^{133}$ | 101-41900-101 | SHIFT DIFFERENTIAL | \$ |  | \$ |  |  |  |  |  | 20,000 |  | 0.00\% | \$ | 20,000 |  | 20,000 |  | Offset by Police services and Police Aid (TZD) |
| 134 | 101-41900-106 | PART TIME WAGES | \$ | 92,719 | \$ | 41,426 | \$ | 68,113 |  |  | 34,000 | \$ 18,690 | 54.97\% | \$ | 15,310 |  | 36,000 |  |  |
| ${ }^{135}$ | 101-41900-124 | PEPFF CONTRIBUTION (OFFICERS) | \$ | 73,597 | \$ | 70,866 | \$ | 76,977 |  |  | 84,126 | \$ 40,352 | 47.97\% | \$ | 43,774 |  | \$ $\mathbf{\$}$ 92,939 |  | 16.95\% |
| 136 | 101-41900-124 | PERA CONTRIBUTION (NON OFFICERS) |  |  |  |  |  |  |  |  | 4,254 |  | 0.00\% | \$ | 4,254 |  | 4,470 |  | 7.50\% |
| 137 | 101-41900-125 | EMPLOYER FICA CONTRIBUTION (OFFICERS) | \$ | 12,509 | \$ | 9,544 | \$ | 8,154 |  |  | 7,258 | \$ 5,029 | 69.28\% | \$ | 2,229 |  | 8,478 |  | 1.45\% OFFICER (MEDICARE ONLY) |
| 138 | 101-41900-125 | EMPLOYER FICA CONTRIBUTION (NON OFFICERS) |  |  |  |  |  |  |  |  | 4,339 |  | 0.00\% | \$ | 4,339 |  | 4,559 |  | 7.65\% - NON OFFICER |
| 139 | 101-41900-130 | MED/DEN/LIFE/LTD/STD INSURANCE | \$ | 65,342 | \$ | 66,681 | \$ | 64,304 |  |  | 85,764 | \$ 44,981 | 52.45\% | \$ | 40,783 |  | 106,997 |  | Includes STD estimate for Chief/Office Manager |
| 140 | 101-41900-135 | CELL/TRAVEL/INSURANCE ALLOW | \$ | 3,850 | \$ | 4,200 | \$ | 3,877 |  |  | 4,200 | \$ 1,938 | 46.15\% | \$ | 2,262 |  | 5,500 |  | Increased with new FT Officer |
| 141 | 101-41900-139 | WORK COMP INSURANCE | \$ | 18,608 | \$ | 16,188 | \$ | 11,952 |  |  | 16,285 | \$ 22,273 | 136.77\% | \$ | $(5,988)$ |  | 24,539 |  |  |
| 142 | 101-41900-201 | OFFICE EXPENSES | \$ | 1,424 | \$ | 1,816 | \$ | 1,654 |  |  | 1,500 | \$ 1,259 | 83.94\% | \$ | 241 |  | 2,150 |  | Office expenses and logo gear |
| 143 | 101-41900-202 | RECOGNITION/AWARDS | \$ | 622 | \$ | 179 | \$ | 336 |  |  | 300 |  | 0.00\% | \$ | 300 |  | 300 |  |  |
| 144 | 101-41900-211 | OPERATING SUPPLIES | \$ | 1,449 | \$ | 2,514 | \$ | 2,602 |  |  | 2,500 | \$ 1,462 | 58.49\% |  | 1,038 |  | 3,000 |  | Expenses outside the office |
| 145 | 101-41900-213 | OFFICER EQUIPMENT/GEAR | \$ | 5,787 | \$ | 3,583 | \$ | 2,818 |  |  | 5,000 | \$ 4,198 | 83.97\% | \$ | 802 |  | 6,250 |  | Chief and part time uniforms, vests, bike program |
| 146 | 101-41900-216 | Squad fuel | \$ | 9,554 | \$ | 9,552 | \$ | 11,099 |  |  | 13,000 | \$ 4,059 | 31.22\% | \$ | 8,941 |  | 13,000 |  |  |
| 147 | 101-41900-217 | SQUAD REPAIRS/MAINTENANCE | \$ | 6,686 | \$ | 4,147 | \$ | 5,300 |  |  | 4,500 | 163 | 3.63\% | \$ | 4,337 |  | 4,500 |  |  |
| 148 | 101-41900-218 | UNIFORM ALLOWANCE | \$ | 2,989 | \$ | 3,702 | \$ | 3,434 |  |  | 4,800 | \$ 1,003 | 20.89\% |  | 3,797 |  | 6,000 |  | Per Police contract (960 for 5 officers for 2019; 1000 for 6 officers for 2020) |
| 149 | 101-41900-220 | COMMUNICATION RADIO | \$ | 5,885 | \$ | 10,071 | \$ | 14,896 |  | \$ | 14,400 | \$ 4,685 | 32.53\% | \$ | 9,715 |  | 14,500 |  | Hennepin County (1200/mo) |
| 150 | 101-41900-255 | DUES/MEMBERSHIPS | \$ | 525 | \$ | 865 | \$ | 1,564 |  |  | 1,500 | \$ 1,042 | 69.45\% | \$ | 458 |  | 2,500 |  | Chiefs membership, POST certifications |
| 151 | 101-41900-260 | REGISTRATION/TRAINING/TRAVEL | \$ | 9,780 | \$ | 10,991 | \$ | 14,740 |  |  | 17,000 | \$ 10,126 | 59.57\% |  | 6,874 |  | \$ 20,000 |  | Intervention training and continuing education |
| 152 | 101-41900-309 | IT- LETG RECORDS MGMT | \$ | 7,105 | \$ | 7,246 | \$ | 7,393 |  |  | 8,000 | \$ 8,934 | 111.67\% |  | (934) |  | 9,500 |  | LETG - Records management software |
| 153 | 101-41900-307 | Recording services | \$ |  | \$ | - | \$ | 39 |  |  | 150 | 128.25 | 85.50\% | \$ | 22 |  | 200 |  | PSAC minutes (split with Fire Dept) |
| 154 | 101-41900-309 | IT-L3 MOBILE VISION |  |  |  |  |  |  |  |  |  |  | \#DIV/0! |  |  |  | 1,600 |  | Was previously in Cable Fund |
| 155 | 101-41900-310 | OTHER PROFESSIONAL SERVICES | \$ | 1,924 | \$ | 2,054 | \$ | 717 |  |  | 1,500 | 908 | 60.50\% | \$ | 593 |  | 2,000 |  | Grant writing and towing contract |
| 156 | 101-41900-314 | PAWN TRANSACTION CONSORTIUM | \$ | 3,977 | \$ | 2,841 | \$ | 2,742 |  |  | 3,200 | \$ 914 | 28.55\% | \$ | 2,286 |  | 3,500 |  | Offset through Pawn Licensing revenue |
| 157 | 101-41900-316 | INCARCERATION SERVICES | \$ | 6,266 | \$ | 4,209 | \$ | 7,767 |  |  | 4,500 | \$ 1,167 | 25.93\% |  | 3,333 |  | 6,000 |  | Hennepin County corrections, Hennepin County Sheriff |
| 158 | 101-41900-321 | TELECOMMUNICATIONS | \$ | 5,233 | \$ | 6,000 | \$ | 5,043 |  |  | 6,500 | \$ 3,075 | 47.30\% | \$ | 3,425 |  | 7,700 |  | Cell phones (added 6th Officer) |
| 159 | 101-41900-355 | PERSONNEL/RECRUITMENT | \$ | 1,060 | \$ | 500 | \$ | 640 |  |  | 1,250 | 667 | 53.36\% | \$ | 583 |  | 1,200 |  |  |
| 160 | 101-41900-376 | SQUAD INSURANCE | \$ | 2,121 | \$ | 2,288 | \$ | 4,631 |  |  | 4,863 | \$ 7,432 | 152.83\% | \$ | $(2,569)$ |  | 8,000 |  | $5 \%$ increase of YTD amount (added replacement insurance) |
| 161 | 101-41900-401 | POLICE RESERVES | \$ |  | \$ | 303 | \$ | 199 |  |  | 500 | 275 | 54.99\% | \$ | 225 |  | 500 |  | Police Reserve Program |
