



**Norwood Young America Planning Commission**  
**6:15 p.m., Wednesday, March 4, 2020**  
**Norwood Young America City Council Chambers, 310 Elm St. W.**

**AGENDA**

1. Call to Order  
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of February 4, 2020 meeting
4. Introductions, Presentations, and Public Comment  
(Citizens may address the Planning Commission about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The Planning Commission will take no official action on these items but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting.)
5. Public Hearings
  - A. Curfman Trucking Conditional Use Permit Amendment
  - B. Accessory Dwelling Units Zoning Code Amendment
6. New Business
  - A. Curfman Trucking Conditional Use Permit Amendment
  - B. Proposed Zoning Code Amendment – Swimming Pool Covers
7. Old Business
  - A. Accessory Dwelling Units Zoning Code Amendment
  - B. Review of Conditional Use Standards
  - C. Rezoning of Properties Adjacent to Railroad Street W.
8. Miscellaneous
  - A. February Building Permit Report
9. Commissioner's Reports
10. Adjourn

**UPCOMING MEETINGS**

March 9 <sup>th</sup>	City Council 6:00 p.m.
March 11 <sup>th</sup>	Economic Development Commission 6:00 p.m.
March 17 <sup>th</sup>	Parks & Recreation Commission 4:45 p.m.
March 23 <sup>rd</sup>	City Council Work Session/EDA/Regular meeting 6:00 p.m.
April 7 <sup>th</sup>	Planning Commission 6:00 p.m.
April 8 <sup>th</sup>	Joint Meeting – City Council, PC, EDC, Parks & Recreation Commission & Chamber of Commerce Board 6:30 p.m.

**Jerry  
Barr**

**Mike  
Eggers**

**John  
Fahey**

**Bill  
Grundahl**

**Paul  
Hallquist**

**Bob  
Smith**

**Craig  
Heher  
Council  
Liaison**

**Norwood Young America  
Planning Commission Minutes  
February 4, 2020**

- Present:** Commissioners Mike Eggers, Bill Grundahl, Craig Heher, and Bob Smith.
- Absent:** Commissioners Jerry Barr, Paul Hallquist, and John Fahey
- Staff:** City of Norwood Young America City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.
- Public:** Norwood Young America Residents Josh and Laura Kroells.

**1. Call to Order.**

The meeting was called to order by Chair Heher at 6:00 pm. All present stood for the Pledge of Allegiance.

**2. Adoption of Agenda.**

Chairperson Heher introduced the agenda.

*Motion* – Smith, seconded Grundahl to approve the agenda. The agenda was approved 4-0.

**3. Approval of Minutes from the Regular Meeting January 7, 2020.**

Heher introduced the minutes from the January 7, 2020 regular meeting.

*Motion* – Eggers to approve the January 7, 2020 regular meeting. Seconded by Smith. With all in favor the regular meeting minutes were approved 4-0.

**4. Public Comment.**

Josh Kroells, 430 Emma Street, addressed the Planning Commission pertaining to current code standards and fees for inground swimming pools. Mr. Kroells requested the Planning Commission consider a code amendment to allow permanent, manufactured pool covers as an alternative to requiring complete pool perimeter fencing. Mr. Kroells also requested information pertaining to pool permit fees.

The Commission agreed to consider a potential code amendment pertaining to pool covers as an alternative to pool perimeter fencing.

The fee question was referred to City staff.

**5. Public Hearings.**

None.

## 6. New Business.

### A. Conditional Use Regulations Discussion.

Heher introduced the agenda item.

Strack noted the Joint Committee who is addressing Downtown Revitalization held discussion at their January 8<sup>th</sup> meeting pertaining to conditional uses and the conditional use processes. The Joint Committee suggested the Planning Commission review conditional uses in commercial and industrial districts to determine whether some conditional uses could be reclassified as permitted uses.

In addition, the group requests consideration of existing processing requirements to determine potential means of streamlining requirements or review criteria.

Strack referenced materials included in the packet including highlighted versions of commercial and industrial districts, general criteria CUP issuance, and specific criteria for conditional uses.

On a side note, Strack stated City Administrator Helget had discussion with elected officials pertaining to auto sales and storage in the C-3, Downtown District. Discussion pertained to removing any allowance for such uses in the Downtowns.

Heher requested a list of previous conditional use permits and what district/use to which they applied be created for the Commission to use as background for discussion.

Smith stated he had reviewed the material in the packet and didn't find conditional uses listed or approval standards too burdensome. He noted when he is developing residential uses he strives to avoid conditional uses as they are typically more impactful to adjacent properties than permitted uses. Smith opined some uses must be classified as conditional as they are likely to occur and may impact adjacent properties. Absent conditional uses Smith opined a pattern of sensible uses would be scattered.

Heher referenced a substantial code update in 2008 which resulted in creation of several zoning classifications that previously hadn't existed. Broadening of zoning classifications was intended to provide for existing uses.

Strack inquired as to whether or not a table of uses would be more user-friendly to review the current conditional uses. Commissioners agreed and requested a table of uses be provided for the next meeting.

Grundahl commented the existing uses and process seems appropriate, but review of existing standards is always beneficial. He opined the Commission was moving in the right direction.

Eggers confirmed a table of uses would be helpful in determining the appropriateness of conditional use standards.

Strack inquired as to level of interest for removing auto sales and storage uses from the Central Business District.

Smith noted Waconia Dodge could be impacted as their use would become legal nonconforming.

Commissioners are to continue discussion at a future meeting.

## B. Discussion: Railroad Street Rezoning

Heher introduced the agenda topic.

Strack noted the City Council and some Planning Commission Members, during a joint work session held in 2019 discussed rezoning the north side of Railroad Street W. from Franklin Street to Progress Street to RC-1, Residential Neighborhood Commercial, to better fit existing uses.

The Planning Commission potential rezoning will be consistent with the proposed 2040 Comprehensive Plan's future land use map, but would not be consistent with the 2030 Comprehensive Plan's future land use. The 2030 plan currently applies but the Metropolitan Council is no longer considering amendments to 2030 plans. Therefore, the potential rezoning discussion was delayed until placing of the 2040 plan into effect which now seems imminent.

The Commission is asked to provide initial review. Official rezoning requires an ordinance amendment of the official zoning map.

Commissioners discussed potential zoning options and information included in the packet.

Commissioners requested a more detailed map illustrating existing properties and uses be created and available for discussion at the next meeting.

## C. Joint Meeting Attendance.

Heher introduced the agenda topic. Helget noted some City Council members were wondering why attendance at joint meetings seems to be lagging.

Commissioners noted general conflicts with their individual current schedules.

## 7. Old Business.

### A. Accessory Dwelling Units.

Heher introduced the agenda item.

Strack stated at the January meeting the PC discussed adjustments to a framework to provide for accessory dwelling units. At the meeting the Commission requested draft code amendment language be developed. Draft language was included in the packet. Strack noted the language was organized as an addition of standard pertaining to accessory dwelling units and not updating of each residential zoning classification plus general standards specific to ADU. Strack noted the draft language also reflected several discussion pieces from the January meeting, including: (a) internal ADU, ADU additions, and conversions of existing accessory structures to ADU (as of January 1, 2020) being allowed as a right subject to issuance of an administrative permit and a rental license; (b) new detached ADU are allowed provided a CUP is issued; (c) all detached ADU are subject to standards required for accessory structures, including design requirements; and, (d) Subd. 4 of the draft code has standards applicable to all ADU, unless otherwise stated.

Commissioners were pleased with the draft ordinance and reached consensus to proceed to public hearing.

Motion Eggers, seconded by Smith to call for public hearing at the March 4<sup>th</sup> meeting.

Commissioners requested Andrea Girth be contacted regarding the hearing.

## **8. Miscellaneous.**

### **A. January Building Permit Report.**

The January building permit report was reviewed.

## **9. Commissioner Reports.**

Grundahl provided an update from the Parks & Recreation Commission January 21<sup>st</sup> meeting. Heher provided updates from City Council meetings.

It was noted the March meeting is on Wednesday, March 4<sup>th</sup> at 6:15 p.m.

