



**AGENDA – REGULAR MEETING  
6:00 p.m., November 16, 2015**

## **Planning Commission**

- 1. CALL TO ORDER**
- 2. ROLL CALL (Quorum is 4)**
- 3. APPROVAL OF AGENDA (Unanimous additions required)**
- 4. APPROVAL OF MINUTES (Unanimous additions required)**
  - A. Planning Commission Minutes of September 21, 2015
- 5. PUBLIC COMMENTS**
- 6. PUBLIC HEARINGS**
  - A. Consider Recommendation Regarding Zoning Code Updates to § 153.009 DEFINITIONS and § 153.037, CENTRAL BUSINESS DISTRICT, CBD to address Mobile Food Vending
  - B. Consider Recommendation Regarding City Code Updates to § 153.091 SIGNS: REGULATIONS AND STANDARDS; PERMITS; and § 151.04 PROPERTY MAINTENANCE: AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE to clarify size requirements for house numbers
- 7. OLD BUSINESS**
- 8. NEW BUSINESS**
  - A. Discuss Urban Livestock (e.g., Chicken & Beekeeping) Policy
- 9. REPORTS OR COMMENTS: Staff, Chair, & Commission Members**
- 10. ADJOURNMENT**

**OSSEO PLANNING COMMISSION MINUTES  
REGULAR MEETING  
September 21, 2015**

**4.A.**

1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Chair Todd Woods at 6:00 pm., Monday, September 21, 2015.

2. ROLL CALL

Present: Commission members Dee Bonn, Dorothy Clarke, Barbara Plzak, Alden Webster, and Chair Todd Woods.

Absent: Commission members Deanna Burke and Casey Robertson.

Others present: Planning/Administrative Intern Nancy Smebak.

3. APPROVAL OF AGENDA

**A motion was made by Plzak, seconded by Webster, to approve the Agenda as presented. The motion carried 5-0.**

4. APPROVAL OF MINUTES

A. Approve July 20, 2015, Minutes

**A motion was made by Bonn, seconded by Plzak, to approve the July 20, 2015, minutes. The motion carried 5-0.**

5. PUBLIC COMMENTS

Chair Woods advised this is the time for public comments for items that are not on the agenda for tonight's meeting. There were no comments from the public.

6. PUBLIC HEARINGS

A. Consideration Lot Combination Application from RC Osseo, LLC, for 26 2<sup>nd</sup> Street NW (PID 13-119-22-14-0069), 32 2<sup>nd</sup> Street NW (PID 13-119-22-14-0086), and 124 1<sup>st</sup> Avenue NW (PID 13-119-22-14-0064)

**A motion was made by Plzak, seconded by Webster, to open the Public Hearing. The motion carried 5-0.**

Smebak stated RC Osseo, LLC a Minnesota limited liability company, has completed negotiations with Osseo's EDA to purchase three parcels located on Block 22 in the City's Central Business District (CBD). The company intends to build a 2-story, 10,000 square foot office building on this site. Because Minnesota State Building Code prohibits continuous building to be constructed across a property line, these parcels must be combined and property lines eliminated before building can commence.

Smebak explained that combining these three (3) parcels will result in one parcel, approximately 11, 333 square feet in area. The resulting parcel will be neither the smallest nor the largest parcel on Block 22. Four existing parcels are larger than 11,000 square feet,

and 5 are smaller. Other parcels in the CBD similarly vary in size. The proposed office building will be consistent with other building sizes and uses in the vicinity. Staff discussed the request further and recommended approval of the lot combination.

Jeff Bowman, Vice President with Rochon Corporation, thanked the Planning Commission for considering his request.

Plzak asked if any structures on the site would be demolished. Mr. Bowman stated the dental building would be taken down and made into a parking lot.

Joe Rauch, part owner of Pasqual Signs, did not object to the applicant's proposal, but did have some concern how the adjoining wall would be impacted between his property and the adjacent site.

Mr. Bowman explained he spoke with Mr. Rauch as well and discussed how the dental building would be removed and the wall would be reinforced. He reported that any damage caused by the demolition would be made right by his organization.

Bonn questioned if the new building would have a First Avenue address. Smebak reported that this matter would be negotiated with the property owner and the U.S. Postal Service.

