



PLANNING COMMISSION MEETING
ISD #15 District Office Building 4115 Ambassador Blvd.
Wednesday, December 20, 2023 at 7:00 PM

AGENDA

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **ADOPT AGENDA**
4. **APPROVE MINUTES**
 - A. Planning Commission Minutes - September 20, 2023
5. **PUBLIC COMMENT**
6. **PUBLIC HEARINGS**
 - A. Educational Facility Zoning Ordinance Amendment
 - B. 2023 Code Revisions
7. **REGULAR BUSINESS ITEMS**
8. **DISCUSSION BY PLANNING COMMISSIONERS**
9. **ADJOURNMENT**

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
SEPTEMBER 20, 2023**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chair Woman Fairbanks

2. **Roll Call:** Present were Dean Becker, Liz Fairbanks, Gail Genin, Deborah Humann, Dustin Hingos, Dustin Pavek, and Daniel White. Absent: None.

Others in attendance: Colette Baumgardner, Community Development Director; Beth Richmond, City Planner; and, Kevin Robinson, City Council.

3. **Adopt Agenda:** Motion by Pavek, second by Humann to approve the agenda. Motion carried 7-0.

4. **Approve Minutes:** Motion by Genin, second by Pavek to approve the August 16, 2023 minutes. Motion carried 7-0.

5. **Public Comment:** None.

6. **Public Hearing:**

a. Minnetonka Game & Fish Club CUP Amendment and Ordinance Amendment
Richmond reviewed the staff packet and requested amendments from the Minnetonka Game & Fish Club.

Public Hearing opened at 7:10 p.m.

No one came forward to address the Commission.

Public Hearing closed at 7:10 p.m.

Motion by Humann, second by White to recommend approval of the amendment to the existing Conditional Use Permit for the Minnetonka Game and Fish Club of St. Francis with conditions and findings of fact as presented by Staff. Motion passed 7-0.

Motion by Humann, second by Hingos to recommend approval of the ordinance amendment allowing additional accessory structures for gun club uses with conditions and findings of fact as recommended by Staff. Motion passed 7-0.

7. **Regular Business Items** – None

8. **Planning Commission Discussion**

Councilmember Robinson asked for an update on Vista Prairie.

Baumgardner shared that Vista Prairie had reached out to the City with exciting news that they now have all of their financing and the construction should be moving forward. She added that Staff put together an agreement and the developer got all of their permits approved. She stated that when she spoke with them again a few weeks ago, they stated that their financing has still not come together. She noted that it is currently a very hard market for financing development. She explained that Vista Prairie is still very dedicated to this project and they did purchase the land and have permits approved; however, they are still working to secure all of their financing. She added that the permits are good for 180 days from the date that it is approved and can be extended if the Building Official so chooses. She noted that the State did update some aspects of the commercial building code during their most recent discussion that will go into effect January 1, 2024, which could have an effect on this project permit.

- 9. **Adjournment:** Motion by Hingos, second by Humann to adjourn the meeting. Motion carried 7-0.

Meeting adjourned at 7:18 p.m.

Website Link to Packets and Minutes for the Planning Commission:

<https://www.stfrancismn.org/meetings>

Recorded by: Colette Baumgardner

DATE APPROVED:



PLANNING COMMISSION AGENDA REPORT

TO: St. Francis Planning Commission
FROM: Beth Richmond, Planner
SUBJECT: Educational Facility Zoning Ordinance Amendment
DATE: 12-13-2023 for 12-20-2023 meeting
APPLICANT: ISD #15 St. Francis (Chris Lindquist)
LOCATION: 22978 Butterfield Drive NW (PID: 32-34-24-34-0064)
COMP PLAN: Public
ZONING: B-1 Central Business

OVERVIEW

The City has received a request from ISD #15 to amend the City’s Zoning Code to allow educational facilities within the B-1 zoning district. In response to recent changes in legislation, the school district is proposing to move its Transition 15 (T15) program to the existing building at 22978 Butterfield Drive NW. The T15 program is a post high school special education transition program which provides young adults ages 18-22 training in life skills, job training, job readiness, and potential employment. Additional information about the T15 program can be found in the applicant’s submittal materials, attached. The building at 22978 Butterfield Drive NW has sufficient space to meet the increase in the student population that will occur beginning in September 2024 as a result of the changes in legislation.



REVIEW PROCEDURE

60-Day Land Use Application Review Process

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. The deadline for the land use request is January 6, 2023.

Public Hearing

City Code Section 10-31-03 requires that a public hearing for review of the zoning ordinance amendment request be held by the Planning Commission. The public hearing notice was published in the Anoka County Union Herald on December 8, 2023.

