



PLANNING COMMISSION

AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	NOVEMBER 6, 2024

ITEM:	Zoning Ordinance Amendment to amend Chapter 9 – Land Use: 9.104 Administration and Enforcement	
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner October 25, 2024

CASE NUMBER: 2024-PZ07
APPLICANT: The City of Columbia Heights
LOCATION: Citywide
REQUEST: Zoning Ordinance Amendment
PREPARED BY: Andrew Boucher, City Planner

INTRODUCTION:

At the August Work Session, City Council discussed code enforcements and updates to City Code to allow for administrative code enforcement. This is based on observations, feedback, and recommendations from staff and community members to provide a more timely and informal resolution to code enforcement violations of the Zoning Code. Minnesota Statute 462.362 – Enforcement and Penalty enables a municipality to, by ordinance, provide for the enforcement of ordinances or regulations adopted; Chapter 6 – Administration of City Affairs in the City Charter explicitly states that the City Manager has the authority to prepare and submit to the Council for adoption an administrative code incorporating the details of administrative procedure and suggest amendments to the same.

At the first and second meetings in September 2024, the City Council approved the readings of an amendment to Chapter 3: Administrative Code to allow for administrative citations and at the first meeting in October 2024, the City Council approved an amendment to the fee schedule setting the fees for the levels of citation and Hearing Examiner compensation.

Staff proposes updating the existing ordinance, Chapter 9 – Land Use: 9.104 Administration and Enforcement (P)(3) *Violations and penalties* with the following amendment:

1. Amend (P)(3) to allow for the use of administrative citations as an alternative to enforcement of a misdemeanor processed through the Anoka County Criminal Court System

Staff Review

Staff has consulted with the Public Works and Engineering, Fire, and Police Departments and received no comments on the proposed zoning text amendment.

ZONING ORDINANCE AMENDMENT

FINDINGS OF FACT

Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

(a) The amendment is consistent with the comprehensive plan.

The City's 2040 Comprehensive Plan identifies strengthening the identify and image of the community as a desirable place to live, work, and play as well as preserving and enhancing the existing viable residential, commercial and industrial areas within the community. The zoning code amendment proposed will help achieve more consistency with the 2040 Comprehensive Plan.

(b) The amendment is in the public interest and is not solely for the benefit of a single property owner.

The zoning text amendments allows for a more timely resolution of concerns and compliant by creating a standardized process and remove certain barriers to enforcement of the zoning code by ensuring consistency across the city.

(c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.

The amendment is not to change the zoning classification of a particular property.

(d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.

The amendment is not to change the zoning classification of a particular property.

RECOMMENDATION

Staff recommends that the Planning Commission recommend the following to the City Council:

- A. Approval of Draft Zoning Ordinance Amendment No. 1708 amending City Code 9.104 Administration and Enforcement as presented.

RECOMMENDED MOTION(S):

MOTION: Move to waive the reading of draft Ordinance amendment No. 1708, there being ample copies available to the public.

MOTION: Move to recommend City Council to approve draft Zoning Ordinance Amendment No. 1708 as presented.

ATTACHMENT(S):

Work Session Memo from August 5, 2024
Draft Ordinance No. 1708

Public Hearing Notice