| 162 | 101-41900-402 | EMERGENCY PREPAREDNESS | \$ | 588 | \$ | 649 | \$ | 674 |  | \$ | 675 | \$ 594 | 87.99\% | \$ | 81 |  | 675 |  | Emergency sirens (120 for electricty and 555 for maintenance) |
| 163 | 101-41900-403 | CHAPLIN PROGRAM | \$ |  | \$ |  | \$ |  |  | \$ | 250 | \$ - | 0.00\% | \$ | 250 |  | \$ 250 |  |  |
| 164 | 101-41900-404 | NIGHT TO UNITE | \$ |  | \$ |  | \$ | 8,032 |  |  | 5,000 | \$ - | 0.00\% |  | 5,000 |  | 8,000 |  | Offsetting amount in Revenue |
| 165 | 101-41900-410 | LEASES/RENTALS | \$ | 1,113 | \$ | 929 | \$ | 891 |  | \$ | 975 | \$ 996 | 102.16\% | \$ | (21) |  | 1,000 |  | Copier (73.04/mo), water cooler ( $8.00 / \mathrm{mo}$ ) |
| 166 | 101-41900-450 | REIMBURSEMENT/DEDUCTIBLE | \$ | 299 | \$ |  | \$ |  |  | \$ |  | \$ 551 | \#DIV/0! |  | (551) |  | 500 |  | Insurance deductible, damage awards |
| 167 |  | total | \$ | 729,507 | \$ | 723,002 | \$ | 782,577 |  |  | 861,132 | \$421,420 | 48.94\% |  | 382,990 |  | \$ 1,010,978 |  | 17.40\% |
| 169 |  | FIRE |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 170 | 101-41920-106 | PART TIME WAGES | \$ | 56,806 | \$ | 53,035 | \$ | 70,157 |  |  | 69,420 | \$ 6,452 | 9.29\% | \$ | 62,968 |  | \$ 70,700 |  | Fire Chiefs, Investigators, Inspectors, On-call plus COLA |
| 171 | 101-41920-123 | FIRE RELIEF CONTRIBUTION | \$ | 14,282 | \$ | 29,217 | \$ | 17,527 |  |  | 16,000 |  | 0.00\% | \$ | 16,000 |  | 17,500 |  | Send to OFDRA - Offset by Revenue amount (comes in October) |
| 172 | 101-41920-125 | EMPLOYER FICA CONTRIBUTION | \$ | 4,392 | \$ | 4,103 | \$ | 5,409 |  |  | 5,357 | \$ 517 | 9.64\% | \$ | 4,840 |  | 5,454 |  | 7.65\% |
| 173 | 101-41920-135 | CELL/TRAVEL/INS ALLOWANCE | \$ | 600 | \$ | 600 | \$ | 550 |  |  | 600 | \$ 300 | 50.00\% | \$ | 300 |  | 600 |  | Fire Chief cell phone |
| 174 | 101-41920-139 | work comp insurance | \$ | 5,235 | \$ | 4,459 | \$ | 3,609 |  |  | 5,456 | \$ 7,463 | 136.79\% |  | $(2,007)$ |  | 7,548 |  | Determined by population |
| 175 | 101-41920-140 | UNEMPLOYMENT | \$ | 49 | \$ | 127 | \$ | 1 |  | \$ |  | \$ - | \#DIV/0! | \$ |  |  | \$ - |  | Firefighters no longer on payroll that qualify for unemployment |
| 176 | 101-41920-211 | OPERATING SUPPLIES | \$ | 2,300 | \$ | 2,475 | \$ | 1,611 |  |  | 2,000 | \$ 2,016 | 100.82\% |  | (16) |  | 3,000 |  | Office, safety, manuals, small equipment |
| 177 | 101-41920-216 | FUEL | \$ | 1,425 | \$ | 1,166 | \$ | 1,507 |  |  | 1,500 | \$ 722 | 48.12\% | \$ | 778 |  | \$ 1,500 |  |  |
| 178 | 101-41920-217 | VEHILLE REPAIR/MAINTENANCE | \$ | 3,962 | \$ | 4,626 | \$ | 3,318 |  |  | 6,000 | \$ 1,325 | 22.09\% | \$ | 4,675 |  | \$ 4,000 |  | Anything with 4 wheels, added Dept of Transportation inspections |
| 179 | 101-41920-218 | UNIFORMS/GEAR | \$ | 7,718 | \$ | 10,504 | \$ | 2,578 |  |  | 14,000 | \$ 1,831 | 13.08\% |  | 12,169 |  | 3,000 |  | Bunker gear replacements moved to Equipment CIP |
| 180 | 101-41920-220 | RADIO COMMUNICATIONS | \$ | 8,099 | \$ | 10,155 | \$ | 8,076 |  |  | 8,100 | \$ 3,998 | 49.36\% | \$ | 4,102 |  | \$ 9,000 |  | Hennepin County information technology (710/mo) |
| 181 | 101-41920-221 | EQUIP REPAIR/MAINTENANCE | \$ | 3,265 | \$ | 2,231 | \$ | 4,284 |  |  | 3,000 | \$ 208 | 6.93\% | \$ | 2,792 |  | \$ 4,000 |  | Anything without 4 wheels |
| 182 | 101-41920-255 | DUES/MEMBERSHIPS | \$ | 618 | \$ | 831 | \$ | 355 |  | \$ | 750 | \$ 398 | 53.07\% | \$ | 352 |  | \$ 500 |  | MN State Chiefs, MN State Fire Depts, Hennepin County Depts, National Fire Protections |
| 183 | 101-41920-260 | EDUCATION/MEETINGS/TRAVEL | \$ | 13,488 | \$ | 1,303 | \$ | 2,447 |  |  | 2,500 | \$ 291 | 11.63\% | \$ | 2,209 |  | \$ 2,000 |  | Training and certifications, Chiefs conference |
| 184 | 101-41920-261 | EDUCATION - STATE AIDED | \$ |  | \$ | 7,400 | \$ | 12,250 |  | \$ | 7,500 | \$ 5,420 | 72.27\% | \$ | 2,080 |  | \$ 17,500 |  | State Aid supplemented (award per year in July - est based on current year) |
| 185 | 101-41920-307 | RECORDING SERVICE | \$ |  | \$ |  | \$ | 39 |  | \$ | 150 | \$ 128 | 85.50\% | \$ | 22 |  | \$ 150 |  | PSAC meeting minutes (split with Police Dept) |
| 186 | 101-41920-309 | SOFTWARE |  |  |  |  |  |  |  |  |  |  | \#DIV/0! |  |  |  | \$ 2,500 |  | Rescue Hub, Dropbox - was in Cable Fund |
| 187 | 101-41920-310 | OTHER PROFESSIONAL SERVICES | \$ | 698 |  | 3,053 | \$ | 2,100 |  |  | 1,100 | \$ 2,505 | 227.73\% | \$ | $(1,405)$ |  | 2,000 |  | Acturial for OFDRA (Van Iwaarden) |
| 188 | 101-41920-355 | PERSONNEL/RECRUITMENT | \$ | 1,616 | \$ | 1,311 | \$ | 1,416 |  | \$ | 500 | 27 | 5.48\% | \$ | 473 |  | 500 |  |  |
| 189 | 101-41920-376 | VEHICLE INSURANCE | \$ | 2,604 | \$ | 2,100 | \$ | 1,246 |  |  | 1,308 | \$ 1,491 | 113.99\% |  | (183) |  | \$ 1,566 |  | 5\% increase for YTD premium (2 old trucks not worth anything - gone) |
| 190 | 101-41920- | COMMUNITY EDUCATION | \$ |  | \$ |  | \$ |  |  | \$ |  |  | 0.00\% |  |  |  | \$ 500 |  | New |
| 191 | 101-41920- | PAST TRAINING CATCH UP | \$ |  | \$ |  | \$ |  |  | \$ | - |  | 0.00\% |  |  |  | \$ - |  | One time catch up for past training hours (done in 2019) |
| 192 |  | total | \$ | 127,158 | \$ | 138,695 | \$ | 138,480 |  | \$ | 145,241 | \$ 35,093 | 24.16\% | \$ | 110,148 |  | \$ 153,518 |  | 5.70\% |