## **10. Adjourn**

Motion – Grundahl, Seconded by Eggers to adjourn the meeting. With all in favor the meeting adjourned at 7:07 p.m.

Respectfully submitted,

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Steve Helget  
Zoning Administrator



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: March 4, 2020

Re: Public Hearing: Conditional Use Permit Amendment – Outdoor Storage 600 Railroad St W  
Steve Curfman

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The City Council has been working with Steve Curfman, Curfman Trucking on a non-compliant conditional use permit issued in 2017 and providing for outdoor storage at 600 Railroad Street West.

The Council has agreed to hear a conditional use permit amendment request providing for lower required bunker heights and additional storage for bulk recycle piles at the site.

Attached please find an application filed by the property owner.

The Planning Commission is to hold a public hearing (notice has been mailed, posted, and published) and then consider recommending amendment and restatement of the previous CUP approved as City Council Resolution 2017-15. A copy of resolution 2017-15 is attached.

The proposed conditions for the amendment/restatement are as follows. Please note all conditions are to remain the same with the exception of the highlighted items.

1. The conditional use permit is applicable only to the property at 600 Railroad Street West.
2. **City Council Resolution 2017-14, approved on August 28, 2017 and granting a variance to a required rear yard setback at 600 Railroad Street West remains in effect.**
3. **City Council Resolution 2017-16, approved on August 28, 2017 relating to a site plan for a commercial trucking operation at 600 Railroad Street West remains in effect. City Council Resolution 2020-03 approved by the City Council on January 27, 2020 amending Resolution 2017-16 remains in effect.**
4. The approval specifically authorizes ancillary outdoor storage at the subject site. Said outdoor storage is directly and specifically limited to that represented in the site plan submitted with the conditional use permit amendment application dated January 17, 2020.
  - a. A maximum of forty-three (43) vehicles may be stored on site at one time. Vehicles are limited to Curfman Trucking commercial fleet vehicles or commercial vehicles with a minimum of three axels. Fleet vehicles must be related to the contractor operation and under licensed ownership of the contractor operation.

- b. Vehicles as defined above stored on site:
    - i. Must be in an operable condition;
    - ii. Must not be extensively damaged. "Extensively damaged" shall mean damage including such things as broken or missing tires and wheels, missing or non-operable motors, missing body parts, missing or broken windows, non-functioning drive train or transmission; and,
    - iii. Shall have a fair market value greater than the approximate value of the scrap in them.
  - c. A maximum of three (3) stockpiles of aggregate material are allowed on site provided:
    - i. The aggregate materials being stored near the southern property boundary shall be contained on three (3) sides by solid, continuous bunker walls with a minimum height of **four** feet constructed and maintained in a manner that aggregate materials are dependably contained within the walls at all times.
    - ii. The aggregate materials being stored near the northern property boundary shall be contained on two (2) sides by solid, continuous bunker walls with a minimum height of **four** feet constructed and maintained in a manner that aggregate materials are dependably contained within the walls at all times.
    - iii. **The stockpiles near the northern property boundary shall not exceed a total of 10,500 cubic yards combined.**
    - iv. No storage pile shall exceed twenty-five (25) feet in height at any time.
    - v. Aggregate materials allowed to be stored on site are limited to red rock, unrecycled aggregate material, and recycled aggregate material.
  - d. Outdoor storage of tires, mulch, boulders, pallets, stones, and rocks is allowed provided items are stored in a designated bunker. A maximum of ten (10) bunkers each sized a maximum of twenty (20) feet by twenty (20) feet with a height no greater than five (5) feet if constructed of wood or eight (8) feet if constructed of concrete shall be allowed. The bunkers shall be located as depicted in the site plan attached hereto as Exhibit B. The storage bunker containing tires shall be covered at all times in a manner suitable to prevent water from pooling in tires. Outdoor storage of all other material or items on site is expressly prohibited, including but not limited to: garbage and refuse material; miscellaneous equipment and/or parts, tires, and fluids; brush and tree parts; horse, stock, or travel trailers, campers, unlicensed passenger vehicles, passenger automobiles not licensed as fleet vehicles, personal property, buses, agricultural equipment, portions of heavy construction equipment, and heavy construction equipment exceeding its normal lifecycle. Storage pods, shipping containers, and the like shall not be stored on the site unless completely enclosed within a principal or accessory structure as defined and approved by the City Council. Outdoor storage of pods, shipping containers, and the like is expressly prohibited under the terms of this conditional use permit.
5. ~~Building permits for principal and accessory structure, including as needed for the bunker walls, as needed, shall be secured.~~
  6. ~~Construction of the proposed 9,600 square foot principal structure shall be substantially completed prior to establishment of ancillary outdoor storage. A decision as to whether or not the construction is 'substantially complete' shall be rendered by the Building Official.~~
  7. ~~A certificate of occupancy is issued for the proposed 9,600 square foot principal structure by December 31, 2018.~~
  8. This conditional use permit shall expire one year after date of approval unless the Applicant has commenced construction of the principal structure.

9. This conditional use permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
10. This conditional use permit shall be subject to annual inspection and audit by the City.
11. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of an approving Resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance, as may be amended.
12. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than twelve (12) consecutive months.



# Planning and Zoning Application

City of Norwood Young America  
 310 Elm St. W, PO Box 59  
 Norwood Young America, MN 55368  
 Phone: (952) 467-1800 Fax: (952) 467-1818

Applicant's Name <b>CURFMAN TRUCKING</b>		Telephone <b>952-467-3503</b>			
Address (Street, City, State, ZIP) <b>600 W. RAILROAD ST.</b>					
Property Owner's Name (If different from above) <b>CURFMAN PROPERTIES HOLDING</b>		Telephone <b>952-467-3503</b>			
Location of Project <b>600 W RAILROAD ST</b>					
Legal Description					
Description of Request (Attach separate sheet, if necessary)					
<p><b>Proposed Action(s): Check all that apply</b></p> <table style="width:100%; border:none;"> <tr> <td style="width:33%; vertical-align: top;"> <input type="checkbox"/> Annexation \$300.00  <input type="checkbox"/> Application for Appeal \$150.00  <input type="checkbox"/> Street/Alley Vacation \$150.00  <input type="checkbox"/> Parking Reduction \$100.00  <input type="checkbox"/> CUP/IUP \$200.00 (Residential)  <input type="checkbox"/> CUP/IUP \$300.00 (Non Residential)  <input type="checkbox"/> Variance \$200.00 (Residential)  <input type="checkbox"/> Variance \$300.00 (Non Residential)  <input type="checkbox"/> Lot Split \$200.00  <input type="checkbox"/> Public Hearing Notice \$75.00         </td> <td style="width:33%; vertical-align: top;"> <input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow  <input type="checkbox"/> Sketch Plat \$200.00 + Escrow  <input type="checkbox"/> Site Plan \$300.00 + Escrow  <input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow  <input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow  <input type="checkbox"/> PUD Final Plan \$300.00 + Escrow  <input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow  <input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow  <input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow  <input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow         </td> <td style="width:33%; vertical-align: top;"> <input type="checkbox"/> Storm Water Plan \$250.00  <input type="checkbox"/> Rezoning \$350.00  <input type="checkbox"/> Recording Fee \$46.00  <input type="checkbox"/> Boundary Line Adjustment \$100.00  <input type="checkbox"/> Other _____         </td> </tr> </table>			<input type="checkbox"/> Annexation \$300.00 <input type="checkbox"/> Application for Appeal \$150.00 <input type="checkbox"/> Street/Alley Vacation \$150.00 <input type="checkbox"/> Parking Reduction \$100.00 <input type="checkbox"/> CUP/IUP \$200.00 (Residential) <input type="checkbox"/> CUP/IUP \$300.00 (Non Residential) <input type="checkbox"/> Variance \$200.00 (Residential) <input type="checkbox"/> Variance \$300.00 (Non Residential) <input type="checkbox"/> Lot Split \$200.00 <input type="checkbox"/> Public Hearing Notice \$75.00	<input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow <input type="checkbox"/> Sketch Plat \$200.00 + Escrow <input type="checkbox"/> Site Plan \$300.00 + Escrow <input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow <input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow <input type="checkbox"/> PUD Final Plan \$300.00 + Escrow <input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow <input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow	<input type="checkbox"/> Storm Water Plan \$250.00 <input type="checkbox"/> Rezoning \$350.00 <input type="checkbox"/> Recording Fee \$46.00 <input type="checkbox"/> Boundary Line Adjustment \$100.00 <input type="checkbox"/> Other _____
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<p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK          Escrow Deposit \$2,000.00          Escrow Deposit - Site Plan Review: \$15,000 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)          Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p> <p>ALL PLANNING &amp; ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p> <p><b>*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</b></p> <p>The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of Chapter 11 and Chapter 12 of the City Code and other applicable ordinances.</p>					
Applicant's Signature: 		Date <b>1 / 17 / 2020</b>			
Fee Owner's Signature: 		Date <b>1 / 17 / 2020</b>			
<b>For Office Use Only</b>					
Accepted By: 	Amount <b>waived</b>	Date <b>1 - 17 - 2020</b>			
<i>City Council</i>					

