



PLANNING COMMISSION AGENDA
MONDAY, JUNE 28, 2021
CITY HALL at 7:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
 - [A.](#) Approval of Minutes for March 22, 2021 Meeting
- 5. PUBLIC HEARING**
 - [A.](#) Public Hearing - Variance Application - Kelsey and Ryan Hollihan - 518 Rosedale Rd NE
 - [B.](#) Public Hearing - Ordinance Amending Chapter 16 of the City Code Establishing Specific Development Standards for Bulk Deicer Storage Facilities
- 6. OTHER**
 - A. Administrator Reports
- 7. ADJOURN**

SEE REVERSE SIDE FOR RULES FOR PUBLIC HEARINGS AND
DISCUSSION FROM THE FLOOR

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 1301 81st Avenue NE, Spring Lake Park, MN 55432. Ph.763-784-6491 at least 48 hours in advance.

CITY OF SPRING LAKE PARK RULES FOR PUBLIC HEARINGS

Public hearings are formal proceedings giving citizens an opportunity to express their concerns on a specific issue. Some issues on which the Planning Commission is required to hold public hearings include subdivisions, zoning changes, conditional use permits, and ordinance amendments.

The following format will be used to conduct a public hearing:

1. Planning Commission Chair opens the hearing.
2. City staff describes the proposal.
3. The applicant has an opportunity to further explain the proposal and respond to questions/ comments on the proposal from the Planning Commissioners.
4. Citizens will then have the opportunity to ask questions and/or comment on the proposed project.
 - a. Those wishing to comment are asked to limit their comments to 3 minutes
 - b. A group of residents wishing to have their collective opinions voiced may elect a spokesperson to represent them. The spokesperson may have a maximum of 10 minutes to express the views of the group.
 - c. People wishing to comment are asked to keep their comments succinct and specific.
5. After everyone wishing to address the subject of the hearing has done so, the Planning Commission Chair will close the hearing.
6. Planning Commissioners will have an additional opportunity to comment and ask questions on the issue.
7. The Planning Commission will make a formal recommendation on the issue to the City Council or defer decision pending additional information.

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission Meeting was held on March 22, 2021 at the City Hall, at 7:00 PM.

1. CALL TO ORDER

Chairperson Hansen called the meeting to order at 7:00 PM.

2. ROLL CALL

PRESENT

Chairperson Hans Hansen
Commissioner Aisha Ali
Commissioner Jeff Bernhagen
Commissioner Rick Cobbs
Commissioner Doug Eischens
Commissioner Eric Julien

STAFF PRESENT

City Planner Perdu (Stantec), Building Official Baker and Administrator Buchholtz

VISITORS

Joseph Biegler, Home Pro America
Ebrima Jallow, Cargreen LLC
Matt Nelson, Fish-Lectronics

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of February 22, 2021 Meeting

Motion made by Commissioner Bernhagen, Seconded by Commissioner Eischens to approve February 22, 2021 meeting minutes.

Voting Yea: Chairperson Hansen, Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

5. PUBLIC HEARING

A. Public Hearing - Variance Application - Tim and Jill Ellerbeck - 7768 Lakeview Lane NE

Administrator Buchholtz reviewed the staff memo. He reported that Home Pro America, on behalf of Tim and Jill Ellenbecker, submitted a building application to construct a new 24'x16' deck. He stated that the applicant is seeking a 10-foot variance from the 40-foot

yard setback requirement for accessory uses, as set forth in Appendix E of the Spring Lake Park City Code.

Administrator Buchholtz reported that the variance request is a standard one as the surrounding properties have accessory structures attached to the residence such as a deck. He stated that this use is not any different if sitting space were being utilized in the yard.

Commissioner Cobbs inquired if the requested variance should be 15 feet instead of the requested 10 feet. Mr. Biegler stated that he measured the distance from the fence to the house. He stated that many of the neighboring properties are much closer to their property lines than this request. Administrator Buchholtz verified the calculations and determined that the 10 foot variance was accurate.

Chairperson Hansen opened the public hearing at 7:14 PM. Hearing no discussion from the floor, he closed the public hearing at 7:14 PM.

Motion made by Commissioner Cobbs, Seconded by Commissioner Ali to recommend approval of a 10-foot variance from the 40-foot rear yard setback requirement.

Voting Yea: Chairperson Hansen, Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

B. Public Hearing - Conditional Use Permit - Cargreen LLC - 1103 County Highway 10 NE

City Planner Perdu reviewed the staff memo with the Commission. She reported that Cargreen LLC has applied for a Conditional Use Permit to open an environmentally friendly vehicle rental business at 1103 County Highway 10 NE. She reported that staff recommends approval of the Conditional Use Permit and stated that an option can be included that if the Commission feels that parking will be a concern, an additional condition could be added to the number of rental cars at the site be limited to ten (10) vehicles.

Commissioner Eischens inquired if Building Official Baker had inspected the parking lot for an adequate number of handicap parking spaces. Mr. Baker stated that he had not, however; he had reviewed the Anoka County aerial and it appeared that there are enough handicap spaces throughout the property.

Commissioner Eischens inquired on what the hours of operation will be for the business. Mr. Jallow stated that the business hours will be 7:30 AM - 5:00 PM Monday - Friday; Saturday 7:30 AM - 4:00 PM and closed on Sunday.

Chairperson Hansen inquired on the description of the environmentally friendly vehicles rental facility and what it consists of. Mr. Jallow stated that the business will rent hybrid and electric cars to those in the community. He stated that many people are very concerned with car emissions while driving.

Chairperson Hansen opened the public hearing at 7:22 PM. Hearing no discussion from the floor, he closed the public hearing at 7:22 PM.

Motion made by Commissioner Eischens, Seconded by Commissioner Julien with the following conditions:

- 1.) The applicant shall apply for and receive all applicable building permits prior to beginning work.
- 2.) The applicant shall conduct all vehicle cleaning inside the building, with the garage door shut.
- 3.) The applicant shall ensure that rental, customer and staff cars are parked only in spots designated for use by Cargreen LLC.
- 4.) The number of rental cars at this site is limited to ten (10) vehicles.

Voting Yea: Chairperson Hansen, Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

C. Public Hearing - Conditional Use Permit - Fish-Lectronics- 1109 County Highway 10 NE

City Planner Perdu reviewed the staff memo. She reported that DPG, Inc. dba Fish-Lectronics has submitted a Conditional Use Permit application to operate a marine installation and repair facility at 1109 County Highway 10 NE. She reported that staff recommends approval of the Conditional Use Permit. She reported that a boat and trailer will fit into a regular parking space and 18 spaces are being requested by the applicant. She reported that 24 parking spaces are available for this business.