ANALYSIS

Zoning

The site is currently zoned B-1 Central Business. The B-1 District is intended to serve as the city’s downtown district, with an emphasis on publicly-accessible active uses and pedestrian facilities. A mix of commercial, residential, and civic uses are permitted in the B-1 District.

The City has done extensive work on creating plans and designing City Code to direct Bridge Street toward a central business district. The work includes, but is not limited to, the St. Francis Forward Plan, 2040 Comprehensive Plan, Bridge Street Design Guidelines, and section 10-44-05 of the City Code. The central business district is intended as the place where goods and services can be provided and the uses contribute to a lively and vibrant commercial corridor.

In the City’s existing code, schools are allowed in the RR, R-1, and R-2 zoning districts. Schools tend to be allowed in residential and/or institutional districts rather than commercial districts due to several factors. These may include conflicts between school children and the impacts of commercial uses (traffic, noise, etc.) and differing hours of operation. In this case, the B-1 district is intended to support active uses which contribute strongly to commerce in the area. Staff recommends that the Planning Commission discuss whether an educational facility would meet this intent.

Any use within the B-1 District must meet the district’s design standards which were created to promote a walkable, pedestrian-friendly atmosphere along Bridge Street. These standards follow the Bridge Street Design Guidelines that were created for the corridor in 2019. One of these standards requires that at least 70% of the ground floor frontage for buildings on Bridge Street be used for a commercial purpose. This applies to the first 30 feet behind the building façade. The applicant has indicated plans to incorporate a public-facing coffee shop and school merchandise store in the foyer area of this building as part of the T15 program, however, this would not be operational for at least a year after move-in.

Staff also notes that the proposed amendment would apply to the B-1 District as a whole. There are additional lots within the B-1 District which could be used as an educational facility if this amendment is approved.

RECOMMENDATION

Staff asks the Planning Commission to hold a public hearing for the requested ordinance amendment and provide a recommendation to the City Council. If the Planning Commission is prepared to move forward with a recommendation, Staff suggests one of the following two options:

1. Recommend denial. If Commissioners find that an educational facility does not meet the intent of the B-1 district or the district’s standards, then the use should not be allowed.
2. Recommend approval of the amendment and allow educational facilities in the B-1 district as an interim use. This would give the City the opportunity to review each proposed educational facility and set parameters for how long the facility would be able to operate within the B-1 district. The interim use designation would allow educational facilities as a temporary use while preserving the land for commercial uses in the future.

If Commissioners feel that additional information is needed to make a decision, Commissioners may table the request to the next meeting and provide direction as to the information needed from Staff and/or the applicant.

ATTACHMENTS

- Applicant Submittals

District Office
4115 Ambassador Boulevard NW | St. Francis MN 55070
763-753-7031 | www.isd15.org

**DEVELOPMENT APPLICATION
ADDENDUM**

DESCRIPTION OF REQUEST: (attachment)

Project Name:

Transition 15 (T15)

Nature of proposed use:

The T15 program serves young adults ages 18-22 who are residents of the St. Francis Independent School District #15 (St. Francis Area Schools/SFAS) in providing training in life skills, job training, job readiness and potential employment.

Reason(s) to Approve Request:

Due to a recent change in legislation, SFAS is required to provide educational services to this particular population for an additional year. As a result, the number of participants in our T15 program will increase. We do not currently have sufficient space in our school buildings to meet this increase in student population beginning in September 2024. Since the Oakland building was originally built as an educational facility and has not been occupied by any new business since it was sold last, we believe that this is the perfect opportunity to reinstate this building as an educational facility that could benefit other businesses on Bridge Street.

IS THIS APPLICATION, PART OF, OR IN ADDITION TO, A PREVIOUS APPLICATION (S) PERTAINING TO THE SUBJECT SITE? IF YES:

No, this application is not part of, or in addition to a previous application.

PROPERTY INFORMATION:

Street Address:

22970 Butterfield Ave.
St. Francis, MN 55070

St. Francis Area Schools

District Office
4115 Ambassador Boulevard NW | St. Francis MN 55070
763-753-7031 | www.isd15.org

St. Francis Area Schools

Property Identification Number (PIN#):

32-34-24-34-0069
32-34-24-34-0064
32-34-24-34-0021

Legal Description, Lot(s), Block, Subdivision:

LOTS 6 THRU 11 INCL BLK 3 VILLAGE OF ST FRANCIS; SUBJ TO EASE OF REC
LOTS 12 & 13 BLK 3 VILLAGE OF ST FRANCIS TOG/W E 3.5 FT OF LOT 2 SD BLK 3; SUBJ TO EASE OF REC

APPLICANT INFORMATION:

Name:

St. Francis Area Schools

Business Name:

ISD #15 St. Francis

Address:

4115 Ambassador Blvd NW
St. Francis, MN 55070

Telephone:

763-753-7048

E-Mail:

chris.lindquist@isd15.org

Contact and Title:

Chris Lindquist; Director of Community Education

OWNER INFORMATION:

Same as above



St. Francis Area Schools

St. Francis Area Schools

District Office

4115 Ambassador Boulevard NW | St. Francis MN 55070

763-753-7031 | www.isd15.org

Ms. Beth Richmond and Ms. Collette Baumgardner,

Thank you for your questions and interest in our T-15 program that St. Francis Area Schools is interested in moving into the building formerly known as “Oaklands”.

The Transition 15 program is a post high school special education transition program available to students of St. Francis Area Schools as determined by their Individual Education Plan (IEP) teams. Students have not received a diploma or other certificate of completion signifying termination of a secondary education. The program focuses on the areas of transition which include post-secondary education, employment, and independent living (including rec & leisure, community participation, home & daily living). The program connects special education, vocational education, and community agencies to assist students with disabilities in transition to adult life.

Transition 15's mission is to provide our young people with a variety of experiences and learning opportunities to move them toward independence. We provide a variety of work experience opportunities, including on-site skills practice through Saints Roast 15 Coffee Cart (currently serving staff of St. Francis Learning Center and our District Office Employees since 2008). We collect and crush pop cans, perform non-confidential shredding, and a variety of small jobs to assist other programs. Some of our off-site work experiences include: Volunteering at the North Anoka County Emergency Food Shelf (N.A.C.E) and learning a variety of work skills. (See our young people in the NACE [video](#)). Our students also volunteer at The Farmstead, a part of Presbyterian Homes doing some light cleaning, and practicing their work skills: working in a team, following directions, communicating with others, self-advocacy, and so much more.

Transition 15 is also partnering with the district's Assistive Technology department and building a work experience with the assistive technology coordinator as she builds the department which will include inventory, pulling items needed, and delivering items for other students to their sites and a potential for more.

Young people at T15 also have the opportunity to experience a variety of community-based learning through outings to a variety of community sites to practice a variety of skills: comparison shopping, asking for help to find items, shopping on a budget, restaurant skills, using cash, using debit cards, social skills, grocery shopping, and so much more.

The relocation of T15 to the “Oaklands” property would provide students the opportunity to further develop the skills listed above. At present, the space would be used for educational purposes only with the potential of allowing for pedestrian traffic and retail sales in the future. Additionally, it would be very plausible for students in the T15 program to potentially assist with basic levels of cleaning for businesses along Bridge Street and adjacent areas.

Chris Lindquist
Director of Community Education
St. Francis Area Schools
chris.lindquist@isd15.org
763-753-7048



PLANNING COMMISSION AGENDA REPORT

TO: St. Francis Planning Commission
FROM: Beth Richmond, Planner
SUBJECT: 2023 Code Revisions
DATE: 12-13-2023 for 12-20-2023 meeting

OVERVIEW

The City completed a full zoning code update in April 2021. Following that update, Staff has worked to make necessary housekeeping revisions on an annual basis. These revisions typically reflect current concerns, state legislative directives, changes to modern or best practices, or issues and/or clarifications that Staff has identified as needed over the past year. This year, Staff is proposing several housekeeping revisions for Planning Commission and City Council consideration. These revisions include changes to the Zoning Code (Chapter 10), Subdivision Code (Chapter 11), and Building Regulations and Permits (Chapter 4). Each requested revision is summarized below. The proposed changes are attached.

CODE REVISIONS – ZONING

- **Zoning Approval Extension** – Currently, the Code states that the Planning Commission must review and recommend an extension request for a zoning approval. Staff is proposing to update this language to reflect current city practice where only the City Council reviews these requests.
- **Public Hearing Standards** – When a public hearing is required, existing Code states that property owners within 350’ of the subject site must be notified. Following Council’s direction, the City has expanded this requirement so that property owners within 1,000 feet of the subject site are notified if they are located within the Rural Service Area. The 350’ requirement remains in place for applications within the Urban Service Area. The proposed Code update will reflect current practice.
- **Sacred Settlements.** In 2023, new legislation was passed by the state that requires cities to allow sacred settlements on religious property. Sacred settlements are communities established on or contiguous to the grounds of a religious institution’s primary worship location for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers. To conform with this legislation, changes to definitions, the use tables, and use-specific standards are proposed. These changes would allow sacred settlements as a permitted-with-standards use (both principal and accessory) in all districts where places of worship are allowed (RR, R-1, R-2, R-3, B-1, B-2). The use-specific standards for this use point to the standards established by statute in MN Statute 327.30.