**RESOLUTION 2017-15**  
**EXHIBIT A**  
**LEGAL DESCRIPTION**

**DESCRIPTION OF RECORD**

That part of the North Half of Section 15, Township 115, Range 26, Carver County, Minnesota, described as follows:

Bounded on the North by the South right-of-way line of Trunk Highway No. 212;

Bounded on the South by the North right-of-way line of Old State Highway No. 212 now Railroad Street.

Bounded on the East by the following described line:

Commencing at the Southeast corner of Block 14, Village of Norwood, formerly Young America Station, according to the recorded plat thereof on file and of record in the office of the Register of Deeds, Carver County, Minnesota; thence running West along the North line of Railroad Street to the Southwest corner of Vacated Block 12, Village of Norwood, also being the point of beginning of the line to be described; thence Northerly along the Westerly line of said Block 12, the Westerly line of said Block 12 extended, the West line of Block 25, and the Westerly line of said Block 25 extended to the South right-of-way line of Trunk Highway No. 212 and said line there terminating.

Bounded on the West by the following described line:

Commencing at a brass monument in the centerline of the East bound line of State Highway No. 212 distant 915 feet more or less West of the East line of the Northwest Quarter of Section 15; thence South 88 degrees 55 minutes East along the centerline of said East bound line 745.0 feet; thence on a bearing of South 75.00 feet more or less to a point on the South right-of-way line of said State Trunk Highway 212, said point being the point of beginning of the line to be described; thence continuing on a bearing of South 468.68 feet to the North right-of-way line of Old State Highway No. 212 now Railroad Street and said line there terminating.

EXCEPT the West 12 acres thereof.

**PROPOSED REVISED DESCRIPTION**

Part of the North Half of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter, all being part of Section 15, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the southeast corner of said Northeast Quarter of Section 15; thence on an assumed bearing of North 89 degrees 35 minutes 52 seconds West along the South line of said Northeast Quarter 1298.84 feet to the East line of the Southwest Quarter of the Northeast Quarter of said Section 15; thence North 00 degrees 24 minutes 32 seconds East along said East line 741.51 feet to a point on the northerly right-of-way line of Old State Highway No. 212, now Railroad Street, said point being the point of beginning of the tract to be described; thence North 83 degrees 58 minutes 28 seconds West along said northerly right-of-way line 427.77 feet to the East line of the East 6.00 acres of the West 12.00 acres as described in Document No. 440294 and recorded at the Carver County Recorder's Office; thence North 00 degrees 38 minutes 55 seconds East along said East line 532.35 feet to the southerly right-of-way line of Trunk Highway No. 212; thence South 88 degrees 50 minutes 50 seconds East along said southerly right-of-way line 6.90 feet; thence easterly along said southerly right-of-way line along a tangential curve that is concave to the North, said curve having a central angle of 04 degrees 26 minutes 26 seconds, a radius length of 5804.58 feet, an arc length of 449.87 feet, a chord bearing of North 88 degrees 49 minutes 39 seconds East and a chord length of 448.78 feet to the West line of vacated Blocks 12 and 25 and its northerly extension in the Village of Norwood, formerly Young America Station; thence South 00 degrees 24 minutes 32 seconds West, not tangent to last described curve, along said West line 585.13 feet to the North line of Railroad Street as platted; thence North 82 degrees 10 minutes 32 seconds West along said North line 33.28 feet to the East line of said Southwest Quarter of the Northeast Quarter; thence South 00 degrees 24 minutes 32 seconds West along said East line 5.69 feet to the point of beginning. This tract contains 5.86 acres of land and is subject to any and all easements of record.



# RESOLUTION 2017-15

## A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW ACCESSORY OUTDOOR STORAGE AT 600 RAILROAD STREET WEST

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.12, Subd. 4 of the City Code which provides outdoor storage which is accessory to an approved principal use in the I-1 Light Industrial District; and

WHEREAS, Steve Curfman (Property Owner) doing business as Curfman Trucking has applied for a conditional use permit to allow accessory outdoor storage at 600 Railroad Street West, (the "Property"); and

WHEREAS, the property is legally described in Exhibit A, attached hereto, and assigned parcel number 580150700; and,

WHEREAS, the Applicant makes the following representations which the City accepts as a good faith representation of the proposed operation:

1. Curfman Trucking & Repair, Inc. is proposed to be relocated to this site.
2. Curfman Trucking & Repair is a commercial trucking company that performs its own service, repair, and maintenance on its fleet of tractors, trucks, and trailers and offers truck repair and service to the public.
3. The Applicant proposes a new 120' X 80' (9,600 sf) truck maintenance facility to be located on an existing foundation. The truck maintenance facility will have four (4) bays for semi repair or eight bays for straight truck repair, a truck wash bay, office, restrooms, storage, and showroom area. The building will be wood frame with steel siding, roofing, and trim.
4. The site plan illustrates a future option to add a 24' X 80' addition to the west side of the building for truck repair.
5. The Applicant proposes the four bays (also defined as eight bays) are to be used for repair, maintenance, and service of Curfman Trucking's own fleet and for the public business of repair/maintenance/service of other commercial trucks.

6. Curfman's private truck fleet consists of seventeen (17) trucks and seven (7) trailers.
7. The Applicant proposes a maximum of four (4) commercial trucks not owned by Curfman Trucking will be repaired on site on any day.
8. The proposed wash bay will be used for Curfman Trucking's own fleet. The Applicant projects two (2) fleet vehicles will be washed at the site each day.
9. The Applicant employs fifteen (15) truck drivers who drive to the site in personal vehicles and depart the site in a Curfman Trucking fleet vehicles. Fleet drivers work off-site throughout the day and return to the site at the close of the work day.
10. The Applicant employs an additional eight (8) persons on site, including office staff.
11. A water service line is present at the site of the existing foundation/proposed new structure.
12. A sanitary sewer service line will be extended from an existing service near the eastern property boundary.
13. The Applicant proposes three aggregate storage piles.
  - A. The two southernmost aggregate storage piles will be contained on three sides by a bunker wall a minimum of five (5) feet in height. The third aggregate storage pile (northernmost) will be contained on two sides by a bunker wall a minimum of five (5) feet in height.
  - B. Full capacity of each of the three bunkers will be 3,500 yards of material. An estimated 3,500 yards of red rock, 3,500 yards of unrecycled aggregate material, and 3,500 yards of recycled aggregate material.
  - C. Maximum estimated height of the outdoor storage piles is twenty-five (25) feet.
  - D. The Applicant estimates fifteen (15) loads of aggregate materials will pass in or out of the facility each day during the construction season (six to seven months of the year) and seven (7) in or outbound trucks loads of aggregate material will pass in or out of the facility each day during the off-season (five to six months of the year).
14. The Applicant proposes outdoor storage of tires, mulch, boulders, pallets, stones, and rocks in ten (10) bunkers each sized 20' by 20' and no greater than five feet in height if constructed of wood or eight feet in height if constructed of concrete. Tires stored outdoors will be covered to prohibit water from pooling in said tires.