| 2020 Proposed Property Tax Statements |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Property \#1 <br> Single Family Residential | $\begin{gathered} \text { Actual } \\ \text { Tax } \\ 2019 \end{gathered}$ | 2020 <br> Preliminary Tax Statement | 2020 <br> Approved <br> Tax Levy <br> 12/09/2019 | \% <br> Increase over 2019 | Property \#2 Single Family Residential | $\begin{gathered} \text { Actual } \\ \text { Tax } \\ 2019 \end{gathered}$ | 2020 Preliminary Tax Statement | 2020 <br> Approved <br> Tax Levy <br> 12/09/2019 | \% <br> Increase over 2019 |
| Estimated Market Value | \$ 172,000 | \$ 176,000 | \$ 176,000 |  | Estimated Market Value | \$ 209,000 | \$ 204,000 | \$ 204,000 |  |
| Homestead Exclusion | \$ $(21,760)$ | \$ (21,400) | \$ $(21,400)$ |  | Homestead Exclusion | \$ (18,430) | \$ (18,880) | \$ (18,880) |  |
| Taxable Market Value | \$ 150,240 | \$ 154,600 | \$ 154,600 | 2.90\% | Taxable Market Value | \$ 190,570 | \$ 185,120 | \$ 185,120 | -2.86\% |
| City Tax Capacity Rate | 60.01\% | 67.77\% | 59.04\% | -1.62\% | City Tax Capacity Rate | 60.01\% | 67.77\% | 59.04\% | -1.62\% |
| City Taxes Due (Computed) | \$ 901.59 | \$ 1,047.72 | \$ 912.76 | 1.24\% | City Taxes Due (Computed) | \$ 1,143.61 | \$ 1,254.56 | \$ 1,092.95 | -4.43\% |
| Actual City Taxes per Statement | \$ 901.33 | \$ 1,047.69 |  |  | Actual City Taxes per Statement | \$ 1,143.74 | \$ 1,254.38 |  |  |
| Property \#3 Single Family Residential | $\begin{gathered} \text { Actual } \\ \text { Tax } \\ 2019 \\ \hline \end{gathered}$ | 2020 <br> Preliminary Tax Statement | 2020 <br> Approved <br> Tax Levy <br> $12 / 09 / 2019$ | \% <br> Increase over 2019 | Property \#4 <br> More than 4 Apartments | $\begin{gathered} \text { Actual } \\ \text { Tax } \\ 2019 \\ \hline \end{gathered}$ | 2020 <br> Preliminary Tax Statement | 2020 <br> Approved <br> Tax Levy 12/09/2019 | \% <br> Increase over 2019 |
| Estimated Market Value | \$ 148,000 | \$ 157,000 | \$ 157,000 |  | Estimated Market Value | \$ 1,793,000 | \$ 1,977,000 | \$ 1,977,000 |  |
| Homestead Exclusion | \$ $(23,920)$ | \$ (23,110) | \$ $(23,110)$ |  | Homestead Exclusion | \$ | \$ | \$ |  |
| Taxable Market Value | \$ 124,080 | \$ 133,890 | \$ 133,890 | 7.91\% | Taxable Market Value | \$ 1,793,000 | \$ 1,977,000 | \$ 1,977,000 | 10.26\% |
| City Tax Capacity Rate | 60.01\% | 67.77\% | 59.04\% | -1.62\% | City Tax Capacity Rate | 60.01\% | 67.77\% | 59.04\% | -1.62\% |
| City Taxes Due (Computed) | \$ 744.60 | \$ 907.37 | \$ 790.49 | 6.16\% | City Taxes Due (Computed) | \$ 13,449.74 | \$ 16,747.66 | \$ 14,590.26 | 8.48\% |
| Actual City Taxes per Statement | \$ 744.70 | \$ 907.41 |  |  | Actual City Taxes per Statement | \$ 13,449.81 | \$ 16,747.50 |  |  |

