



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
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## Legislation Details (With Text)

**File #:** ORD 20-2447 **Version:** 3 **Name:** Zoning Code Amendments (20-0019)  
**Type:** Ordinance **Status:** Passed  
**File created:** 7/20/2020 **In control:** City Council  
**On agenda:** 7/6/2020 **Final action:** 7/20/2020  
**Title:** SECOND READING  
  
GRANTING AMENDMENTS TO REVISE AND UPDATE SECTIONS OF THE ENTIRE BLAINE ZONING ORDINANCE. CITY OF BLAINE. (CASE FILE NO. 20-0019)  
**Sponsors:** Lori Johnson  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Attachment

Date	Ver.	Action By	Action	Result
7/20/2020	3	City Council	Adopted	Pass
7/6/2020	2	City Council	Introduced, Read, and Placed on File for Second Reading	
6/9/2020	1	Planning Commission	Recommended for Approval	Pass

**DEVELOPMENT BUSINESS** - *Lori Johnson, City Planner*

### SECOND READING

#### GRANTING AMENDMENTS TO REVISE AND UPDATE SECTIONS OF THE ENTIRE BLAINE ZONING ORDINANCE. CITY OF BLAINE. (CASE FILE NO. 20-0019)

Planning Commission (Public Hearing)	06/09/20
City Council (1 <sup>st</sup> Reading)	07/06/20
City Council (2 <sup>nd</sup> Reading)	07/20/20

*Staff Report Prepared by Lori Johnson*

The Planning Commission voted unanimously to approve the amendments to the Blaine Zoning Ordinance. There were no comments at the public hearing.

*Update: At the July 6, 2020 council meeting, staff was directed to revise the language pertinent to the approval rationale for conditional use permits. Staff consulted other cities and the League of Minnesota Cities for guidance and has made the following change to section 27.04 (a) 2:*

*New:* The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.

*Old:* The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value and there will be no deterrence to development of vacant land.

Over the past 8 months, city staff has been undertaking a complete and thorough review of the city's zoning ordinance. The zoning ordinance was created by the city in the 1970's and it was recodified in 2004. Over the years, changes were made to the ordinance when:

- A resident or business requested a zoning change through some sort of development on their property.
- Staff perceived an opportunity to better support citizens or businesses by ordinance changes.
- Staff noticed certain portions of the ordinance no longer make logical sense.

All of these changes were reviewed by the Planning Commission and subsequently approved by the City Council.

The zoning ordinance is used daily by Planning Department staff to make decisions regarding development. There are several chapters of the zoning ordinance that include the following items:

- Purpose and Intent
- Rules
- Definitions
- General Provisions
- Administration
- Zoning Districts-Provisions
- Residential Districts
- Commercial Districts
- Industrial Districts
- Overlay Districts
- Performance Standards
- Signs

As so much time has passed since the majority of the ordinance was enacted, there are several items and terminology in the document that are either out of date or no longer related to uses within the city. Staff's goal was to update the language of the ordinance to match the city's current philosophies rather than those of a vastly undeveloped city. Staff took a practical

approach to the changes to resolve common sense issues and also researched other cities ordinances to learn from adjacent communities.

Staff has reviewed the proposed changes to the ordinance with the City Council at a series of three workshops in the early part of 2020. The Planning Commission was also invited to those workshops to learn more about the changes. Staff is now ready to present the final document to the Planning Commission and City Council for final review and approval.

This report would be too lengthy to document every single change in the ordinance but a redline copy is available for review by the public as the notices have stated. For the purposes of this report, I will highlight the most notable changes.

### Administration Section

Staff has chosen to create an Interim Use Permit, which allows for temporary uses that may be in place for a limited amount of time, and allows the City Council to place conditions on such uses to benefit and protect the public welfare. This essentially allows for an end date on uses. These uses are allowed only in the industrial zoning districts.

### Residential Districts

In most of the residential districts, the same changes are made throughout these districts. This mostly occurs as the items being modified are either outdated or synced with current procedures and policies.