15. The existing truck scale and truck scale building will be used privately by Curfman Trucking for the scaling of aggregate material.
16. Proposed parking will accommodate parking of Curfman Trucking's fleet of tractors, trailers, and trucks. Employee parking and spaces for trucks not owned by Curfman Trucking which are being repaired are also proposed.
17. A three foot driveway apron extended from the existing roadway surface is proposed.

WHEREAS, the City of Norwood Young America Planning Commission on June 6, 2017 held a public hearing regarding the conditional use permit request after the hearing notice was posted, published, and distributed as required under law; and,

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and,

WHEREAS, at a regularly meeting on June 26, 2017, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned I-1 Light Industrial District.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Code for properties with the I-1 District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the I-1 District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use is accessory and the existing structure which is currently served by a full array of urban services. The proposed use will not overly burden existing utilities in terms of volume used/capacity required or type of waste produced.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are industrial in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The subject site is within an area developed for industrial use.

8. Adequate utilities, access roads, drainage and necessary facilities are provided. The subject parcel is an existing, improved lot with a full complement of urban services provided.

**THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing accessory outdoor storage, subject to the following conditions:

1. The conditional use permit is applicable only to the property at 600 Railroad Street West.
2. Approval of Resolution 2017-14, granting a variance to a required rear yard setback at 600 Railroad Street West.
3. Approval of Resolution 2017-14, relating to a site plan for a commercial trucking operation at 600 Railroad Street West.
4. The approval specifically authorizes ancillary outdoor storage at the subject site. Said outdoor storage is directly and specifically limited to that represented in the site plan dated July 17, 2017, attached hereto as Exhibit B.
  - a. A maximum of forty-three (43) vehicles may be stored on site at one time. Vehicles are limited to Curfman Trucking commercial fleet vehicles or commercial vehicles with a minimum of three axels. Fleet vehicles must be related to the contractor operation and under licensed ownership of the contractor operation.
  - b. Vehicles as defined above stored on site:
    - i. Must be in an operable condition;
    - ii. Must not be extensively damaged. "Extensively damaged" shall mean damage including such things as broken or missing tires and wheels, missing or non-operable motors, missing body parts, missing or broken windows, non-functioning drive train or transmission; and,
    - iii. Shall have a fair market value greater than the approximate value of the scrap in them.
  - c. A maximum of three (3) stockpiles of aggregate material are allowed on site provided:
    - i. The aggregate materials being stored near the southern property boundary shall be contained on three (3) sides by solid, continuous bunker walls with a minimum height of five feet constructed and maintained in a manner that aggregate materials are dependably contained within the walls at all times.
    - ii. The aggregate materials being stored near the northern property boundary shall be contained on two (2) sides by solid, continuous bunker walls with a minimum height of five feet constructed and maintained in a manner that aggregate materials are dependably contained within the walls at all times.

- iii. No single stockpile shall contain more than 3,500 cubic yards of material.
  - iv. No storage pile shall exceed twenty-five (25) feet in height at any time.
  - v. Aggregate materials allowed to be stored on site are limited to red rock, unrecycled aggregate material, and recycled aggregate material.
- d. Outdoor storage of tires, mulch, boulders, pallets, stones, and rocks is allowed provided items are stored in a designated bunker. A maximum of ten (10) bunkers each sized a maximum of twenty (20) feet by twenty (20) feet with a height no greater than five (5) feet if constructed of wood or eight (8) feet if constructed of concrete shall be allowed. The bunkers shall be located as depicted in the site plan attached hereto as Exhibit B. The storage bunker containing tires shall be covered at all times in a manner suitable to prevent water from pooling in tires. Outdoor storage of all other material or items on site is expressly prohibited, including but not limited to: garbage and refuse material; miscellaneous equipment and/or parts, tires, and fluids; brush and tree parts; horse, stock, or travel trailers, campers, unlicensed passenger vehicles, passenger automobiles not licensed as fleet vehicles, personal property, buses, agricultural equipment, portions of heavy construction equipment, and heavy construction equipment exceeding its normal lifecycle. Storage pods, shipping containers, and the like shall not be stored on the site unless completely enclosed within a principal or accessory structure as defined and approved by the City Council. Outdoor storage of pods, shipping containers, and the like is expressly prohibited under the terms of this conditional use permit, except for the three (3) existing storage containers currently on the site shall be allowed to remain.
5. Building permits for principal and accessory structure, including as needed for the bunker walls, shall be secured.
  6. Construction of the proposed 9,600 square foot principal structure shall be substantially completed prior to establishment of ancillary outdoor storage. A decision as to whether or not the construction is 'substantially complete' shall be rendered by the Building Official.
  7. A certificate of occupancy is issued for the proposed 9,600 square foot principal structure by December 31, 2018.
  8. This conditional use permit shall expire one year after date of approval unless the Applicant has commenced construction of the principal structure.
  9. This conditional use permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
  10. This conditional use permit shall be subject to annual inspection and audit by the City.

11. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of an approving Resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance, as may be amended.

12. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than twelve (12) consecutive months.

Adopted by the City Council this 28<sup>th</sup> day of August 2017.

Carol Lagergren  
Mayor

Attest:

Kelly Hayes  
Kelly Hayes, City Clerk/Treasurer

**RESOLUTION 2017-15**  
**EXHIBIT A**  
**LEGAL DESCRIPTION**

**DESCRIPTION OF RECORD**

That part of the North Half of Section 15, Township 115, Range 26, Carver County, Minnesota, described as follows:

Bounded on the North by the South right-of-way line of Trunk Highway No. 212;

Bounded on the South by the North right-of-way line of Old State Highway No. 212 now Railroad Street.

Bounded on the East by the following described line:

Commencing at the Southeast corner of Block 14, Village of Norwood, formerly Young America Station, according to the recorded plat thereof on file and of record in the office of the Register of Deeds, Carver County, Minnesota; thence running West along the North line of Railroad Street to the Southwest corner of Vacated Block 12, Village of Norwood, also being the point of beginning of the line to be described; thence Northerly along the Westerly line of said Block 12, the Westerly line of said Block 12 extended, the West line of Block 25, and the Westerly line of said Block 25 extended to the South right-of-way line of Trunk Highway No. 212 and said line there terminating.

Bounded on the West by the following described line:

Commencing at a brass monument in the centerline of the East bound lane of State Highway No. 212 distant 915 feet more or less West of the East line of the Northwest Quarter of Section 15; thence South 88 degrees 55 minutes East along the centerline of said East bound lane 745.0 feet; thence on a bearing of South 75.00 feet more or less to a point on the South right-of-way line of said State Trunk Highway 212, said point being the point of beginning of the line to be described; thence continuing on a bearing of South 468.68 feet to the North right-of-way line of Old State Highway No. 212 now Railroad Street and said line there terminating.

EXCEPT the West 12 acres thereof.

**PROPOSED REVISED DESCRIPTION**

Part of the North Half of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter, all being part of Section 15, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the southeast corner of said Northeast Quarter of Section 15; thence on an assumed bearing of North 89 degrees 35 minutes 52 seconds West along the South line of said Northeast Quarter 1298.84 feet to the East line of the Southwest Quarter of the Northeast Quarter of said Section 15; thence North 00 degrees 24 minutes 32 seconds East along said East line 741.51 feet to a point on the northerly right-of-way line of Old State Highway No. 212, now Railroad Street, said point being the point of beginning of the tract to be described; thence North 83 degrees 58 minutes 29 seconds West along said northerly right-of-way line 427.77 feet to the East line of the East 8.00 acres of the West 12.00 acres as described in Document No. 440294 and recorded at the Carver County Recorder's Office; thence North 00 degrees 38 minutes 55 seconds East along said East line 532.35 feet to the southerly right-of-way line of Trunk Highway No. 212; thence South 88 degrees 50 minutes 50 seconds East along said southerly right-of-way line 6.90 feet; thence easterly along said southerly right-of-way line along a tangential curve that is concave to the North, said curve having a central angle of 04 degrees 26 minutes 26 seconds, a radius length of 5804.58 feet, an arc length of 449.87 feet, a chord bearing of North 88 degrees 49 minutes 39 seconds East and a chord length of 448.76 feet to the West line of vacated Blocks 12 and 25 and its northerly extension in the Village of Norwood, formerly Young America Station; thence South 00 degrees 24 minutes 32 seconds West, not tangent to last described curve, along said West line 585.13 feet to the North line of Railroad Street as platted; thence North 82 degrees 10 minutes 32 seconds West along said North line 33.28 feet to the East line of said Southwest Quarter of the Northeast Quarter; thence South 00 degrees 24 minutes 32 seconds West along said East line 5.69 feet to the point of beginning. This tract contains 5.86 acres of land and is subject to any and all easements of record.