- **Septic Setback.** A requirement is proposed to be added that all structures must be set back from septic systems in a way that meets the requirements set by the Minnesota Pollution Control Agency (MPCA). Currently, MPCA standards require that structures be set back 10' from sewage tanks and a minimum of 20' from the absorption area of the drainfield.
- **Indoor Commercial Recreation** – Staff is proposing to allow indoor commercial recreation as a permitted use in the B-1 district. Indoor commercial recreation is defined as “indoor facilities operated as a business and which are open to the public for a fee that shall include, but are not limited to, billiard parlors, skating rinks, indoor swimming pools, bowling alleys, movie theaters, arcades, health clubs, dance studios, and other similar businesses. Such businesses may also provide a snack bar, restaurant, retail sales of related items, and other support facilities.”
- **Telecommunication Structure or Tower** – Staff is proposing to allow telecommunication structure or tower as a conditional use in the B-2 district. The existing tower at 23307 St Francis Blvd NW is located in the B-2 district today. The proposed change would bring this use into compliance with City Code.
- **Firewood Piles** – Currently, compost structures and firewood piles are required to meet structure setbacks from rear and side lot lines. Staff is proposing to eliminate this setback requirement. Compost structures and firewood piles would still be limited in size and required to be placed in the rear yard.
- **Abandoned, Unlicensed, or Inoperable Vehicles** – Staff is proposing to correct a typo in the code from “in exceed of 30 days” to “in excess of 30 days” in Section 10-71-03.D.
- **Fence** – In the provision discussing barbed wire, electric, and agricultural fences, an updated reference to Section 10-68-11 Keeping of Animals or Fowl is needed.
- **Wetland Management Plan** – The URRWMO has established new standards for wetland buffers. Staff is proposing to update the City’s requirements to comply with these standards. The main change is that buffer width requirements are no longer based on buffer type. Instead, a minimum buffer width of 16.5' is required for all wetlands. Staff is also proposing to change the Code to explicitly allow buffer averaging with Council approval. This is something the City has allowed in the past but Staff would like Code to provide clearer direction on this subject.
- **Signage** – Signs containing “obscene language or graphics” are prohibited in the City. Staff is proposing to change this language to “obscene content” to be more inclusive.
- **Letter of Credit Requirements** – Staff is proposing to update the letter of credit amounts to provide greater clarity and better align with the current process.

CODE REVISIONS – CHAPTERS 4 AND 11

Note that the following changes are located within Chapters 4 (Building Regulations and Permits) and 11 (subdivision) of the City Code. These sections do not require a public hearing or Planning Commission review, but are included here for Commissioners’ reference.

- **Manufactured Home Placement** – Chapter 4 contains regulations for where manufactured homes may be located outside of manufactured home parks. Staff is proposing to update these regulations to comply with State Statutes (462.357 subd. 1). The state requires cities to allow manufactured homes on any lot where a single-family residential dwelling may be placed.

- **Metes and Bounds; Administrative Adjustment** – Sections 11-31-04 Metes and Bounds and 11-32-01 Administrative Adjustment Applicability contain cross-references to one another. Staff is proposing several minor adjustments to this language to make it clear when each process may be used.

- **Minor Subdivision** – Staff is proposing to update the terms of this section to state “minor subdivision” rather than “administrative subdivision.” This process was changed from administrative subdivision to minor subdivision with the last Code update, but the terms within the Code language still need to be updated.

ACTION TO BE CONSIDERED

Staff is requesting that the Planning Commission hold a public hearing and review the proposed changes to the Zoning Code. Staff recommends that the Planning Commission act to recommend approval of the changes to the City Council.

Suggested Motion:

1. Move to recommend approval of the revisions to the City’s Zoning Code as presented by Staff.

ATTACHMENTS

- Draft Code Language

CHAPTER 10 ZONING

10-31-04 Expiration of Zoning Approvals

- A. Unless otherwise specified by the City Council at the time it is authorized, site plan approvals, a conditional use permit, interim use permit, or variance shall be null and void and expire if the applicant fails to implement such approvals and fulfill each and every condition attached thereto within one (1) year from the date of its authorization unless a petition for an extension of time in which to implement the approved plans has been granted by the Zoning Administrator provided that:
 1. The extension is requested in writing and filed with the City at least 30 days prior to the expiration of the initial request.
 2. The request for extension states facts demonstrating that a good faith attempt has been made to complete or utilize the use or activity permitted in the approval.
 3. A maximum of one (1) administrative extension shall be granted.
 4. The extension shall not exceed 90 days from the initial expiration date.
 5. There shall be no charge for the filing of a petition for an administrative extension.
- B. ~~Upon receiving a recommendation from the Planning and Zoning Commission and City staff, t~~The City Council may grant an extension of greater than 90 days provided that:
 1. The conditions described in Items A.1 through A.3, above, are satisfied.
 2. The extension shall not exceed one (1) year from the ~~initial~~ expiration date.
 3. The filing of a petition for extension is subject to fee requirements established by City Council resolution.