Commissioner Bernhagen inquired about theft and vandalism on the boats waiting to be worked on or picked up. He stated that the area is not very well lit and there is no lighting in the back of the building. Mr. Nelson (Fish-Lectronics) stated that customers will be advised to remove all valuables from their boats and that he is looking into installing security cameras. He stated that he is open to suggestions on lighting and motion sensors.

Commissioner Eischens asked what the hours of operation will be. Mr. Nelson stated that the business will be open Monday - Thursday 10:00 AM - 5:00 PM, Friday 10:00 AM - 4:00 PM. He stated that accommodations will be made for the customers who need an earlier drop off time.

Commissioner Eischens suggested that Mr. Nelson speak with the property owner regarding the installation of some additional lighting near the business as is the property owner's responsibility.

Chairperson Hansen inquired as to what the turnaround time will be for the boats being worked on. Mr. Nelson stated that the turnaround time is one day at the most. He stated that most boats are done on the same day. He reported that there is indoor storage available if needed.

Commissioner Julien inquired on the scope of the work being done on the boats and how the business would accommodate a large boat. Mr. Nelson reported that no repair work is done on boats. He stated that most of the work involves the installation of electronics, equipment and lighting. He reported that there is a large 10-foot-tall overhead garage door that will allow for larger boats to enter through. He stated that if a boat is too large to fit inside then work would need to be completed outdoors. He stated that he had reviewed the application request and the conditions suggested by staff. He understands that work is to be completed indoors.

Chairperson Hansen opened the public hearing at 7:32 PM. Hearing no discussion from the floor, he closed the public hearing at 7:32 PM.

Motion made by Commissioner Bernhagen, Seconded by Commissioner Eischens to recommend approval of Conditional Use Permit to Fish-Lectronics with the following conditions:

- 1.) The applicant shall apply for and receive all applicable building permits prior to beginning work.
- 2.) The applicant shall conduct marine installation and repair work inside the building, with the garage door shut.
- 3.) The applicant shall ensure that customer cars, boats and employee cars are parked only in spots designated for use by Fish-Lectronics.
- 4.) No more than ten (10) boats can be parked overnight outside.

Voting Yea: Chairperson Hansen, Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien. Motion carried.

6. OTHER

Administrator Buchholtz reported that Hy-Vee will be opening at the end of May. He stated that hiring of employees has started for the store. He stated that Building Official Baker has completed many inspections at the location and continues to do so almost daily.

Administrator Buchholtz reported that the plans have been received for the construction of Suite Living at 525 Osborne Road. He stated that he expects construction to start either the end of May or early June.

7. ADJOURN

Motion made by Chairperson Hansen to adjourn the meeting.

Voting Yea: Chairperson Hansen, Commissioner Ali, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Eischens, Commissioner Julien.

The meeting adjourned at 7:36 PM.

Memorandum

To: Chair Hansen and Members of the Planning Commission

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 23, 2021

Subject: Variance Request – 518 Rosedale Rd NE

Background

Ryan and Kelsey Hollihan, 518 Rosedale Road NE, submitted an application for a variance from the front yard setback standard for a home addition to accommodate a covered front porch and storage below.



The applicant is seeking a variance from the 35 foot front yard setback requirement, as set forth in Appendix E of the Spring Lake Park City Code.

The site is located on the 500 block of Rosedale Road NE, between Terrace Road and Monroe Street. The property is guided for low density residential in the 2040 Comprehensive Plan.

The property is zoned R-1, Single Family Residential – allowed uses include single-family homes. Property records show that the house on the property was constructed in 1965.

The City's current yard setback standards for the R-1 zoning district is as follows:

Dwelling, single family – front yard	35 feet
Dwelling, single family – rear yard	40 feet
Dwelling, single family – side yard	10 feet
Accessory uses, rear yard	5 feet
Accessory uses, side yard	5 feet

Section 16.20.080(H)(1) permits a covered porch to extend into the front yard setback a distance not exceeding 6 feet if the landing place or porch has its floor no higher than the entrance floor of the building and is not enclosed with windows, screens or the like. The Code restricts the covered area to 60 square feet and requires it to be architecturally compatible with the principal structure. However, the applicant is requesting a covered porch to extend 12 feet into the front yard setback at a square footage of 528 square feet.

Appendix D sets the maximum percentage of lot coverage of all structures in the R-1 district at 35%. The applicant's property is approximately 10,050 square feet, which would accommodate a maximum structure lot coverage of 3,517 square feet. With the addition, the total square footage of all structures on the property is 3,270 or 32.5% of the total lot size.

The applicant is proposing to utilize the addition to accommodate a covered porch and a vault underneath the porch for their federal firearms licensed business. The applicant believes that the proposed addition will improve the aesthetics of their home, as well as make the home more functional for their home-based businesses.

Section 16.36.010(F) establishes the following performance standards for home-based businesses:

- F. Home occupations.
 - 1. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
 - 2. 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.
 - 3. 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.
 - 4. The home occupation may increase vehicular traffic flow and parking by no more than one additional vehicle at a time and any need for parking generated by the conduct of a home occupation shall be met off the street, other than in a required front yard.
 - 5. No outdoor display of goods or outside storage of equipment or materials shall be permitted.
 - 6. Home occupations shall not include employment of persons not residing on the premises.
 - 7. The area used for the home occupation may not exceed 25% of the total floor area of the dwelling.

8. Home occupations may have one wall sign per dwelling not exceeding one square foot in area.

The applicant stated that they operate two home-based businesses from their property: Realm Electric LLC and Realm Firearms. The applicant has stated they currently use a small, 60 square foot room, in their home to manage both businesses. The new vault below the patio would not exceed the 25% of total area square footage threshold as outlined in the ordinance.

Previous applications: Zoning permit for fence.

Variance

Section §16.60.040 of the City of Spring Lake Park's zoning code outlines the criteria for considering variances:

"The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan. "Practical difficulties" as used in connection with granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved."

Recommendation

Staff recommends approval of the variance. Staff's analysis of the application shows that the proposed addition will not alter the character of the neighborhood as the proposed addition is residential in nature. Staff believes the proposed addition will improve the aesthetic of the home, thereby increasing the value of their property and the surrounding neighborhood. The City has not received complaints from the surrounding neighborhood about traffic or parking concerns as a result of these home-based businesses.