To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: March 4, 2020

Re: Public Hearing: Code Amendment - Accessory Dwelling Units

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Over the past several months the Planning Commission has been working on an ordinance amendment authorizing accessory dwelling units. The Commission studied the issue and requested input from the City Council on potential standards. The Commission has since revised the proposed standards and reviewed a draft code amendment.

At the February meeting the PC called for public hearing of the draft standards. The hearing notice has been published and posted.

Please find the draft amendment attached and note:

1. Organization of the code amendment is primarily the addition of standards pertaining to accessory dwelling units as opposed to updating of each residential zoning classification's permitted and conditional uses.
2. As proposed internal ADU, ADU additions, and conversions of existing accessory structures to ADU (as of January 1, 2020) are all allowed as a right subject to issuance of an administrative permit and a rental license. Rental licenses are proposed to be required regardless of whether or not rent is exchanged and whether or not persons are related.
3. New detached ADU are allowed provided a CUP is issued.
4. All detached ADU are subject to standards required for accessory structures, including design requirements.
5. Standards applicable to all ADU, include:
  - A. A maximum of one accessory dwelling unit is allowed per lot.
  - B. Accessory dwelling units are allowed on lots with an existing detached single family dwelling. Accessory dwelling units are not allowed on twin home, townhome, condominium, or multiple family lots.
  - C. Impervious surface limits of the applicable zoning classification shall not be exceeded. If applicable, the maximum impervious surface allowed in a shoreland overlay district shall not be exceeded.
  - D. Detached accessory structures are subject to all standards contained in Section 1245.04 of the City Code pertaining to accessory structures, as may be amended.
  - E. Accessory dwellings internal to or attached to principal structures shall meet required setbacks, maximum height, and yard requirements of the applicable zoning district.
  - F. The existing detached single family dwelling or the accessory dwelling unit shall be occupied by the fee owner of the property.
  - G. The existing detached single family dwelling shall be maintained as homestead property.
  - H. The existing detached single family dwelling and the accessory dwelling unit must remain a single parcel of record under unified ownership without the possibility of splitting the property or changing ownership status to a condominium arrangement.

- I. Accessory dwelling units shall be licensed under Section 350 of the City Code pertaining to licensing of rental dwellings regardless of whether or not rent is charged or the occupant is related to the homestead owner.
- J. The following design standards apply to accessory dwellings:
  - i. Accessory dwellings internal to or attached to an existing detached single family dwelling shall be designed and constructed to maintain the appearance of a single family detached dwelling.
  - ii. Accessory dwellings shall have a minimum gross floor area of three hundred (300) square feet.
  - iii. Accessory dwellings shall have a maximum gross floor area of the greater of 900 square feet or 40% of the gross floor area of the principal structure to which it is accessory. In addition, detached accessory dwelling units must not exceed maximum aggregate area square footage or number of detached units provided for under Section 1245.04 of the City Code.
  - iv. A minimum of one (1) additional off-street parking space is required for the accessory dwelling unit.
  - v. Accessory dwellings internal to or attached to existing single family detached dwellings shall use the same water and sanitary sewer connection and water meter as the principal structure.
  - vi. As a condition of conditional use permit issuance, the City may require separate water and sanitary service lines be extended from the street to detached accessory dwelling units.
  - vii. For accessory dwellings internal to or attached to existing detached single family dwellings, there shall be no more than one exterior building entrance facing the front street.
  - viii. For lots with detached accessory dwelling units, there shall be no more than one driveway per street frontage.
  - ix. Dwelling units with exterior entrances different than the single family detached dwelling shall have a different street address (e.g. 200-A).
  - x. Detached accessory dwellings shall be designed for residential occupancy.

The Commission is to hold the public hearing and make a recommendation to the City Council.

**CITY OF NORWOOD YOUNG AMERICA**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 1200.04, DEFINITIONS AND ADDING SECTION 1254.11  
PROVIDING FOR ACCESSORY DWELLING UNITS**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA HEREBY ORDAINS:
- II. SECTION 1200.04 (DEFINITIONS) OF THE NORWOOD YOUNG AMERICA CITY CODE IS HEREBY AMENDED BY ADDING THE FOLLOWING DEFINITION.

**Dwelling Unit, Accessory.** A secondary, subordinate dwelling unit featuring a full bathroom, full kitchen, and sleeping area which is located on the same lot as a single-family dwelling to which it is accessory. Accessory dwelling units may be internal to or attached to an existing dwelling or detached from an existing dwelling.

- III. CHAPTER 12 OF THE CITY CODE SHALL BE AMENDED BY ADDING SECTION 1245.11 PERTAINING TO ACCESSORY DWELLING UNITS, AS FOLLOWS.

Subd. 1. Purpose. The purpose of this Section is to establish regulations that govern the use, approval, location, and design of Accessory Dwelling Units within the City. The specific purposes of this Section are to:

- A. Create new housing opportunities and choices while respecting the look and scale of low density development.
- B. Support the efficient use of existing housing stock and infrastructure.
- C. Provide housing that responds to changing family needs.
- D. Provide affordable housing options.
- E. Provide accessible housing for seniors and persons with disabilities.

Subd. 2. Permitted Uses. The following accessory dwelling units are permitted, subject to issuance of an administrative permit as provided for in Section 1210.09 of the City Code as may be amended.

- A. Internal accessory dwelling units in detached single family dwellings in the R-1 Low Density Single Family Residential District, the R-2 Medium Density Single Family Residential District, the R-3 Medium Density Mixed Residential District, and the RC-1 Residence Neighborhood Commercial District.
- B. Accessory dwelling units attached to detached single family dwellings in the R-1 Low Density Single Family Residential District, the R-2 Medium Density Single Family Residential District, the R-3 Medium Density Mixed Residential District, and the RC-1 Residence Neighborhood Commercial District.
- C. Conversions of preexisting (existing on/before January 1, 2020) detached structures accessory to detached single family dwellings in the R-1 Low Density Single Family Residential District, the R-2 Medium Density Single Family Residential District, the R-3 Medium Density Mixed Residential District, and the RC-1 Residence Neighborhood Commercial District.

Subd. 3. Conditional Uses. The following accessory dwelling units are conditional uses, subject to the provisions of Section 1210.06.

- A. Detached accessory dwelling units on lots with an existing detached single family dwelling in the R-1 Low Density Single Family Residential District, the R-2 Medium Density Single Family Residential District, the R-3 Medium Density Mixed Residential District, and the RC-1 Residence Neighborhood Commercial District.

Subd. 4. Required Standards. The following are required standards for any accessory dwelling unit.