Public Hearing Standards

10-31-03 Application Procedure.

- E. Notice of Hearing. For applications involving conditional use permits, interim use permits, zoning amendments, and PUDs the Zoning Administrator shall set a date for a public hearing. Notice of such hearing shall consist of a legal property description, a general description of the property location, and a description of the request to be published in the official newspaper at least 10 days prior to the hearing. Written notices shall be mailed not less than 10 days nor more than 30 days prior to the hearing to all ~~owners of property, according to the records available to the City within 350 feet of each parcel included in the request.~~ owners of property within 350 feet of the subject site in the Urban Service Area and within 1,000 feet of the subject property in the Rural Service Area.

10-35-02 Variance Procedures

- B. Planning and Zoning Commission Review. The Planning and Zoning Commission shall hold an application review, preceded by mailed notice to all property owners within 350 feet of the subject property in the Urban Service Area and within 1,000 feet of the subject property in the Rural Service Area, in consideration of granting the variance request.

10-37-03 PUD Procedure

- D. Preliminary Plan Stage
 3. Review and Action on the Preliminary Plan

- d. The Planning and Zoning Commission shall hold a public hearing on the Preliminary Plan. Notice of the public hearing shall be published in the official newspaper designated by the City Council at least 10 days prior to the hearing. The City shall mail written notification of the Preliminary Plan to property owners located within 350 feet of the subject site in the Urban Service Area and within 1,000 feet of the subject site in the Rural Service Area. Timing of the mailed notice shall be the same as that for the published notice. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply has been made.

11-35-05 Preliminary Plat Procedures

E. Public Hearing and Planning and Zoning Commission

- 2. Notice and Hearing. The Planning and Zoning Commission shall hold a public hearing on the proposed preliminary plat. Notice of the public hearing shall be published in the official newspaper designated by the City Council at least 10 days prior to the hearing. The City shall mail written notification of the proposed preliminary plat to property owners located within 350 feet of the subject site in the Urban Service Area and within 1,000 feet of the subject site in the Rural Service Area. Timing of the mailed notice shall be the same as that for the published notice. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply has been made.

Sacred Settlements

10-22-11 M.

Micro Unit: A mobile residential dwelling providing permanent housing within a sacred community.

10-23-17 S.

Sacred Community: A residential settlement established on or contiguous to the grounds of a religious institution's primary worship location primarily for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers.

10-43-02 Uses

Tables 10-43-1 Principal Use Table – Residential Districts

Use Type	Zoning District			
	RR	R-1	R-2	R-3
Public, Social, or Health Care				
Place of worship	PS	PS	PS	PS
<u>Sacred community</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>

Table 10-43-2 Accessory Use Table – Residential Districts

Use Type	Zoning District			
	RR	R-1	R-2	R-3
<u>Sacred community</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>

10-44-02 Uses

Table 10-44-1 Principal Use Table – Business and Industrial Districts

Use Type	Zoning District				
	B-1	B-2	BPK	I-1	I-2
Public, Social, or Health Care					
Place of worship	PS	PS			
<u>Sacred community</u>	<u>PS</u>	<u>PS</u>			

Table 10-44-2 Accessory Use Table – Business and Industrial Districts

Use Type	Zoning District				
	B-1	B-2	BPK	I-1	I-2
<u>Sacred community</u>	<u>PS</u>	<u>PS</u>			

10-68-21 Sacred community.

Any sacred community use shall meet all requirements listed in MN Stat 327.30.

10-41-12 Septic System Setback

Unless otherwise determined by the Zoning Administrator, all structures shall be set back from individual septic systems in accordance with MPCA requirements.

10-44-02 Principal Uses in Business Districts

A. Table 10-44-1 Principal Use Table – Business and Industrial Districts

Use Type	Zoning District				
	B-1	B-2	BPK	I-1	I-2
Commercial recreation, indoor	<u>P</u>	P	P		
Telecommunication structure or tower		<u>C</u>	PS	PS	PS

10-68-05 Compost structures and firewood piles

Compost structures and firewood piles shall be considered accessory uses but not buildings, shall be limited to rear yards, ~~shall be subject to setback and other requirements of this Ordinance,~~ and shall not exceed six (6) feet in height. In the Urban Service Area, firewood piles shall not exceed one (1) cord in measurement.