## City of Osseo

Resolution No. 2019-xx

## RESOLUTION APPROVING 2020 BUDGET AND PROPERTY TAX LEVY

BE IT RESOLVED by the City Council of the City of Osseo, Hennepin County, Minnesota, that the General Operating Budget (Exhibit A attached is the detailed revenue and expenditure budget) is hereby adopted. The total General Fund Revenue and Expenditure budgets are as follows:

| General Fund Revenue Budget | $\mathbf{\$ 2 , 8 1 3 , 2 6 6}$ |
| :--- | :--- |
| General Fund Expenditure Budget | $\mathbf{\$ 2 , 8 1 3 , 2 6 6}$ |

General Fund Expenditure Budget
\$2,813,266
BE IT FURTHER RESOLVED that the following sums of money are levied for the current year, collectable in 2020, upon the taxable property in said City of Osseo for the following purposes:

General Fund Levy
\$1,572,578
BE IT FURTHER RESOLVED that the following sums of money are levied for the current year, collectable in 2020, upon the taxable property in said City of Osseo for the following purposes:

General Obligation Improvement Refunding Bond 2016B $\quad \$ 110,000$
General Obligation Capital Improvement Bond 2010A \$ 87,445
BE IT FURTHER RESOLVED that the Clerk Administrator is hereby instructed to transmit a certified copy of this resolution to the Taxpayers Services Division of Hennepin County, Minnesota.