- A. A maximum of one accessory dwelling unit is allowed per lot.
- B. Accessory dwelling units are allowed on lots with an existing detached single family dwelling. Accessory dwelling units are not allowed on twin home, townhome, condominium, or multiple family lots.
- C. Impervious surface limits of the applicable zoning classification shall not be exceeded. If applicable, the maximum impervious surface allowed in a shoreland overlay district shall not be exceeded.
- D. Detached accessory structures are subject to all standards contained in Section 1245.04 of the City Code pertaining to accessory structures, as may be amended.
- E. Accessory dwellings internal to or attached to principal structures shall meet required setbacks, maximum height, and yard requirements of the applicable zoning district.
- F. The existing detached single family dwelling or the accessory dwelling unit shall be occupied by the fee owner of the property.
- G. The existing detached single family dwelling shall be maintained as homestead property.
- H. The existing detached single family dwelling and the accessory dwelling unit shall remain a single parcel of record under unified ownership without the possibility of splitting the property or changing ownership status to a condominium arrangement.
- I. Accessory dwelling units shall be licensed under Section 350 of the City Code pertaining to licensing of rental dwellings regardless of whether or not rent is charged or the occupant is related to the homestead owner.
- J. The following design standards apply to accessory dwellings:
  - i. Accessory dwellings internal to or attached to an existing detached single family dwelling shall be designed and constructed to maintain the appearance of a single family detached dwelling.
  - ii. Accessory dwellings shall have a minimum gross floor area of three hundred (300) square feet.
  - iii. Accessory dwellings shall have a maximum gross floor area of the greater of 900 square feet or 40% of the gross floor area of the principal structure to which it is accessory. In addition, detached accessory dwelling units must not exceed maximum aggregate area square footage or number of detached units provided for under Section 1245.04 of the City Code.
  - iv. A minimum of one (1) additional off-street parking space is required for the accessory dwelling unit.
  - v. Accessory dwellings internal to or attached to existing single family detached dwellings shall use the same water and sanitary sewer connection and water meter as the principal structure.
  - vi. As a condition of conditional use permit issuance, the City may require separate water and sanitary service lines be extended from the street to detached accessory dwelling units.

- vii. For accessory dwellings internal to or attached to existing detached single family dwellings, there shall be no more than one exterior building entrance facing the front street.
- viii. For lots with detached accessory dwelling units, there shall be no more than one driveway per street frontage.
- ix. Dwelling units with exterior entrances different than the single family detached dwelling shall have a different street address (e.g. 200-A).
- x. Detached accessory dwellings shall be designed for residential occupancy.

**IV. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the \_\_\_ day of \_\_\_\_\_, 2020.

Attest:

\_\_\_\_\_  
Carol Lagergren, Mayor

\_\_\_\_\_  
Kelly Hayes, City Clerk

Adopted:

Published:



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: March 4, 2020

Re: Proposed Code Amendment – Swimming Pool Covers

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Last month the Commission agreed to consider a code amendment to allow swimming pool power safety covers in lieu of pool perimeter fences. Draft code language is attached. More information on the ASTM standard referenced (ASTM F 1346) can be found through a simple internet search. This is a standard taken from the pool code.

Attached please find the full existing zoning standards relating to pools and a proposed ordinance amending the existing code.

The Commission is to review the language and consider a MOTION calling for a public hearing.

# Current Code Language + Amendment For Review

## 1245.06 Swimming Pools

**Subd. 1 Permit Required.** A permit is required for the installation of any in-ground swimming pool, or any above ground swimming pool 5,000 gallons or larger. The construction, plumbing and electrical work connected with any pool to be constructed shall be subject to inspection and shall conform to all applicable building codes of the City and State.

- A. The fee for the permit shall be based on the state chart of fees, and shall be determined by the Building Inspector.
- B. The permit shall include the following information:
  - 1. Two sets of plans drawn to scale that show in sufficient detail the following:
    - a. The proposed location and its relationship to the other principal buildings on the lot and on adjacent properties.
    - b. The size of the pool.
    - c. Fencing and other fixtures existing on the lot, such as utility location and trees.
    - d. The location, size and a statement as to the types of equipment to be used in connection with the pool including but not limited to the filter unit, pump, wiring, heating unit, fencing, and the pool itself.

### Subd. 2 Setbacks Required.

- A. All swimming pools shall be at least 10 feet from underground or overhead utility lines, walkways, or other easements, both public and private.
- B. The filter unit, pump, heat unit, and any other noise making mechanical equipment shall be located at least 25 feet from any residential structure on adjacent property.
- C. All swimming pools shall be at least 10 feet from any side or rear lot line, and six feet from any principal building.
- D. No swimming pool, as regulated in this Section, shall be located within any front yard.
- E. Private swimming pools located on the site of multiple-family dwellings shall have no part of the water surface, any pumps, filters, or other apparatus located less than 50 feet from any lot line or easement.

### Subd. 3 General Requirements.

- A. *Drainage.* To the extent feasible, back flush water or water from the pool drainage shall be directed onto the owner's property or onto approved public drainage ways. In no case may the water be drained into the sanitary sewer.
- B. *Fence/Guard Required.* All pools that are submerged fully or partially shall be provided with safeguards to prevent children from gaining uncontrolled access. This can be accomplished with an ASTM F 1346 (as may be amended) approved power safety cover, fencing, screening or other enclosure, or any combination thereof with sufficient density as to be inaccessible.
  - 1. If fences are used they shall be at least four feet high. The bottom of the fence shall not be more than four inches from the ground.

## Current Code Language + Amendment For Review

2. Fences shall be of non-corrosive material. If lumber is used it shall be treated, redwood or cedar.
  3. Fences shall be constructed so as to not be easily climbed. All fence openings points of entry into the pool area shall be equipped with gates or doors. All gates or doors shall be equipped with self-closing and self-latching devices placed at a sufficient height so as to be non-accessible to small children.
  4. The fence or safeguard used shall be completely installed before filling the pool.
- C. *Damages.* The lot owner shall be liable for any damages to public or private property caused by the swimming pool construction.
- D. *Lighting.* Any pool lighting above the ground shall be directed toward the pool and not the adjacent property.

**CITY OF NORWOOD YOUNG AMERICA**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 1245.06, SUBD. 3 PERTAINING TO GENERAL REQUIREMENTS FOR SWIMMING POOLS**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA HEREBY ORDAINS:
- II. SECTION 1245.06, SUBD. 3 OF THE NORWOOD YOUNG AMERICA CITY CODE IS HEREBY AMENDED AS FOLLOWS.
- A. *Drainage.* To the extent feasible, back flush water or water from the pool drainage shall be directed onto the owner's property or onto approved public drainage ways. In no case may the water be drained into the sanitary sewer.
  - B. *Fence/Guard Required.* All pools that are submerged fully or partially shall be provided with safeguards to prevent children from gaining uncontrolled access. This can be accomplished with **an ASTM F 1346 (as may be amended) approved power safety cover**, fencing, screening or other enclosure, or any combination thereof with sufficient density as to be inaccessible.
    - 1. If fences are used they shall be at least four feet high. The bottom of the fence shall not be more than four inches from the ground.
    - 2. Fences shall be of non-corrosive material. If lumber is used it shall be treated, redwood or cedar.
    - 3. Fences shall be constructed so as to not be easily climbed. All fence openings points of entry into the pool area shall be equipped with gates or doors. All gates or doors shall be equipped with self-closing and self-latching devices placed at a sufficient height so as to be non-accessible to small children.
    - 4. The fence or safeguard used shall be completely installed before filling the pool.
  - C. *Damages.* The lot owner shall be liable for any damages to public or private property caused by the swimming pool construction.
  - D. *Lighting.* Any pool lighting above the ground shall be directed toward the pool and not the adjacent property.
- III. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the \_\_\_ day of \_\_\_\_\_, 2020.

Attest:

\_\_\_\_\_  
Carol Lagergren, Mayor

\_\_\_\_\_  
Kelly Hayes, City Clerk

Adopted:  
Published:



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: March 4, 2020

Re: Review of Conditional Use Standards

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Last month the Commission talked about comments from the joint meeting group addressing Downtown revitalization pertaining to conditional uses and conditional use processes. Generally the Planning Commission embraced current standards as acceptable but did agree to conduct a review as a matter of course.

The Commission requested additional information including:

1. A history of conditional use permits issued, including what they were for and what zoning districts applied.
2. A table of uses by type of use (i.e. principal, accessory, conditional, interim).
3. A zoning table illustrating general standards per zoning classification.

Please find the requested information attached.

The compilation of uses would appear to be an opportunity to review all types of uses in all districts.

The Commission may wish to begin with that effort at this time.