If the Planning Commission wishes to recommend approval of the variances, it would be with the following conditions:

1. Addition must be architecturally compatible with the existing home (siding, roof pitch, roof material and the like) and must comply with all other requirements as set forth in the City's zoning code.
2. Applicant must apply for all building permits as required.

If the Planning Commission wishes to recommend denial of the variance, it would be with the following findings of fact.

1. The proposed addition greatly exceeds the standards for permitted encroachments in the front yard setback, thereby impacting the character of the neighborhood.
2. All of the homes along the south side of Rosedale Road are at the required front yard setback, thereby the proposed addition would impact the character of the neighborhood.

If you have any questions regarding this application, please don't hesitate to contact me at 763-784-6491.



City of Spring Lake Park
 1301 81st Avenue NE
 Spring Lake Park, MN 55432
 763-784-6491 (p) 763-792-7257 (f)
info@slpmn.org

For Office Use Only

Case Number: _____
 Fee Paid: _____
 Received by: _____
 Date Filed: _____
 Date Complete: _____
 Base Fee: _____ Escrow: _____

DEVELOPMENT APPLICATION

TYPE OF APPLICATION (Check All That Apply)

- | | | |
|---|---|--|
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Site Plan/Building Plan Review | <input type="checkbox"/> Minor Subdivision |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Conceptual Plan Review | <input type="checkbox"/> Lot Combination |
| <input type="checkbox"/> Ordinance Amendment (Text) | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Rezoning | <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Street or Easement Vacation | <input type="checkbox"/> Other _____ |

PROPERTY INFORMATION

Street Address: 518 Rosedale Rd NE, Spring Lake Park MN 55432

Property Identification Number (PIN#): 023024420005

Current Zoning: _____

Legal Description

LOT 4 BLK 1 CLEARVIEWHEIGHTS ADD, SUBJ TO EASE OF REC

(Attach if necessary):

APPLICANT INFORMATION

Name: Ryan & Kelsey Holliohan

Business Name: _____

Address: 518 Rosedale Rd NE

City Spring Lake Park

State: MN

Zip Code: 55432

Telephone: Ryan: 612-408-7134, Kelsey: 651-460-0122

Fax: _____

E-mail: kelseyhollihan@yahoo.com

Contact: Ryan & Kelsey Hollihan

Title: Owners

OWNER INFORMATION (if different from applicant)

Name: Same As Above

Business Name: _____

Address: _____

City _____

State: _____

Zip Code: _____

Telephone: _____

Fax: _____

E-mail: _____

Contact: _____

Title: _____

DESCRIPTION OF REQUEST (attach additional information if needed)

Existing Use
of Property:

Front yard

Nature of

Proposed Use:

We are requesting a variance to install a 12'Wx44'L front porch. The reasoning for requesting a front porch is we currently operate a FFL out of our home. Installation of the porch would allow for us to install a vault underneath the proposed porch.

Reason(s) to

Approve

Request:

Approval of the porch would allow us to remain in our home, which means that we would be able to keep both of our businesses and our family in our home. It would improve the aesthetics of our home and would provide for additional (and much needed) storage for our businesses.

PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE

Project Name: _____

Date of Application: _____

Nature of
Request:

NOTE: Applications only accepted with ALL required support documents.
 See City Code

APPLICATION FEES AND EXPENSES:

The City of Spring Lake Park requires all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

Minnesota Statute § 471.462 requires all cities to provide, upon request, a nonbinding estimate of consulting fees in connection with applications for permits, licenses, or other approvals relating to real estate development or construction. If the applicant requests the estimate, the application shall not be deemed complete until the City has (1) provided an estimate to the applicant; (2) received the required application fees, as specified by the City; (3) received a signed acceptance of the fee estimate from the applicant; and (4) received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application from the applicant.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

I wish to be notified of additional costs in the following manner (select one):

☒ E-mail kelseyhollihan@yahoo.com ☐ Fax _____ ☐ USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application, including all four requirements of Minnesota Statute § 471.462, should I request a written estimate of consultant fees. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant: [Signature] Date: 05.17.2021

Owner: [Signature] Date: 05.17.2021

KESEY ERYAN HOLLIHAN

NOTE: Applications only accepted with ALL required support documents.
See City Code

City of Spring Lake Park Variance Application

A variance cannot be approved unless the Planning Commission and City Council find that the "practical difficulties" standard has been met. Please provide a response as to how/why your project will meet the following criteria. Use additional sheets if necessary and consult with the Zoning Administrator if you need clarification on the intent of any of the standards set below.

1. Applicant Information:

Name: Ryan & Kelsey Hollihan

Telephone: 612-408-7134 (Ryan Cell)

Address: 518 Rosedale Rd NE

Cell Phone: 651-460-0122 (Kelsey Cell)

City/State/Zip: Spring Lake Park, MN 55432

E-mail: Kelseyhollihan@yahoo.com

2. Property Owner Information (if different from above):

Name: **SAME AS ABOVE**

Telephone: _____

Address: _____

Cell Phone: _____

City/State/Zip: _____

E-mail: _____

3. Project Location (Address and Legal Description): 518 Rosedale Rd NE, Spring Lake Park MN 55432
Lot 4, Blk 1, Clearview Heights Add.

4. Present Use of Property: _____ Residential - Homestead. Location is front yard, front of home.

5. Description of Project: We are requesting a variance to install a 12'W x 44'L (length of home) front porch.

6. Specify Section of the Ordinance from which variance is sought: SLPCC 16.20.080 (H)

Request would trigger two sections of this provision – that the porch not extend more than 6 feet into the front yard setback and the porch not be more than 60 square feet.

7. Explain how you wish to vary from the applicable provisions of this Ordinance: The proposed porch would be greater then the allowed 60 SqFt.

8. Please attach a site plan or accurate survey as may be required by Ordinance.

9. **Practical Difficulties Test:** Please answer the following questions as they relate to your specific variance request.

a. In your opinion, is the variance in harmony with the purposes and intent of the Ordinance?

☒ Yes ☐ No Why or why not?

Approval of the variance will allow for additional secured stored of highly regulated NFA and BATFE items.

The approval will allow for us to stay in our home and not be forced to move our 2 businesses from the home our children have grown up in.

b. In your opinion, is the variance consistent with the Comprehensive Plan?

☒ Yes ☐ No Why or why not?

While the proposed variance is greater then the stated size allowed, allowing the variance will improve the overall aesthetic of the home, which will lead to a more inviting appearance to the neighborhood. The proposed variance will not be greater then the requested size and we are willing to adhere to any design guidelines the City wishes to set forth.

c. In your opinion, does the proposal put property to use in a reasonable manner?