10-71-03 Waste, refuse, and recyclable material.

- d. *Abandoned, Unlicensed, or Inoperable Vehicles.* Passenger automobiles and trucks not currently licensed by the State, or which are because of mechanical deficiency incapable of movement under their own power, parked or stored outside for a period in ~~exceed excess~~ of 30

days, and all materials stored outside in violation of City Code provisions are considered refuse or junk and shall be regulated in the manner provided for by the Chapter 8 of the City Code, Public Protection.

10-73-02 Fence

D. District Standards:

1. 1.In the RR, R-1, R-2, and R-3 Districts, fencing shall be restricted to a height of six (6) feet for side and rear yards and a height of four (4) feet within the front yard setback. All fences shall be residential in nature such as wrought iron, vinyl, split-rail, or board and picket. Fencing extending beyond the front- or street-facing façade of any structure shall be ornamental in character and may not be chain link. Barbed wire, electric, and other agricultural fences may be used in the RR District in conjunction with a legally permitted use in Section ~~8-3-3 of the City Code, Animals and Fowl—Keeping, Transporting, Treatment, Housing~~ 10-68-11 Keeping of Animals or Fowl.
2. 2.In the A-1, A-2, and UR Districts, all fencing for non-agricultural purposes shall be no taller than six (6) feet in height.
3. 3.In the B-1 and B-2 Districts, fencing is not allowed between the principal structure and any public right-of-way. Fences shall be no greater than six (6) feet in height. Fences no greater than four (4) feet in height may be permitted with a Conditional Use Permit in front of the principal structure.
4. 4.In the BPK, I-1, and I-2 Districts, fences shall be no greater than eight (8) feet in height. Fences greater than four (4) feet in height shall not be placed in the front yard. Fences greater than eight (8) feet in height may be permitted with a Conditional Use Permit when meeting all district setbacks.
5. 5.Fences up to sixteen (16) feet in height may be allowed in any district provided the fence is used as an enclosure for a tennis or sport facility.
6. 6.Erosion control fences are permitted in all districts in conjunction with a permitted activity.
7. 7.It is unlawful for any person to erect or maintain a barbed wire fence upon his or her property, which fence is less than six (6) feet above the ground and within three (3) feet of a sidewalk or public right-of-way except in those areas in which the owners are permitted to keep, stable or board animals under the provisions of the City Code.

10-83-04 Wetland management plan.

Every applicant for a building permit with 20,000 square feet or more of land disturbance, subdivision approval, or a permit to allow for excavation, filling, grading, or other such activity, when adjacent to, abutting, or on a parcel containing a wetland, must submit a Wetland Management Plan to the City Engineer for review and approval. At a minimum these pollution abatement control practices must conform to those in the current version of the Minnesota Pollution Control Agency's publication, "Protecting Water Quality in Urban Areas."

- A. The Wetland Management Plan and the Grading Plan. The wetland management plan measures and limits the area of disturbed surface and identifies the location of buffers. All land

disturbance activities and buffers shall be marked on the approved grading plan, and identified with flags, stakes, signs, fences, etc. on the development site before work begins.

- B. Inspections of the Wetland Management Plan Measures. At a minimum such inspections shall be done monthly to assure protection of the wetland and surrounding buffer.
- C. Minimum Requirements of the Wetland Management Plan.
 - 1. This plan is a supplement to the required Stormwater Pollution Prevention Plan. The requirements of the SWPPP are identified in Part 10-82-00 of this Ordinance.
 - 2. Phasing of construction: time frames and schedules for the construction in the vicinity of the wetlands.
 - 3. A map of the existing wetlands and existing native buffers.
 - 4. A site construction plan that includes the proposed land disturbing activities, stockpile locations, erosion and sediment control plan, construction schedule, and the plan for the maintenance and inspections of the wetland management plan's measures.
 - 5. Designate the site's areas that have the potential for serious erosion problems that may impact the wetlands on or adjacent to the site.
 - 6. Permanent stabilization: The plan shall establish the manner in which buffer areas will be stabilized after construction is completed, including buffer width and type of vegetation, specifications, time frames or schedules, and maintenance procedures.
 - 7. ~~Buffer widths shall be dependent on the priority of the wetland as addressed in the "Wetland Standards" Amendment to the Upper Rum River Watershed Management Organization (URRWMO) Watershed Management Plan. The priority of the wetland is determined by the MnRAM criteria provided in the Amendment.~~
 - a. ~~A copy of the referenced Amendment will be made available upon request.~~
 - b. ~~A summary of the Wetland Classifications are provided below.~~