## CITY OF OSSEO

Resolution No. 2019-xx
RESOLUTION REDUCING DEBT SERVICE TAX LEVIES FOR 2020

WHEREAS, Hennepin County maintains a bond register with the City's scheduled bonded debt levies for taxes payable in 2020, and requests a City resolution canceling the debt levy if the City does not levy the scheduled amounts; and

WHEREAS, the City has determined that specific debt levies may be partially reduced due to the accumulation and projection of other revenue sources, including previously collected tax levies, previously collected and future projected special assessments, and utility fund contributions;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, County of Hennepin, Minnesota, that the following changes of debt service levies be made for taxes payable in 2020:

Debt Service:

| 2010A GO Capital Improvement Bonds | $\$ 207,443$ | $\$$ | 87,445 | $\$(119,998)$ |  |
| :--- | :--- | :--- | :--- | ---: | ---: |
| 2012A GO Improvement Bonds | $\$$ | 13,057 | $\$$ | 0 | $\$(13,057)$ |
| 2014A GO Improvement Bonds | $\$$ | 26,590 | $\$$ | 0 | $\$(26,590)$ |
| 2015A GO Street Reconstruction Bonds | $\$ 190,365$ | $\$$ | 0 | $\$(190,365)$ |  |
| 2016B GO Improvement Refunding | $\$ 150,889$ | $\$ 110,000$ | $\$(40,889)$ |  |  |
| 2016A GO Street Reconstruction Bonds | $\$ 31,368$ | $\$$ | 0 | $\$(31,368)$ |  |
| 2017A GO Street Reconstruction Bonds | $\$$ | 33,957 | $\$$ | 0 | $\$(33,957)$ |
| 2018A GO Improvement Bonds | $\$$ | 25,873 | $\$$ | 0 | $\$(25,873)$ |
| 2019A GO Improvement Bonds | $\$$ | 39,745 | $\$$ | 0 | $\$(39,745)$ |

BE IT FURTHER RESOLVED that the City Clerk LeAnn Larson is hereby instructed to transmit a certified copy of this resolution to the county auditor of Hennepin County, Minnesota.

# Agenda Item: Approve Hire of David Johnson as Full Time Police Officer 

Meeting Date:<br>December 9, 2019<br>Prepared by:<br>Shane Mikkelson, Chief of Police

## Attachments:

## Policy Consideration:

Consider hiring current part-time Police Officer David Johnson to full-time Police Officer with the Osseo Police Department.

## Background:

Officer Johnson was with the Osseo Police Department from December of 2016 until August of 2018 when he was promoted to part-time Officer. He stayed with the Department until July 2019 when he left for full-time employment with the St. James Police Department. While he was on field training, he could not be a part of the Department. When his field training ended in October, Officer Johnson was re-hired as a part-time Officer with the Department on November 25. At that same meeting I asked the Council to give me permission to internally post for a full-time position that would start in January 2020 assuming the position is approved through the 2020 budget. I posted for the job and the only internal candidate that applied was Officer David Johnson. Attached to this Council agenda item is his letter of interest.

Officer Johnson was backgrounded in July of 2018 by the Osseo Police Department and July of 2019 by the St. James Police Department. Both backgrounds were successful. Officer Johnson also went through two Physiological tests in that same time frame, passing both. Officer Johnson was also interviewed in January 2019 by the HR committee for the full-time Police Officer Position.

## Budget or Other Considerations:

The position that Officer Johnson will fill is an additional full-time Officer position in the 2020 budget.

## City Goals Met By This Action:

Promote a healthy and high quality standard of living
Recruit high quality Staff, continue to train Staff, and work to promote Staff retention

## Options:

The City Council may choose to:

1. Approve hiring Officer David Johnson as full-time Police Officer with the Osseo Police Department;
2. Deny hiring Officer Johnson as full-time Police Officer.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve hiring Officer David Johnson as full-time Police Officer with the Osseo Police Department.

November $26^{\text {th }}, 2019$
Shane Mikkelson
Chief of Police
Osseo Police Department
Chief Mikkelson,
I am writing this letter to formally apply for the full time Police Officer position with the Osseo Police Department. As you are aware, I joined the Osseo Police Department in January of 2017 as a Police Reserve Officer and was promoted to the position of part time Police Officer in September of 2018. In July of 2019, I left the department for a short period of time to accept a full time Police Officer position with the City of St. James.

My career in service began with the Army in 2012 where I was an Infantryman in the $25^{\text {th }}$ Infantry Division. Two years into my service I was selected for a four-year scholarship through Army ROTC. I then attended college at Minnesota State University in Mankato where I graduated with a Bachelor of Science in Law Enforcement and was commissioned as a Military Intelligence Officer in the Army Reserve. After graduating college, I became a part time Police Officer for the City of Osseo, and then a full time Police Officer for the City of St. James.