☒ Yes ☐ No Why or why not?.

The proposed variance will not only allow for the additional storage that was mentioned above, it will also provide for an area in which our children can play and we can host neighborly gatherings. At this time, the front of our home has little character, adding the porch will add to that, as we will ensure it increases the over aesthetics of the home.

d. In your opinion, are there circumstances unique to the property? (physical characteristics of the property – i.e. sloping topography or other natural features like wetlands or trees)?

☒ Yes ☐ No Why or why not?

The location in which the home was originally constructed, does not allow for this additional storage to be located anywhere else within the lot. Additionally, the 60 Sq Ft the current ordinance allocates does not sufficiently allow for what we are looking to achieve.

e. In your opinion, will the variance maintain the essential character of the locality?

☒ Yes ☐ No Why or why not?

Yes, if anything, allowing the addition of a front porch will increase the aesthetics of the home. We will ensure the best materials are used. If approved, we plan on having a stone facade to add additional appeal.

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant Signature:

[Signature]

Date:

05.27.2021

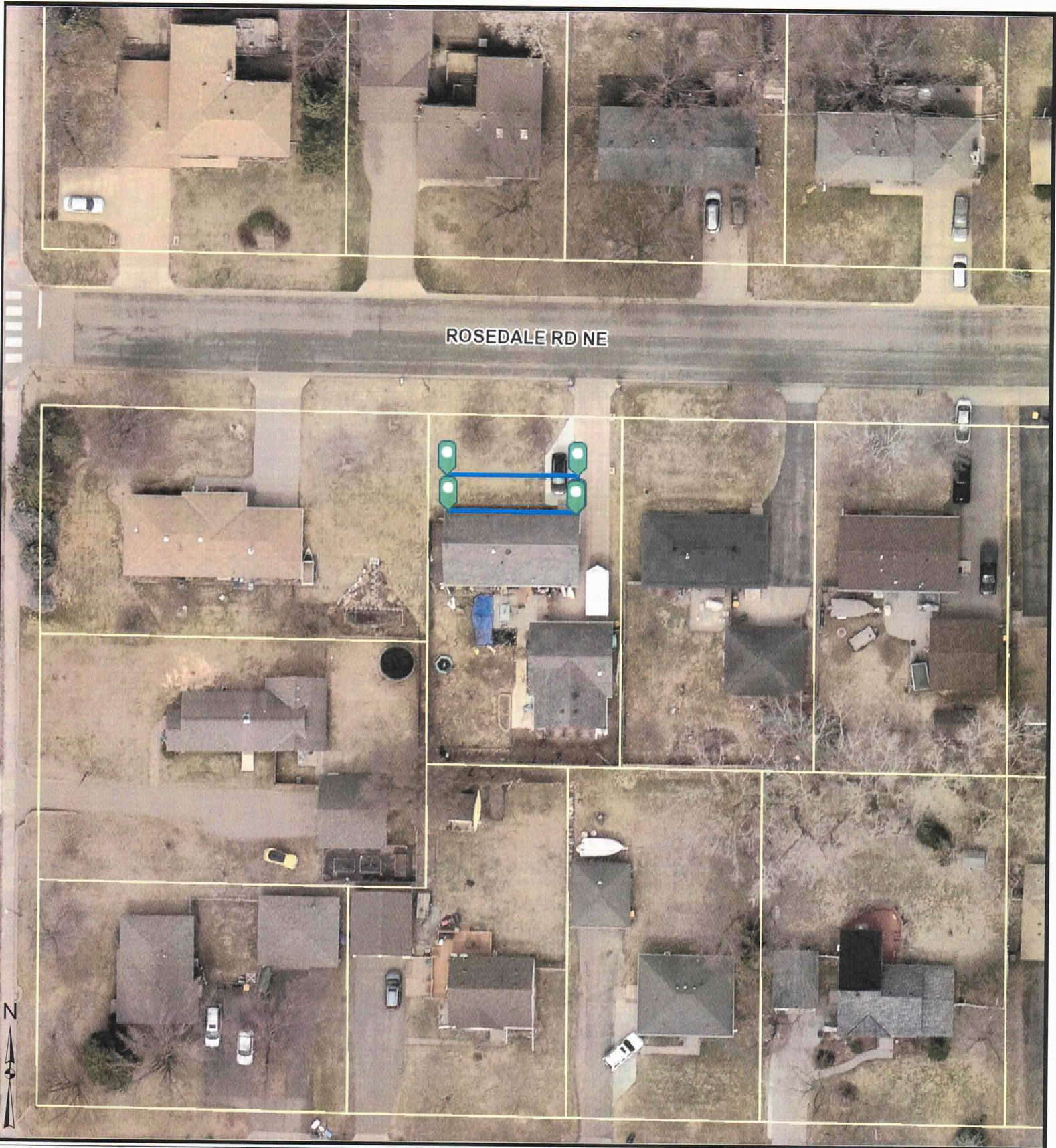
Fee Owner's (Property Owner) Signature:

[Signature]

Date:

05.27.2021

Anoka County Parcel Viewer

**Parcel Information:**

02-30-24-42-0005

518 ROSEDALE RD NE

SPRING LAKE PARK

MN 55432

Plat: CLEARVIEW HEIGHTS ADDITION

Approx. Acres: 0.23

Commissioner: ROBYN WEST

Owner Information:

Anoka County GIS

1:600

Date: 5/27/2021

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Existing
garage

518 Rosedale Rd
Existing
House

* House is
24' W
currently.

4' L
Proposed Front
porch.
12' W

* Stone Facade to
Entrance 100k.

Tree Tree

PROPERTY LINE

PROPERTY LINE

N ↑

Rosedale Road NE



518 Rosedale Rd NE
Spring Lake Park, MN



100%

Camera: 340 m 45°06'44"N 93°15'27"W 271 m





Memorandum

To: Chair Hansen and Members of the Planning Commission

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 21, 2021

Subject: Bulk Deicer Storage Facility Ordinance

The City of Spring Lake Park holds an MS4 (Municipal Separate Storm Sewer System) permit from the MPCA that regulates the City's storm water system. The City just applied for a renewal of that MS4 permit and learned that the City is required to adopt an ordinance establishing regulations around bulk deicer storage facilities to protect waterbodies connected to the City's storm water system from exposure to chlorides.

The proposed ordinance adds a definition to define the terms Bulk Deicer Storage and Deicer. The proposed ordinance establishes general requirements for how such indoor/outdoor bulk deicer storage facilities should be regulated.