Wetland Classes	Purpose
High Priority Wetlands	Wetlands that highly serve both water quality treatment and wildlife habitat target functions
Moderate Priority Wetlands	Wetlands that highly serve one of the two above reference target functions
Low Priority Wetlands	Wetlands that do not highly perform either of the target functions
Use Wetlands	Wetlands created for stormwater management

c. ~~A summary of the required buffer widths are provided below.~~

Wetland Classes	Minimum Buffer Width
High Priority Wetlands	25 feet
Moderate Priority Wetlands	20 feet
Low Priority Wetlands	16.5 feet
Use Wetlands	16.5 feet

- 8. ~~A minimum 16.5 foot perennially vegetated buffer is required at the boundary of any wetland on or adjacent to a site. Buffer widths for wetlands on or adjacent to a site shall meet or exceed the above mentioned criteria. At the minimum a 16.5 foot wide~~

~~protective buffer strip of,~~ if possible, predevelopment vegetation shall surround all wetlands. Native vegetation is recommended.

- a. Buffer averaging may be used with City Council approval.
- b. Detailed buffer design shall be site specific.
- c. For newly constructed buffers site specific design criteria should follow common principles and the example of nearby natural areas. The site should be examined for existing buffer zones and mimic the nearby slope structure and vegetation as much as possible. Buffer design and protection during construction should do any or all of the following: slow water runoff, trap sediment, enhance water filtration, trap fertilizers, pesticides, pathogens, heavy metals, trap blowing snow and soil, and act as corridors for wildlife. How much stress is put on these functions will determine the buffer zone's final configuration. The Minnesota Department of Natural Resources requires permits when vegetation is introduced downgrade of a water's "ordinary high water mark." The Minnesota Department of Natural Resources' area hydrologist defines the ordinary high water mark. Planting permits are obtained from the Minnesota Department of Natural Resources' regional fisheries office.
- d. The applicant and/or property owner shall maintain the buffer strip.
- e. Drain tiles on the development site shall be identified and rendered inoperable.
- f. Buffer strips may be made into perpetual conservation easements.
- g. Buffer strips shall be marked as such with permanent signs.

10-91-02 Prohibited Signs

The following signs are prohibited within the City:

- A. Sign attached to any tree, public sign or utility poles.
- B. Sign constructed of a material not of a permanent nature.
- C. Projecting sign. Projecting signs shall project no further than two (2) feet from the wall to which they are anchored. No sign, or portion thereof, shall project over public property.
- D. Roof sign.
- E. Sign which by reason of position, movement, shape, illumination or color would constitute a traffic hazard to oncoming traffic.
- F. Sign noticeably moving as a result of normal wind pressure.
- G. Sign containing obscene ~~language or graphics.~~ content.
- H. Abandoned signs for which no legal owner can be found.
- I. Search-lights.
- J. Signs imitating or resembling official traffic or governmental signs or signage.
- K. Signs placed on vehicles or trailers which are parked or placed for the primary purpose of displaying said sign except for portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business.

- L. Any sign placed within 30 feet of any intersection that may obstruct motorist or pedestrian visibility.
- M. Signs which blink, flash, or are animated.

Letter of Credit Amounts

10-31-06. Performance Agreement.

- A. *Performance Security.* The performance agreement shall require the applicant to provide financial security to assure compliance with the agreement and conditions of the approval. The security may be in the form of a surety bond, cash escrow, certificate of deposit, irrevocable letter of credit, securities, ~~or~~ cash deposit, or other forms as acceptable by the City Engineer or Building Official. The security shall be in an amount determined by the City Engineer or Building Official under the direction of and approved by the Council, to cover estimated costs of labor and materials for the proposed improvements or development. The costs may include, but not be limited to, public improvements, landscaping, stormwater, grading, and wetland protection. The project can be handled in stages with prior approval of the City.
- B. *Security Release.* The City shall hold the security until at least partial completion of the proposed improvements or development, and if applicable, a certificate of occupancy indicating compliance with the application approval and Building Code of the City has been issued by the City Building Official. The security may be held longer to ensure performance of the installation.

10-73-04.E. Required landscaping.

- E. *Landscape Guarantee.* All new plants shall be guaranteed for twelve (12) months from the time all planting has been completed and a certificate of occupancy has been issued. All plants shall be alive, of good quality, with no signs of stress, and disease free at the end of the warranty period or they shall be replaced. Any replacements shall be warranted for 12 months from the time of replacement. Prior to the issuance of a Certificate of Occupancy, the City may require a Performance Bond, with a corporation approved by the City as surety thereon, or other guarantee acceptable to the City, in an amount to be determined by the City, but for not less than one and one-half (1½) times and no more than two (2) times the amount estimated by the City as the cost of completing said landscaping and screening.