I wish to continue my service to the City of Osseo by becoming a full time Police Officer because of my passion for the community and the Police Department. Shortly after becoming a part time Police Officer with Osseo, I came to the realization that I had found the agency where I wanted to have my career as a Police Officer. What attracts me the most to the Osseo Police Department is how the department supports the community and their Officers by always finding ways to improve and adapt to effectively meet the needs of Osseo. I consider Osseo to be my hometown and am deeply grateful for the opportunity to continue my service to the community.

Sincerely,


David Johnson

# Agenda Item: CLOSED SESSION - Discuss Annual Performance Evaluation of City Administrator 

| Meeting Date: | December 9, 2019 |
| :--- | :--- |
| Prepared by: | Riley Grams, City Administrator |

Attachments: None

## Policy Consideration:

Consider entering into a closed session to discuss the performance evaluation of the City Administrator for 2019.

## Background:

The Council HR Committee has asked to conduct a closed session review of the City Administrator performance evaluation with the entire Council. The Council may also discuss potential amendments to the City Administrator's Employment Agreement as it relates to performance.

Under Minnesota Statute regarding the Open Meeting Law, after a public body meets in a closed session to evaluate the performance of an employee, the body is required to summarize the conclusions regarding the evaluation at its next open meeting. A summary of the closed session proceedings will be given at the next open meeting, on January 13, 2020.

## Recommendation/Action Requested:

Staff recommends the City Council motion to close the meeting pursuant to Minnesota Statutes Section 13D.05, subd. 3(a), convene to the Conference Room to conduct the review, and then re-open the meeting and announce that a summary will be given at the meeting on January 13, 2020.

## City of Osseo City Council <br> Meeting Item

# Agenda Item: Approve Amended Employment Agreement for City Administrator 

Meeting Date: December 9, 2019<br>Prepared by:<br>Riley Grams, City Administrator

Attachments: None

## Policy Consideration:

Consider approving an amended Employment Agreement with the City Administrator.

## Background:

When the City Administrator accepted the position in July 2015, the Council negotiated an Employment Agreement with the Administrator that outlined the position and compensation package.

The Council Human Resources Committee has recently negotiated an amended agreement as a result of City Administrator's performance which provides for the following:

1) Updates the Employment Agreement to be consistent with the new 2020 Personnel Policy and Employee Compensation Plan.
2) Provides for additional severance benefits.
3) Provides for additional Employee owned deferred compensation benefits.

The Council HR Committee recommends that the City Council approve the amended Employment Agreement with the City Administrator, which will be effective January 1, 2020.

## Budget or Other Considerations:

The updates to the City Administrator's Employment Agreement have been budgeted for in 2020.

## City Goals Met By This Action:

Recruit high quality Staff, continue to train Staff, and work to promote Staff retention.

## Options:

The City Council may choose to:

1. Approve the amended Employment Agreement with the City Administrator as outlined;
2. Approve the amended Employment Agreement with the City Administrator, with noted changes/as amended;
3. Deny approval of the amended Employment Agreement;
4. Table action on this item for more information.

## Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the amended Employment Agreement with the City Administrator as outlined.

## Next Step:

The amended Employment Agreement will be effective January 1, 2020.

CITY OF OSSEO

## Payments

## Current Period: NOVEMBER 2019

| Payments Batch 112519CC $\quad \$ 3,910.13$ |  |  |  |
| :---: | :---: | :---: | :---: |
| Refer | 8559 PREMIER BANK | Ck\# 001960E 11/25/2019 |  |
| Cash Payment | E 101-41110-322 POSTAL/DELIVERY SE | USPS-POSTAGE-MAIL MACHINE DOWN | \$110.00 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-322 POSTAL/DELIVERY SE | USPS-POSTAGE-MAIL MACHINE DOWN | \$110.00 |
| Invoice |  |  |  |
| Cash Payment | E 101-41900-260 EDUCATION/MEETINGS | DULUTH HOLIDAY INN-CRIME PREVENTION CONF-MORTINSON | \$370.00 |
| Invoice |  |  |  |
| Cash Payment Invoice | E 101-42350-211 OPERATIONS | MTI-IRRIGATION PARTS | \$124.79 |
| Cash Payment | E 101-42350-211 OPERATIONS | MTI-IRRIGATION PARTS | \$150.67 |
| Invoice |  |  |  |
| Cash Payment | E 101-41700-211 OPERATIONS | FLEET FARM-KEYS FOR CITY HALL | \$6.42 |
| Invoice |  |  |  |
| Cash Payment | E 101-41920-221 EQUIP REPAIR/ MAINT | FLEET FARM-RUBBER HOSE FOR FIRE DEPT | \$25.80 |
| Invoice |  |  |  |
| Cash Payment | E 240-41700-211 OPERATIONS | MSFT-M365 LICENSES | \$90.75 |
| Invoice |  |  |  |
| Cash Payment | E 240-41700-211 OPERATIONS | MSFT-EMAIL STORAGE | \$560.00 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-260 EDUCATION/MEETINGS | TEGENSE-2019 ICMA CONF TAXI-GRAMS | \$30.00 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-260 EDUCATION/MEETINGS | F ${ }^{\text {FOOD HALL-2019 ICMA CONF MEAL-GRAMS }}$ | \$22.11 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-260 EDUCATION/MEETINGS | S QUIZNOS-2019 ICMA CONF MEAL-GRAMS | \$25.84 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-260 EDUCATION/MEETINGS | PICK UP\&DROP OFF-2019 ICMA CONF TAXIGRAMS | \$31.25 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-260 EDUCATION/MEETINGS | VIKING TAXI-2019 ICMA CONF TAXI-GRAMS | \$26.22 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-260 EDUCATION/MEETINGS | HOLIDAY INN-2019 ICMA CONF MEALSGRAMS | \$42.00 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-260 EDUCATION/MEETINGS | TENNESSEE TAVERN-2019 ICMA CONF MEALS-GRAMS | \$20.00 |
| Invoice |  |  |  |
| Cash Payment | E 101-41900-211 OPERATIONS | ADOBE-ACROBAT PRO SUBSCRIPTIONWALLGREN | \$18.27 |
| Invoice |  |  |  |
| Cash Payment | E 101-41110-211 OPERATIONS | ADOBE-ACROBAT PRO SUBSCRIPTIONWELLER | \$18.27 |
| Invoice |  |  |  |
| Cash Payment | E 101-41900-211 OPERATIONS | AMAZON-SCREEN CLEANER, SURGE PROTECTOR | \$36.38 |
| Invoice |  |  |  |
| Cash Payment | E 101-41900-211 OPERATIONS | USPS-POSTAGE FOR PD | \$3.66 |
| Invoice |  |  |  |
| Cash Payment Invoice | E 254-44370-853 SUPPLIES | 4ALLPROMOS-BAGS FOR MINIDAZZLE | \$410.11 |