## CUP ISSUE HISTORY

Address	Use Description	Zoning District	Year
421 Railroad St W	Carver Co Recycling Center	C-3	1900
410 Faxon Rd N	Drive thru window - McDonalds	C-2	1990
112 Poplar Ridge Dr	Multiple family structure	R-4	1997
250 Industrial Blvd	Outdoor storage (Expert Construction)	B-1	2002
220 Industrial Blvd	Industrial Use (Statewide Gas)	B-1	2002
426 East St N	Auto Dealership - Sport Cars	C-2	2003
124 Union St N	Lance Ford. Ford Construction - Industrial in CBD, outdoor storage.	C-3	2003
700 Railroad St W	Industrial Use, outdoor storage - Southwest Paving.	I-1	2006
211 Railroad St W	Contractor operation in Xtreme Electric.	RC-1	2011
325 Elm St W	Outdoor dining - Pour House Pub	C-3	2011
27 1st St NW	St. John's Lutheran School	R-3	2013
105 Main St E	Outdoor dining - Unkle Thirsty's	C-3	2013
520 Reform St N	C-store w/ fuel - Kwik Trip	C-e	2013
301 Industrial Blvd	Outdoor storage - Hydro Engineering	B-1	2013
321 Elm St W	Industrial - RCC Woodworks	C-3	2014
13050 Stewart Ave	Outdoor storage - Molnau Trucking	I-1	2014
700 Railroad St W	Amend CUP - Indust use & outdoor storage - Southwest Paving.	I-1	2015
115 Main St E	Auto storage, repair - Waconia Dodge	C-3	2016
127 Elm St W	Personal auto storage - Andris	C-3	2016
117 Railroad St W	Contractor operation - Loomis	RC-1	2016
180 Industrial Blvd	Outdoor auto sales, display - Todd Miller & Adam Glander	B-1	2017
508 Merger Street	Outdoor storage - Cedar Direct	C-2	2017
600 Railroad St W	Outdoor storage - Curfman Trucking	I-1	2017

### CUP ISSUE HISTORY

Address	Use Description	Zoning District	Year
170 Industrial Blvd	Outdoor storage - Paul Juerissen	I-1	2017
308 5th Ave NE	Cemetery	R-2	2018

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	P-I
Adult uses	Com										C	
Antennas, satellite dishes, communication, and radio towers	Ind										C	
Auto dealership sales, storage and display	Com								C			
Auto repair, major	Com									P	C	
Auto repair, minor	Com						C				C	
Auto, truck, and recreational vehicle equipment sales and display	Com							C		C-A		
Automobile service station	Com							C				
Barbed wire fencing	Acc									C-A	C-A	
Bed and breakfasts	Res		C	C	C				C			

## TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	P-I
Buildings used for agricultural purposes	Ag	P-A										
Cemeteries	Inst	C										
Churches, schools, and similar public uses	Inst		C	C	C	C	C	P				
Commercial or business accessory structures	Acc							P-A		P-A	P-A	
Commercial recreational uses	Com							P				
Condominiums	Res						C					
Contractor operations	Com						C		C		P	
Contractor yards	Com									P		
Convenience stores with motor fuel sales	Com							C				

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	P-I
Convenience stores without motor fuel	Com							P				
Converted residential dwellings for lodging services such as hotels, motels, and bed and breakfasts	Res						C					
Custom or limited manufacturing, assembly, or treatment of articles/merchandise from previously prepared materials	Ind						C		C			
Daycare centers	Com					C	C	P	C			
Decks, patios, gazebos, porches, subject to Section 1245.04 as may be amended	Acc	P-A	P-A	P-A	P-A	P-A	P-A		P-A			
Detached garaged, tool houses, sheds, outbuildings for storage of domestic supplies and non-commercial recreational equipment. Subject to Section 1245.04 as may be amended	Acc	P-A	P-A	P-A	P-A	P-A	P-A					
Dwelling units, if located above street level in non-residential structures	Res							P				
Dwellings located above street level in nonresidential structures	Res								P			
Entertainment services such as motion picture theaters and bowling alleys	Com								C			

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	AG	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	P-I
Essential service structures including but not limited to playgrounds, gazebos, shelters, concession areas, grandstands, and athletic fields	Inst											P
Farms, excluding livestock	Ag	P										
Farms, including livestock	Ag	C										
Fast food restaurant	Com							C				
Fences, subject to Section 1245.05 as may be amended	Acc	P-A	P-A	P-A	P-A	P-A	P-A	P-A	P-A	P-A	P-A	
Finance, insurance, and real estate offices	Com						P	P	P			
Freight and yard equipment	Ind										C-A	
Funeral homes/mortuaries	Com							P				
Garden and landscaping services	Com									P		

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-1	I-1	P-1
Garden centers	Com							P				
General commercial office space	Com								P			
Grocery stores	Com							P				
Guest cottages	Res		C	C	C							
Home occupations, subject to Section 1245.09, as may be amended	Acc	P-A	P-A	P-A	P-A	P-A	P-A					
Hospitals	Inst							C				
Kennels	Ag	C										
Laboratories	Ind										P	
Large machine, marine, truck repair	Com									P		C

## TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-1	I-1	P-I
Light industrial	Ind									P	P	
Lighting	Acc						P-A	P-A	P-A	P-A	P-A	
Manufactured home parks	Res					C						
Medical, professional, and commercial offices	Com							P	P			
Mini-storage facilities	Ind									P		
Motels/hotels	Com							P	C			
Multiple family dwellings of five or more units per structure	Res					P						
Multiple family dwellings up to four units per structure	Res				C		C					
Nurseries and greenhouses	Ag	P										

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	P-I
Nursing homes, assisted living, and retirement homes	Inst					P						
Office complexes	Com									P		
Off-street parking and loading facilities, subject to Section 1250 as may be amended	Acc						P-A		P-A			
On and off-sale liquor establishments	Com								P			
Outdoor dining	Acc						C-A					
Outdoor auto, truck, recreational vehicle, and equipment sales and display	Com									C-A	C-A	
Outdoor dining	Acc							C-A	C-A			
Outdoor storage	Acc							C-A, I		C-A, I	C-A	
Parks, wildlife refuges/preserves, open space preservation areas, other recreational facilities	Ag	P										

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-1	I-1	P-I
Personal or business services	Com						P		P			
Personal services	Com							P				
Professional services, such as medical/dental clinics, law offices & accounting offices	Com						P		P			
Public facilities servicing the City such as municipal offices, library, post office	Inst								P			
Public parks	Inst								P			
Public parks, open spaces, and other recreational uses, non-commercial in nature	Inst	P	P	P	P	P	P					P
Recreational facilities in association with on-sale liquor establishment or standard restaurant	Acc							C-A				
Recreational facilities	Com								C-A			
Residential uses in conjunction with commercial uses	Res						P					

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	P-I
Residential uses on first floor of commercial structures	Res								P			
Retail in association with contractor yard or wholesale trade business	Com									P		
Retail trade	Com						P					
Retail trade	Com							P	P			
Signs	Acc						P-A	P-A	P-A	P-A		
Single-family dwellings	Res	P	P	P	P		P					
Specialty shops such as book and stationary stores, candy stores, ice-cream parlors, tobacco, coffee, gift and florist shops	Com						P		P			
Stables	Ag	C										
Standard restaurants	Com						P	P	P			

# TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-1	I-1	P-1
State licensed residential facility serving 7-16 persons	Res					C						
State licensed residential facility six or less, state licensed daycare serving 12 or less, or group family daycare serving 14 or fewer	Res	P	P	P	P	P	P					
Swimming pools and other recreational facilities, Subject to Section 1245.06, as may be amended	Acc	P-A	P-A	P-A	P-A	P-A						
Townhomes, up to four units per attached group	Res				P		P					
Twin homes	Res			P	P		P					
Two family dwellings	Res				P		P					
Utilities, public water and sewer	Inst										P	
Veterinary clinic, animal care, animal shelter, pet daycare, pet training, or animal hospital	Com							C	C	C		
Vocational and technical schools	Inst									P	C	

## TABLE OF USES

USE CLASSIFICATION	USE TYPE	Ag	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	P-I
Warehouses	Ind									P	P	
Wholesale trade and showrooms	Ind									P	P	