There are very few of these facilities within the city; the largest one being the MnDOT facility at the intersection of County Road 10 and Highway 65. This ordinance would only affect new facilities and existing ones undergoing an expansion. All others would be grandfathered under current rules.

Because staff is adding this provision to the zoning code, the Planning Commission is required to hold a public hearing on the proposed ordinance. Notice of the public hearing was included in the June 18 edition of the Blaine/SLP Life.

Staff recommends approval of the proposed ordinance to bring the City into conformance with the new MS4 permit requirements.

If you have any questions, please don't hesitate to contact me at 763-784-6491.

**SPRING LAKE PARK
ORDINANCE 474**

**AN ORDINANCE AMENDING CHAPTER 16 OF THE CITY CODE
ESTABLISHING SPECIFIC DEVELOPMENT STANDARDS FOR BULK DEICER
STORAGE FACILITIES**

WHEREAS, the removal of snow and ice from roadways is essential to both public safety and to the local economy and in order to protect the public safety, during and after winter storm events, the use of pavement deicing chemicals is a widely accepted means of keeping roadways passable; and

WHEREAS, pavement deicing is typically accomplished through the use of deicers which can be corrosive to vehicles, roadway surfaces and bridges and has been found to have adverse effects on surface waters, on ground water and to environmentally sensitive areas; and

WHEREAS, negative environmental impacts may occur when salt and other deicers are not properly stored; and

WHEREAS, one of the sources of chloride entering the ground water is salt spillage that is either plowed or washed from maintenance yards, unloading and loading areas and it is necessary to the health, safety and welfare to regulate the storage of bulk deicing materials on public and private property in order to reduce the costly impacts of such use to the surrounding vegetation, surface water and ground water.

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **AMENDMENT** “16.04.070 Definitions - Zoning” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.04.070 Definitions - Zoning

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A narrow thoroughfare upon which the rear of premises generally abuts or upon which service entrances of buildings abut, and which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, or which is not in excess of 30 feet in width at its intersection with a street.

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, and minor accessories, minor automobile repairs, and greasing or washing of individual automobiles. When sales, services, and repairs as detailed here are offered as incidental to the conduct of an **AUTOMOBILE SERVICE STATION**, premises shall be classified by the primary usage. **AUTOMOBILE SERVICE STATIONS** shall not include the sale or storage of junked motor vehicles, shall not include premises offering major automobile repairs, automobile wrecking, or automobile sales. In connection with **AUTOMOBILE SERVICE STATIONS**, fuels offered for sale shall be stored only in underground tanks located wholly within the lot line.

AUTOMOBILE WASH. A building, or portion thereof, containing facilities for washing more than two automobiles, using production line methods with a steam cleaning device or other mechanical devices.

BASEMENT. A story having more than one-half its height below the average level of the adjoining finished grade. A **BASEMENT** is counted as a story for the purposes of height regulations, if subdivided and used for business or dwelling purposes.

BERTH. A loading space.

BLOCK. A tract of land bounded by streets, 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.

BOARDING HOUSE. A building other than a hotel, where for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for three or more persons, but not exceeding ten persons.

BOARDING SCHOOL. A school at which the pupils receive board and lodging during the school term.

BREWER TAP ROOM. A brewer taproom is a facility on or adjacent to premises owned by a brewer licensed under M.S. § 340A.301, Subd. 6(c), (i) or (j) and produces less than 250,000 barrels of malt liquor annually, and where the on-sale and consumption of malt liquor produced by the brewer is permitted pursuant to M.S. § 340A.301, Subd. 6(b).

BUILDABLE AREA. The space remaining on a lot after the minimum setback and open space requirements of this title have been met.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy. The term includes structures of every kind, regardless of similarity to buildings.

BUILDING, ACCESSORY. A subordinate building or structure on the same lot.

BUILDING, DETACHED. A building surrounded by open space, that open space being on the same zoning lot as the building.

BUILDING, HEIGHT OF. The vertical distance measured from the average elevations of the finished grade along the front of the building to the highest point of the roof surface in a flat roof, to the deck line of mansard roofs, and to the mean height level between eaves and the ridge of gable, hip, and gambrel roofs.

BUILDING INSPECTOR. The building inspector of the city.

BUILDING LINE. An imaginary line separating buildable area and required yards.

BUILDING LINE SETBACK. The distance between the building line and the property line.

BUILDING, NON-CONFORMING. See **NON-CONFORMING BUILDING**.

BUILDING, PRINCIPAL. A non-accessory building in which a principal use of the zoning district in which it is located is conducted.

BULK. The term used to indicate the size and setbacks of buildings or structures and location of same with respect to one another, and includes the following:

- A. The size and height of buildings;
- B. The location of exterior walls at all levels in relation to lot lines, streets, or to other buildings;
- C. The gross floor area of buildings in relation to lot area (floor area ratio);
- D. All open spaces allocated to buildings; and
- E. The amount of lot area per dwelling unit.

BULK MATERIALS. Uncontained solid matter, such as powder, grain, stone, and sulphur, and the like, that has a tendency to become airborne.

BULK DEICER STORAGE. Storage of any material used for deicing and/or traction during winter conditions that is more than five tons in solid form or 1,000 gallons in liquid form.

CITY ADMINISTRATOR, CLERK/TREASURER. The Administrator, Clerk/Treasurer of the city.

CITY COUNCIL. The City Council of the city.

CLUSTER DEVELOPMENT. A planned unit development consisting only of residential units.

COCKTAIL ROOM. A cocktail room is a facility on or adjacent to premises owned by a micro distillery licensed under M.S. § 340A.301 Subd. 6(c) which produces premium, distilled spirits in total quantity not to exceed 40,000-proof gallons in a calendar year, and where the on-sale and consumption of distilled spirits produced by the microdistillery is permitted pursuant to M.S. § 340A.301, Subd. 6(c).

COMPREHENSIVE PLAN. A compilation of reports and maps for guiding the physical, social, and economic development, both private and public, of the city.

CONDITIONAL USE. A use classified as conditional generally may be appropriate or desirable in a specific zone, but requires approval because if not carefully located or designed, it may create special problems such as excessive height or bulk or traffic congestion.

CONDITIONAL USE PERMIT. A permit to allow a conditional use duly authorized by the appropriate authority as described in SLPC 16.56.020. A conditional use permit may be subject to periodic review upon determination by the city.