## CITY OF OSSEO

## Payments

Current Period: NOVEMBER 2019

| Cash Payment | E 101-41900-310 OTHER PROFESSIONA | THE UPS STORE-SHIPPING PD COMPUTER BACK TO L3 | \$47.43 |
| :---: | :---: | :---: | :---: |
| Invoice |  |  |  |
| Cash Payment | E 101-41000-211 OPERATIONS | THE UPS STORE-SHIPPING COUNCIL LAPTOP TO BLM TECHNOLOGIES FOR REPAIRS | \$53.53 |
| Invoice |  |  |  |
| Cash Payment | E 101-41900-213 OFFICER EQUIPMENT | ULINE-EVIDENCE ROOM PILL BOXES | \$77.59 |
| Invoice |  | Project 0 |  |
| Cash Payment | E 254-44370-853 SUPPLIES | OTC BRANDS INC-GODDIE BAGS FOR MINIDAZZLE | \$322.03 |
| Invoice |  | Project 0 |  |
| Cash Payment | E 101-41900-201 OFFICE OPERATIONS | XIMBLE-SCHEDULLING CORE ANNUAL FEE | \$132.88 |
| Invoice |  | Project 0 |  |
| Cash Payment | E 254-44370-853 SUPPLIES | HENN CO ENVIRO-MINIDAZZLE FOOD LICENSE | \$70.00 |
| Invoice |  | Project 0 |  |
| Cash Payment | E 101-41800-211 OPERATIONS | OSSEO VACUUM-COMM CENTER VACUUM | \$631.22 |
| Invoice |  | Project 0 |  |
| Cash Payment | E 101-41700-222 BUILDING REPAIR/MAI | CONSTRUCTION MIDWEST-MATERIALS TO PATCH RAMP AT CITY HALL | \$132.23 |
| Invoice |  |  |  |
| Cash Payment Invoice | E 205-42350-801 RENTAL PROPERTY EX | MENARDS-417 1ST AVE NE SUPPLIES | \$44.56 |
| Cash Payment Invoice | E 101-42000-211 OPERATIONS | MENARDS-SHOP SUPPLIES | \$89.37 |
| Cash Payment | E 101-41920-221 EQUIP REPAIR/ MAINT | BATTERIES + BULBS-REPAIR FIRE DEPT EQUIPMENT LIGHTS | \$14.36 |
| Invoice |  |  |  |
| Cash Payment | E 101-41920-211 OPERATIONS | DROPBOX-MONTHLY FD DROPBOX SUBSCRIPTION | \$11.99 |
| Invoice |  |  |  |
| Cash Payment | E 101-41920-211 OPERATIONS | ACTIVE911 INC-MOBILE DISPATCHING LICENSES FOR NEW FD MEMBERS | \$50.40 |
| Invoice |  |  |  |
| Transaction Date | 11/25/2019 Due 12/5/2019 PR | PREMIER CHECKIN 10100 Total | \$3,910.13 |

Fund Summary

| 101 GENERAL FUND | $\$ 2,412.68$ |
| :--- | ---: |
| 205 PARK DEDICATION | $\$ 44.56$ |
| 240 CABLE GRANTS | $\$ 650.75$ |
| 254 MINIDAZZLE | $\$ 802.14$ |


| Pre-Written Checks | $\$ 3,910.13$ |
| :--- | ---: |
| Checks to be Generated by the Computer | $\$ 0.00$ |
| Total | $\$ 3,910.13$ |