While it is not considered a change to the zoning ordinance, staff is proposing a change in policy with regard to issuing permits for sheds. At this time, a building permit is not required for structures under 200 square feet. Code enforcement personnel have had issues on several occasions where the buildings have not been located correctly or they do not meet size requirements. For several years, the Building Inspection Department has been issuing a “zoning permit” for storage sheds when the floor area is greater than 120 square feet and does not exceed 200 square feet. This policy will be modified to include language that says that any accessory structure under 200 square feet with footings or concrete slabs as foundations must also obtain a zoning permit. This allows the city to ensure that immovable structures are in the correct location on residential lots.

### Commercial Districts

Staff is recommending that the Highway 65 Overlay District requirements regarding building materials be added to all of the commercial district standards. This would mean any property in any commercial district would need to follow these requirements no matter its location within the city. These standards require upgraded building materials on all structures and to date, these standards have been applied to most new construction that requires building permits in these districts anyway. Staff believes that quality commercial buildings should continue to be developed regardless of their location.

There are changes to the lists of permitted uses in these districts that change most of the listed items to fall under a “general retail” or “business and professional offices” definition.

Self-storage (indoor or outdoor) has been eliminated from all commercial zoning districts. These uses are now only permitted in the I-2A (Heavy Industrial) districts.

The PC (Planned Commercial) district has been eliminated from the ordinance completely as there are no PC zoning districts left in the city and staff does not anticipate using this district in the future.

### Highway 65 Overlay District

It is proposed that the current property exemptions from the Highway 65 Overlay District be removed. These properties are on the east side of Highway 65 and north of 99<sup>th</sup> Avenue. These properties, at the time of the inception of the overlay district, were once all car dealerships and the Council wanted them to be exempt from the standards of the overlay district. Now there is only one property left that is a car dealership, and if this use was ever removed staff would want the site to meet overlay requirements to provide a nice product in a highly visible location.

### Industrial Districts

The PI (Planned Industrial) zoning district has been removed from the ordinance due to the fact that there are currently no PI properties within the city and this district is not anticipated to be used in the future.

### Performance Standards

Two sections of this chapter have been completely restructured. The first section is in regard to the Site Plan process and this portion of the ordinance was changed to match site plan applications and current processes. The home occupation section was also restructured to make it less confusing and easier to interpret. The home occupation requirements were not changed with this restructuring.

Staff has proposed changes or additions to the parking requirements for certain uses to bring this section up to speed with current parking usage and what other cities require for similar uses.

A new section has been added to this chapter to address donation drop off boxes. These boxes have the tendency to become unsightly when the boxes are overrun with donations. The new section requires that these boxes be screened on all three sides with an enclosure that matches any principal building on site and they must be in the rear yard of any site only.

### Signs

The Anoka County Airport Signs section of the ordinance has been removed since staff has not,

for a long time, issued sign permits on airport property.

The freestanding signage section for the RR (Regional Recreation) district has been amended to match what is currently on site for signage at the National Sports Center as new field signage was permitted last summer. The National Sports Center is the only owner of property zoned RR (Regional Recreation).

#### Temporary Nursery Sales

A slight change has been made since first reading that removes reference to allowing new temporary nursery sales licenses. Currently there are three locations in the City where temporary nursery sales are allowed: Cub Foods North, Cub Foods South, and Frattallone's Hardware. As temporary nursery sales are no longer allowed with the exception of the existing locations and the sections have changed staff is recommending removing this reference in order to avoid potential confusion.

#### Conclusion

If anyone on the council or the public has any questions or concerns regarding these changes, I would encourage them to reach out to the Planning Department to discuss these issues. This was a substantial undertaking for the Planning Department given the length and complexity of this document. Staff now believes that we can move forward with updated standards that match the policies of the City of Blaine, as it is today. A special thanks to Elizabeth Showalter who diligently worked to document and complete all the required changes.

By motion, approve the ordinance.

Red-lined Version of the Revised Zoning Ordinance

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in overstrike.)

**See attached ordinance**

**INTRODUCED** and read in full the 6<sup>th</sup> day of July, 2020.

**PASSED** by the City Council of the City of Blaine this 20<sup>th</sup> day of July, 2020.