CURB LEVEL. The level of the established curb in front of the building measured at the center of that front. Where a building faces on more than one street, the **CURB LEVEL** shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the City Engineer shall establish the **CURB LEVELS**.

DECIBEL. A unit of measurement of the intensity of sound level.

DEICER. Any substance used to melt snow and ice or used for its anti-icing effects.

DISPLACEMENT. The amount of motion involved in a vibration.

DISTRICT. A **ZONING DISTRICT** as defined herein.

DORMITORY. A building used as group living quarters for a student body, religious order or other group as an associated use to a college, university, boarding school, orphanage, convent, monetary or other similar use. Dormitories do not include kitchen facilities, except a group kitchen facility to serve all residents.

DWELLING, ATTACHED. A dwelling unit which is joined to another dwelling or building on one or more sides by a party wall or walls.

DWELLING, DETACHED. A dwelling unit which is entirely surrounded by open space on a single parcel with no common party walls.

DWELLING, MEDIUM DENSITY. A residential building designed for or occupied by three or more families, either wholly attached or partially a part of a large detached structure with separate laundry, storage, housekeeping, and cooking for each dwelling unit. This type of dwelling units shall include townhouses, patio homes, condominiums, cooperatives, or similar units which are intended to be owner occupied.

DWELLING, MULTIPLE-FAMILY. A residential building containing three or more dwelling units with more than one unit connecting to a common corridor or entranceway and which may have some common housekeeping facilities and are available for rent.

DWELLING, SINGLE-FAMILY. A detached dwelling unit containing accommodations for and occupied by one family only.

DWELLING, TWO-FAMILY. A building designed for occupancy by two families living independently of each other.

DWELLING UNIT. A residential building or portion thereof intended for occupancy by a single family for living purposes and having its own permanently installed cooking and sanitary facilities, but not including hotels, motels, boarding or rooming houses, tourist homes, or mobile homes.

FAMILY. An individual or two or more persons related by blood, marriage, or adoption, and bona fide domestic servants, plus up to two unrelated persons, or a group of not more than three unrelated persons living together as a single housekeeping unit in a dwelling unit.

FAMILY members may enter into rental agreement(s) within the **FAMILY** unit. The definition of **FAMILY** for single-family residential purposes may be expanded to include up to four unrelated adults and up to six unrelated persons living together as a single housekeeping unit in a dwelling unit, provided that the applicant(s) be a qualified non-profit organization or a recognized governmental agency, and further provided that the applicant(s) obtain a conditional use permit in the manner provided in this code.

FLOOR AREA. The floor area of a building is the sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls.

FOOT CANDLE. A unit of illumination intensity.

FRONTAGE. All the property fronting on one side of a street between the nearest intersecting streets, or between a street and a right-of-way, waterway, or other similar barrier.

GARAGE, PRIVATE. An accessory building designed and used for the storage of not more than three motor-driven vehicles and owned and used by the occupants of the building to which it is accessory.

GARAGE, PUBLIC. A building, other than a private garage, used for the care, repair, or equipment of automobiles, or where these vehicles are parked or stored for remuneration, hire, or sale within the structure.

GRADE, STREET. The elevation of the established street in front of the building measured at the center of that front. Where no **STREET GRADE** has been established, the City Engineer shall establish the **STREET GRADE** or its equivalent for the purpose of this title.

HOME OCCUPATION. Any business, occupation, profession, or commercial activity that is conducted or petitioned to be conducted from property that is zoned for residential use. General farming and gardening activities are not considered home occupations and are not regulated by this title.

HOTEL. A building occupied as the more-or-less temporary abiding place of individuals who are lodged with or without meals, in which there are more than ten sleeping rooms usually occupied singly, and no provision made for cooking in any individual room or apartment.

HOUSE TRAILER. Any trailer or semi-trailer which is not more than eight feet in width and not more than 35 feet in length, and which is designed, constructed, and equipped for use as a human dwelling place, living abode, or living quarters.

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

LODGING HOUSE. A building where lodging is provided for compensation to three or more persons, in contradistinction to hotels open to transients.

LOT. Land occupied or to be occupied by a building and its accessory buildings together with such open spaces as are required under this title, and having its principal frontage upon a street. The term includes the words **PLOT, PIECE, PARCEL,** and **TRACT.**

LOT, CORNER. A lot located at the intersection of two streets; or a lot bounded on two sides by a curving street, two chords of which form an angle of 120 degrees or less measured on the lot side.

LOT COVERAGE. The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

LOT DEPTH. The mean horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE. A lot having frontage on two non-intersecting streets, as distinguished from a corner lot.

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 shall be the **FRONT LOT LINE.**

LOT LINE, REAR. The lot line or lot lines most nearly parallel to and most remote from the front lot line.

LOT LINE, SIDE. Lot lines other than front or rear lot lines which are generally perpendicular to the front lot line.

LOT OF RECORD. A lot which is a part of a subdivision, the map of which has been recorded in the office of the Registrar of Deeds, or a lot described by metes and bounds, the deed to which has been recorded in the office of the Registrar of Deeds at the time this title is adopted.

LOT WIDTH. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.

MANUFACTURED HOME. A single-family dwelling transportable in one or more sections for purposes of construction, and built in conformance with the Manufactured Home Building Code as defined in M.S. §§ 327.31 - 327.35, as they may be amended from time to time.

MAY. The act referred to is permissive.

MOBILE HOME. A transportable, single-family dwelling unit, suitable for year-round occupancy and containing the same water supply, waste disposal, and electrical conveniences as immobile housing; and being subject to tax or registration under state law; and having no foundation other than wheels, jacks, or skirtings.

MOTEL. A combination or group of two or more detached, semi-detached, or connected permanent dwellings occupying a building site integrally owned and used as a unit to furnish overnight transient living accommodations.

NON-CONFORMING BUILDING. A structure which does not comply with the district, bulk, yard, setback, or height regulations of the district in which it is located.

NON-CONFORMING LOT. A lot which does not comply with the minimum lot area or frontage requirements of the district in which it is located.

NON-CONFORMING USE OF BUILDING. A use of a building which does not conform to the applicable use regulations of the district in which it is located.

NON-CONFORMING USE OF LAND. Any use of a lot which does not conform to the applicable use regulations of the district in which it is located.

PARKING, OFF-STREET. Parking spaces which are provided on other than the public right-of-way.

PARKING SPACE. A land area of such a shape and dimension and so maintained as to be usable for the parking of a motor vehicle, and so located as to be readily accessible to a public street or alley.

PATIO HOUSE. A single-family residence constructed lot line to lot line and oriented about a central court.