# CITY OF OSSEO 

## Payments

Current Period: DECEMBER 2019


## Payments

Current Period: DECEMBER 2019


## Payments

Current Period: DECEMBER 2019


## Payments

Current Period: DECEMBER 2019


## CITY OF OSSEO

## Payments

Current Period: DECEMBER 2019


## Payments

Current Period: DECEMBER 2019


## CITY OF OSSEO

## Payments

Current Period: DECEMBER 2019


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## Payments

Current Period: DECEMBER 2019


## CITY OF OSSEO

## Payments

## Current Period: DECEMBER 2019

| Cash Payment E 130-42000-303 ENGINEERING SERVIC | OCT 2019 SVCS-PAVEMENT MGMT |  |  | \$202.70 |
| :---: | :---: | :---: | :---: | :---: |
| Invoice R-013232-000-10 11/19/2019 |  |  |
| Cash Payment E 604-49400-303 ENGINEERING SERVIC |  |  |  | OCT 2019 SVCS-MS4 |  |  | \$20.27 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Cash Payment E 101-41650-303 ENGINEERING SERVIC | OCT 2019 SVCS-PLANNING/ZONING |  |  | \$20.27 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Cash Payment E 242-41650-211 OPERATIONS | OCT 2019 SVCS-TREE GRANT |  |  | \$506.76 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Cash Payment E 407-42000-303 ENGINEERING SERVIC | OCT 2019 SVCS-2019 STREET PROJECT |  |  | \$3,583.50 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Cash Payment E 409-42000-303 ENGINEERING SERVIC | OCT 2019 SVCS-2020 STREET PROJECT |  |  | \$21,522.00 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Cash Payment E 602-49400-303 ENGINEERING SERVIC | OCT 2019 SVCS-SEWER |  |  | \$66.00 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Cash Payment E 101-41650-303 ENGINEERING SERVIC | OCT 2019 SVCS-PLANNING/ZONING |  |  | \$56.50 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Cash Payment E 602-49400-303 ENGINEERING SERVIC | OCT 2019 SVCS-LIFT STATION |  |  | \$1,475.25 |
| Invoice R-013232-000-10 11/19/2019 |  |  |  |  |
| Transaction Date 12/5/2019 | PREMIER CHECKIN | 10100 | Total | \$27,453.25 |


| Fund Summary 10100 PREMIER CHECKING |  |
| :---: | :---: |
|  |  |
| 101 GENERAL FUND | \$82,070.57 |
| 110 CIP EQUIPMENT | \$24,267.63 |
| 115 POLICE DONATIONS/EXPENSES | \$593.47 |
| 130 PAVEMENT MANAGEMENT | \$202.70 |
| 205 PARK DEDICATION | \$76.57 |
| 240 CABLE GRANTS | \$1,500.00 |
| 242 HENN CO TREE GRANT | \$506.76 |
| 254 MINIDAZZLE | \$641.24 |
| 4072019 STREET IMPROVEMENT | \$34,416.23 |
| 4092020 STREET IMPROVEMENT | \$21,522.00 |
| 601 WATER FUND | \$14,663.51 |
| 602 SEWER FUND | \$1,703.37 |
| 604 STORM WATER FUND | \$166.63 |
|  | \$182,330.68 |
| Pre-Written Checks | \$32,593.11 |
| Checks to be Generated by the Computer | \$149,737.57 |
| Total | \$182,330.68 |



- DiscoverOsseo.com website
* By email, sign up on the home page
*Call 763-425-SNOW
* DiscoverOsseo on Facebook © @CityofOsseo on Twitter *WCCO on TV

Please keep sidewalks free from snow and ice. Residents must shovel sidewalks within 24 hours.

## Commission Members Needed in 2020

Osseo is seeking interested people to serve on local boards and commissions. These positions are available:

- Economic Development Authority (1 position for six year term)
- Heritage Preservation Commission (2 positions for three year terms)
- Parks \& Recreation Committee (1 position for three year term)
- Planning Commission (2 positions for three year terms)
- Public Safety Advisory Committee (2 positions for two year terms) [one business appointee and one resident appointee]

The City values leadership from service minded individuals. Citizens interested in filling these appointments are asked to submit a letter or statement of interest containing name, address, telephone number, email address, and any other pertinent background information. For more information about duties of these committees, please go to DiscoverOsseo.com/volunteer.

Please send your letter of interest by January 8, 2020, to Mayor Duane Poppe, 415 Central Avenue, Osseo, MN 55369. For more information, please call 763-425-2624.


## City Hall will be closed both Tuesday and Wednesday, December 24 \&\& 25 and December 31 \& January 1 for the holidays.

Hennepin County library will be open $9 \mathrm{am}-5 \mathrm{pm}$ on Tuesday, December $3 \mathrm{l}^{\mathrm{st}}$


[^0]:    (2) But excluding INTERIOR SIGNS of all types.

    CUMULATIVE MAXIMUM SIGN AREA (CMSA). The total maximum sign area which is allowed on any individual property within the city, and for the proportion of CLASS A, CLASS B, and CLASS C SIGNS as herein defined. Regardless of the allowance for signage in any class, no property, including those with a NONCONFORMING SIGN, may exceed its overall CUMULATIVE MAXIMUM SIGN AREA.

    DEMOUNTABLE LETTER SIGN. A SIGN with individual letters, numbers, and symbols, but not entire words or phrases, which may be manually removed and replaced on a track or other mounting hardware on the sign. Also commonly known and referred to as a changeable letter sign or arrow sign, although a DEMOUNTABLE LETTER SIGN need not include an arrow.