CHAPTER 11 SUBDIVISION

Metes and Bounds

11-31-04 Metes and bounds.

Conveyances by metes and bounds may only be allowed in the following cases: shall be prohibited except in the following cases:

- A. A subdivision meeting the qualifications and following the procedures of Administrative Adjustment in Part 11-32-00.

- B. A subdivision creating no more than one (1) new lot and both resulting lots are 10 acres or greater in size with 300 feet or more of frontage. Divisions by metes and bounds creating new parcels shall follow the same procedure as established for a preliminary plat. Application requirements may be waived at the discretion of the Zoning Administrator.
- ~~C. Divisions by metes and bounds creating new parcels shall follow the same procedure as established for a preliminary plat. Application requirements may be waived at the discretion of the Zoning Administrator.~~

11-32-01 Administrative Adjustment Applicability

An administrative adjustment application shall be submitted to the City when any of the following apply:

- A. An applicant is proposing to relocate a property line(s) without increasing or decreasing the number of parcels and where all parcels meet Code requirements;
- B. Lot combination; or
- ~~C. Conveyance by metes and bounds as specified in Section 11-31-04.~~
- D. In the case of a request to divide a base lot, which is a part of a recorded plat upon which has been constructed a two- to four-unit dwelling, townhouse, or rowhouse, where the division is to permit individual private ownership of a single dwelling unit within such a structure and the newly created property lines will not cause any of the unit lots or structure to be in violation of this Ordinance, Chapter 10 of the City Code, Zoning, or the State Building Code.
- E. The subdivision of multiple tenant commercial and industrial buildings in conformance with any applicable provisions of the St. Francis Zoning Ordinance.

11-33-04 Minor Subdivision

11-33-04 Procedure.

- A. Application. A development application form with required fees shall be submitted to the City of St. Francis.
- B. The Zoning Administrator shall review the application and plans and refer them to City Staff for review.
- C. Additional Notice. Minor subdivision of land abutting upon any existing or proposed trunk highway, county road or highway or county state-aid highway shall be subject to review of the Minnesota Department of Transportation and/or County Highway Department. Written notice and a copy of the proposed administrative subdivision shall be filed with the Minnesota Department of Transportation and/or County Highway Department for review and comment. Final action on ~~an administrative~~ a minor subdivision shall not be taken until the minimum 30 day review period has elapsed or until all referenced parties have signed off, whichever first occurs.
- D. The City Council shall review and approve, approve conditionally, or deny the minor subdivision application.
- E. The City Council shall state, in writing, its findings for approval or denial, as well as any conditions of approval.
- F. Following the decision by the City Council, the Zoning Administrator shall notify the applicant in writing of the Council's action and reasons thereof.
- G. Recording.

1. If the administrative minor subdivision is approved by the Zoning Administrator, the applicant shall record the deed, and the accompanying survey, in the Office of the County Recorder within 60 days after the date of approval or as approved by the Zoning Administrator, otherwise the approval of the administrative minor subdivision shall be considered void.
2. When the land for which the administrative minor subdivision abuts a State highway, County road, or County highway, a certificate or other evidence showing submission of the administrative minor subdivision to the Minnesota Department of Transportation and/or County Highway Department shall be filed with the County Recorder of Deeds, with the administrative minor subdivision.

CHAPTER 4 BUILDING REGULATIONS AND PERMITS

4-4-2 Location outside manufactured home parks.

- A. It is unlawful for any person to park any manufactured home or recreational camping vehicle, as defined herein or in any other provisions of the City Code, on any street, alley or highway, or other public place, or on any tract of land owned by any person, occupied or unoccupied within the City, except as provided in this Section or other City Code provisions. No manufactured home which does not meet the standards set out herein shall be permitted within the City unless the same was located herein on the effective date of this Subparagraph.
- B. Emergency stopping or parking is permitted on any street, alley, or highway for not longer than three (3) hours subject to any other and further prohibitions, regulations, or limitations imposed by the traffic and parking regulations or City Code provisions for that street, alley or highway.
- C. It is unlawful for any person to park or occupy any manufactured home or recreational camping vehicle on the premises of any occupied dwelling, or any lot which is not a part of any occupied dwelling, either of which is situated outside of an approved manufactured home park; except:
 1. The parking of manufactured homes in accordance with Minnesota Statute 462.357 subd. 1.
 2. The parking of only one manufactured home unoccupied is permitted, providing no living quarters shall be maintained or any businesses practiced in said manufactured home while such manufactured home is so parked or stored. Said manufactured home shall maintain a setback distance of at least ten (10) feet from other buildings, alleys and property lines, thirty-five (35) feet from City streets, and seventy-five (75) from all other highways.