**To:** Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

**From:** Cynthia Smith Strack, Planning Consultant

**Date:** March 4, 2020

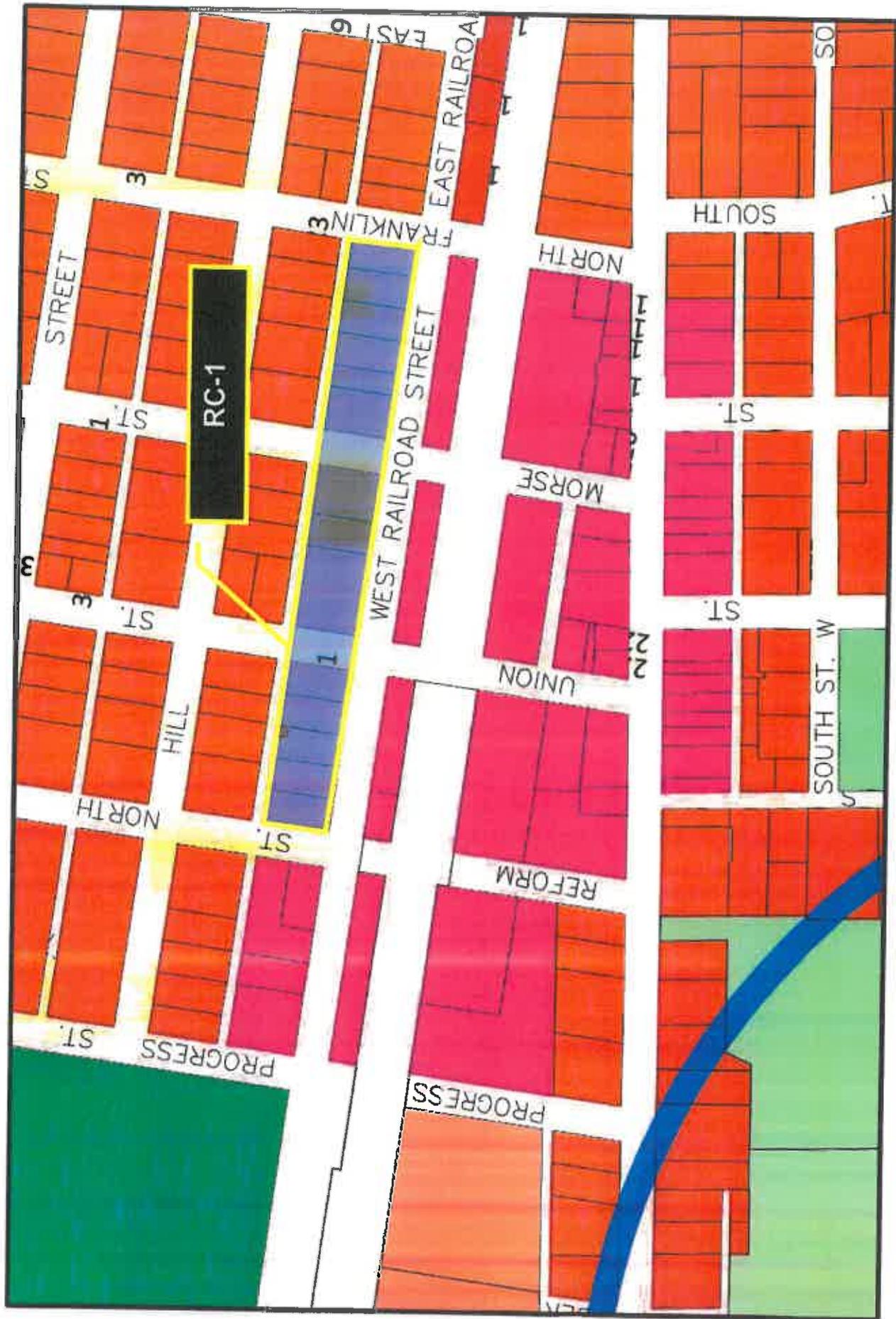
**Re:** Rezoning of Property Adjacent to Railroad Street

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Last month the Planning Commission discussed various scenarios for rezoning some properties adjacent to Railroad Street Franklin to Progress.

The Commission asked for a better quality aerial map and property tax classifications for the properties adjacent to Railroad St W.

Attached please find existing zoning and an aerial map.





58050170

58050150

58050140

58995

Morse St N

580501080

580501070

580501060

589990010

Union St N

580501000

580500990

580500970

580500960

580500950

Railroad St W

586650010

589990040

Hill St W

580500900

Reform St N

PID	PARCEL ADDRESS	TAXPAYER NAME	TAXPAYER ADDRESS	TAXPAYER CITY, STATE, ZIP	LAND USE	HOMESTEAD
589990020	421 RAILROAD ST W	NORWOOD YOUNG AMERICA CITY, C/O CITY				
580500880	420 RAILROAD ST W	CLERK	PO BOX 59	NYA, MN 55368-0059	Muni Svc Other	N
580500890	410 RAILROAD ST W	HOMELAND BUILDERS INC	PO BOX 31	MAYER, MN 55360-0031	Res V Land	N
580500821	None	RICHARD & MARIANN E KAMPS	PO BOX 193	NYA, MN 55368-0193	Res 1 unit	N
580500900	211 REFORM ST N	XTREME CARWASH LLC	311 RAILROAD ST W	NYA, MN 55368-9774	Commercial	N
580500950	324 RAILROAD ST W	KARS PROPERTIES LLC	PO BOX 369	NYA, MN 55368	Commercial	N
589990040	None	KARS PROPERTIES LLC	PO BOX 369	NYA, MN 55368	Commercial	N
580500960	320 RAILROAD ST W	JET P LU	320 RAILROAD ST W	NYA, MN 55368	Commercial	N
580500970	318 RAILROAD ST W	MATTHEW DRESSEL	318 RAILROAD ST W	NYA, MN 55368	Res 1 unit	N
580500990	316 RAILROAD ST W	DOROTHY WALL	PO BOX 103	NYA, MN 55368-0103	Res 1 unit	N
586650010	311 RAILROAD ST W	XTREME PROPERTIES LLC	311 RAILROAD ST	NYA, MN 55368-9774	Res 1 unit	Y
580501000	211 UNION ST N	STEPHEN & JANICE JORGENSEN	PO BOX 523	NYA, MN 55368-0523	Commercial	N
580501060	222 RAILROAD ST W	DONALD L & CAROL SCHROEDER	PO BOX 636	NYA, MN 55368-0636	Res 1 unit	Y
580501070	214 RAILROAD ST W	SCHRUPP CONSTRUCTION INC	214 RAILROAD ST W	NYA, MN 55368-9303	Commercial, Res 1-3 units	Y
589990010	210 RAILROAD ST W	XTREME PROPERTIES LLC	311 RAILROAD ST	NYA, MN 55368-9774	Res 1 unit	N
580501080	210 RAILROAD ST W	HOANG NGUYEN	1327 LAFOND AVE	SAINT PAUL, MN 55104-2035	Commercial	N
580501140	124 RAILROAD ST W	ADAM WHITE	1131 CARDINAL DR	MAYER, MN 55360	Commercial	N
580501150	120 RAILROAD ST W	WEST METRO NYA PROPERTIES LLLP	118 RAILROAD ST W	NYA, MN 55368	Commercial	N
580501160	118 RAILROAD ST W	WEST METRO NYA PROPERTIES LLLP	118 RAILROAD ST W	NYA, MN 55368	Res 1 unit	N
589990030	117 RAILROAD ST W	LOOMIS HOMES LLC	1458 WHITE OAK DR	CHASKA, MN 55318-2525	Commercial	N
580501170	116 RAILROAD ST W	EVERETT & ELDORA DAMLOW	116 RAILROAD ST W	NYA, MN 55368-9304	Industrial	N
580501180	114 RAILROAD ST W	KEVAN J & KATIE A PUGH	114 RAILROAD ST W	NYA, MN 55368-9304	Res 1 unit	Y
580501190	110 RAILROAD ST W	KEVIN R E HARMS	110 RAILROAD ST W	NYA, MN 55368-9304	Res 1 unit	Y