PERFORMANCE STANDARD. A criterion established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazard, or glare, heat glare, heat generated by, or inherent in, uses of land or building.

PERSON. Includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

PLANNED UNIT DEVELOPMENT. A tract of land developed as a unit rather than as individual development, wherein two or more buildings may be located in relationship to each other rather than to lot lines.

PLANNING COMMISSION. The Planning Commission of the city.

PLOT. A tract other than one unit of a recorded plat or subdivision and occupied and used or intended to be occupied and used as a building site and improved or intended to be improved by the erection thereon of a building or buildings and accessory building or buildings and having a frontage upon a public street or highway and including as a minimum those open spaces as required under this title.

PUBLIC OPEN SPACE. Any publicly owned open area, including but not limited to the following: parks, playgrounds, school sites, parkways, and streets.

PUBLIC ROAD. Any street, alley, highway, or other public thoroughfare.

PUBLIC UTILITY. Any person, firm, corporation, municipal department, or board fully authorized to furnish and furnishing under municipal regulation to the public, such services as electricity, gas, steam, communication services, telegraph services, transportation, or water.

RECREATIONAL EQUIPMENT. House trailers including those which telescope or fold down, chassis-mounted campers, house cars, motor homes, tent trailers, slip-in campers, converted buses, and converted vans.

REST HOME, CONVALESCENT HOME, or NURSING HOME. A public or private home for the care of persons, or a place of rest for those suffering bodily disorders.

SATELLITE RECEIVE-ONLY ANTENNA or SROA. An accessory structure consisting of a device commonly parabolic in shape, mounted at a fixed point and capable of receiving, for the benefit of the principal use, television signals from a transmitter or a transmitter relay located in geostationary orbit and serving the same or similar function as the common television antenna.

SETBACK. The mean horizontal distance between the property line and the line of a building or the allowable building line.

SHALL. The act referred to is mandatory and not discretionary.

SHOPPING CENTER.

- A. **COMMUNITY SHOPPING CENTER.** A retail center designed for the purpose of retailing and providing a wide range of goods and services of both the convenience and the shopper's or durable nature such as apparel, furniture, and banking and financial services for a trade area comprised of several residential areas.
- B. **NEIGHBORHOOD SHOPPING CENTER.** A retail center designed for the purpose of retailing convenience goods such as foods and drugs and providing personal services such as barber shops and laundry stations for the accommodation of the basic day-to-day shopping or service needs of persons living or working within the nearby area.

SIGN. A name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and which directs attention to a product, place, activity, person, institution, or business.

STORY. The portion of a building included between the surface of any floor and the surface of the floor next above it, or, if no floor above, the space between a floor and the ceiling next above it.

STORY, HALF. A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use. A **HALF STORY** containing independent apartment or living quarters shall be counted as a full story.

STREET. A thoroughfare which affords a principal means of access to abutting property and which has been accepted by the city as a public street.

STRUCTURAL ALTERATIONS. Any change in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls.

STRUCTURE. Anything constructed or erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground. When a **STRUCTURE** is divided into separate parts by an unpierced wall, each part shall be deemed a separate **STRUCTURE**.

SUBDIVISION REGULATIONS or SLPC 14. SLPC 14; the subdivision regulations of the city.

TOWNHOUSE. A single structure consisting of three or more dwelling units having the first story at or near the ground level, with one dwelling unit connected to the other dwelling unit by a single party wall with no openings.

USE. The purpose for which land or premises or a building thereon is designated, arranged, or intended, or for which it is or may be occupied or maintained.

USE, ACCESSORY. A use subordinate to the main use of a lot and used for purposes customarily incidental to those of the main use.

USED FOR. Includes the phrases **ARRANGED FOR, DESIGNATED FOR, INTENDED FOR, MAINTAINED FOR,** and **OCCUPIED FOR.**

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

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

YARD. An open space on the same zoning lot with a building or structure, which **YARD** is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this title.

YARD, FRONT. A yard extending across the front of the lot between the side yard lines and lying between the front street line of the lot and the nearest line of the building.

YARD, REAR. An open space unoccupied except for accessory buildings as regulated herein, on the same lot with a building, between the rear lines of the building and the rear line of the lot, for the full width of the lot.

YARD, SIDE. An open, unoccupied space on the same lot with a building, between the building and the side line of the lot and extending from the front lot line to the rear yard.

ZONING ADMINISTRATOR. The appointed Administrator, Clerk/Treasurer, or his/her designee.

ZONING DISTRICT. Area of the city (as defined on the **ZONING MAP**) set aside for specific uses with specific requirements for use of development.

ZONING MAP. The map or maps incorporated into this title as a part thereof, designating the various zoning districts; the City Zoning Map.

SECTION 2: AMENDMENT “16.36.010 Specific Development Standards”
of the Spring Lake Park Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.36.010 Specific Development Standards

The purpose of this section is to establish specific development standards to provide supplemental regulations to address the unique characteristics of specific uses.

A. Auto and marine; sales, leasing and rental.

1. The use shall be served by a major collector or higher classification of roadway.
2. An open-aired used auto and marine sales or rental lot as a stand-alone business is prohibited.
3. Used automobiles may be sold or rented as a stand-alone business if the used vehicles and associated business are contained within a building.
4. Used automobiles may not be sold accessory to businesses other than new car dealerships. Outdoor vehicle display for used vehicles shall be limited to 30% of the total outdoor display area for a new car dealership. The display area shall be defined as the total number of parking spaces devoted to the sale of new vehicles only, not including the required off-street parking spaces needed for the public and employees.
5. Outdoor vehicle display areas within the public right-of-way are prohibited.
6. All areas on which motor vehicles are stored or displayed must be paved with concrete or a bituminous surface. No display, sale or storage of automobiles or other vehicles are permitted on landscaped areas.
7. Outdoor vehicle display shall be in an orderly fashion, with access aisles provided as needed. Outdoor vehicle display shall not reduce the amount of off-street parking provided on-site, below the level required for the principal use. The outdoor storage of inoperable, junk vehicles and vehicles with expired tabs is prohibited.
8. Music or amplified sounds shall not be audible from adjacent residential properties.
9. An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.
10. Fuel pumps for the purpose of retail sale and dispensing of fuel to the general public shall be prohibited. If the use included dispensing of fuel for automobiles maintained on-site, the use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.

