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

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### **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