B. Auto and marine; service and repair.

1. All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces.
2. All work shall be performed within a completely enclosed building.
3. All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile parts or storage of inoperable or salvage vehicles shall be prohibited.
4. The sale of vehicles shall be prohibited, unless permitted by this title or allowed by conditional use.
5. The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor tight fittings to eliminate the escape of gas

vapors.

6. Any automobile service station activities shall be subject to the applicable standards for automobile convenience facilities.

C. Car wash.

1. Water from the car wash shall not drain across any sidewalk or into any public right-of-way.
2. Vacuum facilities shall be located in an enclosed structure or located at least 50 feet from any residential property line to avoid noise impacts.
3. The premises, all adjacent streets, sidewalks and alleys and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

D. Daycare center.

1. The building and any exterior fenced areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.
2. The play area shall be located away from the main entrance to the daycare facility and shall be contained with a fence at least five feet in height.
3. For child daycare centers, at least 50 square feet of outside play area shall be provided for each child under care. For adult daycare facilities, at least 150 square feet of outdoor area for seating or exercise shall be provided for each adult under care.
4. The use shall provide a designated area for the short-term parking of vehicles engaged in loading and unloading of children under care. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.
5. The facility shall meet all applicable building and fire codes and be licensed as required by the State of Minnesota.

E. Drive-in restaurants.

1. The site shall accommodate vehicle stacking in accordance with the provisions of this title.
2. Any speaker system shall not be audible from any residentially zoned property or any residential use.

F. Home occupations.

1. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
2. 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.
3. 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.
4. The home occupation may increase vehicular traffic flow and parking by no more than one additional vehicle at a time and any need for parking generated by the conduct of a home occupation shall be met off the street, other than in a required front yard.

5. No outdoor display of goods or outside storage of equipment or materials shall be permitted.
6. Home occupations shall not include employment of persons not residing on the premises.
7. The area used for the home occupation may not exceed 25% of the total floor area of the dwelling.
8. Home occupations may have one wall sign per dwelling not exceeding one square foot in area.

G. Pawnshop.

1. The use shall be located at least 3,000 feet from all existing pawnshops, currency exchanges, consignment/secondhand stores and precious metal dealerships.
2. The window and door area of any existing first floor facade along a public street or sidewalk shall not be reduced, nor shall changes be made to such windows or doors that block views into and out of the building at eye level.
3. The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.
4. All receipt, sorting and processing of goods shall occur within a completely enclosed building.
5. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

H. Sexually-oriented businesses.

1. Conditions outlined in SLPC 11.44.040, Conditional Use Permit Required; Conditions, in SLPC 11.44, Sexually Oriented Businesses, as may be amended from time to time, are adopted by reference.
2. The use shall be located at least 1,000 feet from any other adult entertainment use.
3. Activities classified as obscene as defined by M.S. § 617.241, or successor statute, are prohibited.
4. No more than one adult entertainment use shall be located on the property.
5. Sign messages shall be generic in nature and shall only identify the type of business which is being conducted. Signs shall not contain material classified as advertising.

I. Boarding school.

1. Dormitory must be supervised by adult staff members whenever students are present.
2. Dormitory must have sufficient personal space for students to sleep in and store their belongings, with suitable furniture of sufficient size for the number of students, as well as appropriate separation between gender and age groups.
3. In addition to sleeping rooms, dormitory must include provision of support spaces (e.g. living room, activity room, study rooms, storage, laundry, kitchen/dining area, bathrooms, etc.).
4. Dormitory must have bathroom and washing facilities that ensure maximum privacy of students, as well as personal hygiene. Bathrooms, showers and

toilets must be designed in such a way that staff is able to open them from the outside in case of an emergency.

5. Dormitory must provide a space for health care, such as sick rooms/bays with an appropriate first aid kit.

J. Liquor establishments; churches, schools.

1. No on-sale or off-sale liquor establishment shall be located within 500 feet of a school or church, consistent with SLPC 11.08.010 Paragraph Q, as amended from time to time.
2. No church or school shall be located within 500 feet of an on-sale or off-sale liquor establishment licensed by the city. A church or school located within 500 feet of an on-sale or off-sale liquor establishment prior to the effective date of this section shall be considered a legal, non-conforming use.

K. Deicer bulk storage facilities.

1. Applicability. The following sections apply to all indoor and outdoor bulk deicer storage facilities (temporary and permanent) including salt piles, salt bag storage, sand piles and other storage of deicing materials.

2. General Requirements.

- a. Indoor operations for the storage of deicing materials must be provided wherever possible in order to prevent such materials from being affected by rain, snow and melt water.

- b. All salt, sand and other deicing materials stored outdoors must be covered at all times.

- (1) When not using a permanent roof, a waterproof impermeable, flexible cover must be placed over all storage piles. The cover must prevent runoff and leachate from being generated by the outdoor storage piles. The cover must be secured to prevent removal by wind or other storm events. Piles must be formed in a conical shape and covered as necessary to prevent leaching.

- (2) Any roof leaks, tears or damage should be temporarily repaired during winter to reduce the entrance of precipitation. Permanent repairs must be completed prior to the next winter season.

- (3) Facility siting.

- (A) The facility must be in close proximity to the area in which the deicing materials are to be used, if practical.

- (B) Each facility must be located outside of floodplains and 100 feet from lakes, rivers, streams, ditches, storm drains, manholes, catch basins, wetlands and any other areas likely to absorb runoff. A facility must not be located in close proximity to surface water features, water supplies, wells or drywells.

- (C) A facility must be located on impermeable surfaces.

- (D) Salt vulnerable/intolerant natural areas should be

avoided as storage facilities to the extent possible. Where they cannot be avoided, specific measures as identified by the City Engineer shall be instituted to protect vulnerable areas.

- (4) *Transfer of materials.* Practices must be implemented in order to reduce exposure (e.g. sweeping, diversions, and/or containment) when transferring salt or other deicing materials.
- (5) *Snow piles.* Snow piles must be located downslope from salt and deicer storage areas to prevent the snow melt from flowing through storage areas and carrying material to the nearest drainage system or waterway.

SECTION 3: EFFECTIVE DATE This Ordinance shall be in full force and effect upon its passage and publication.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	_____	_____	_____	_____
Councilmember Delfs	_____	_____	_____	_____
Councilmember Goodboe-Bisschoff	_____	_____	_____	_____
Councilmember Dircks	_____	_____	_____	_____
Mayor Nelson	_____	_____	_____	_____

Presiding Officer	Attest
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_____ Robert Nelson, Mayor, Spring Lake Park	_____ Daniel R. Buchholtz, Administrator, Clerk/Treasurer Spring Lake Park
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