**A motion was made by Bonn, seconded by Plzak, to close the public hearing at 6:14 p.m. The motion carried 5-0.**

**A motion was made by Bonn, seconded by Webster, to approve the Lot Combination Application by RC Osseo, LLC to combine 26 2<sup>nd</sup> Street NW (PID 13-119-22-14-0069), 32 2<sup>nd</sup> Street NW (PID 13-119-22-14-0086), and 124 1<sup>st</sup> Avenue NW (PID 13-119-22-14-0064). The motion carried 5-0.**

7. OLD BUSINESS

8. NEW BUSINESS

A. Consider Site and Building Plan Review Application from RC Osseo, LLC, for 26 2<sup>nd</sup> Street NW (PID 13-119-22-14-0069), 32 2<sup>nd</sup> Street NW (PID 13-119-22-14-0086), and 124 1<sup>st</sup> Avenue NW (PID 13-119-22-14-0064)

Smebak explained RC Osseo, LLC a Minnesota limited liability company, has completed negotiations with the Osseo's EDA to purchase three parcels located on Block 22 in the City's Central Business District (CBD) and has applied with the City to consolidate these three parcels into one larger, fully buildable lot. The developer intends to build a 2-story 10,000 square foot office building on the site. As with any new construction, a site plan application must be submitted and approved. Staff discussed the site plan in detail with the Commission and recommended approval.

Plzak was pleased by the look of the new building. She questioned if the applicant had any tenants lined up for the building. Jeff Bowman, Vice President with Rochon Corporation, did not currently have any tenants. He reported that Rochon Corporation would occupy approximately one-half of the building.

Webster inquired how many employees Rochon Corporation had at this time. Mr. Bowman stated that he currently had 20 employees.

Webster expressed concern with the number of parking stalls within the lot. Mr. Bowman commented that he and his employees would take advantage of on street parking to allow his tenants to utilize the adjacent parking lot. Smebak explained that there was additional parking one block away from this building that offered an additional 20 parking stalls. Further discussion ensued regarding the parking surrounding the proposed property.

Bonn asked how close the new parking lot would be to the Pasqual Sign building. Mr. Bowman reported that the parking lot would be two feet from the Pasqual building.

Clarke expressed concern with the parking situation in the downtown area. She reported that she was pro-business, but feared how the proposed development would impact parking in this area of downtown Osseo. She believed that the building was quite plain and questioned what type of lighting would be placed on the building. Mr. Bowman indicated that the building would have down lighting.

Bonn questioned if the parking lot would be lit. Smebak advised that this was not a City Code requirement.

Bonn believed that it would be to the applicant's benefit and the safety of its patrons to have the parking lot lit.

**A motion was made by Plzak, seconded by Webster, to recommend approval of the Site and Building Plan Review Application by RC Osseo, LLC to combine 26 2<sup>nd</sup> Street NW (PID 13-119-22-14-0069), 32 2<sup>nd</sup> Street NW (PID 13-119-22-14-0086), and 124 1<sup>st</sup> Avenue NW (PID 13-119-22-14-0064). The motion carried 5-0.**

9. REPORTS OR COMMENTS: Staff, Chair, & Commission Members

Bonn welcomed Rochon Corporation into the City of Osseo.

Smebak reported the food truck issue was still being reviewed by City staff. She anticipated this item would be discussed again at the November Planning Commission meeting.

Woods welcomed Rochon Corporation to the City as well and believed the proposed office building would be a great addition to the community.

10. ADJOURNMENT

**A motion was made by Bonn, seconded by Webster, to adjourn the meeting at 6:38 pm. The motion carried 5-0.**

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*



## Osseo Planning Commission Meeting Item

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**Agenda Item:** Zoning Code Updates to § 153.009 Definitions and § 153.037, Central Business District, CBD to address Mobile Food Vending

**Meeting Date:** November 16, 2015

**Prepared by:** Nancy Smebak, Planning/Administrative Intern

**Attachments:** [FDA Food Code 2013 § 1-2: Ready-to-Eat Food](#)  
Map of Current Restaurant & Convenience Store Locations and 150' Buffers

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### **Policy Consideration:**

Consider recommending City Council approve updates to the Osseo Zoning Code defining mobile food vending and identifying mobile food vending as a Conditional Use in the Central Business District.

Because CBD Conditional Uses are also approved Conditional Uses in Osseo's Highway Commercial (C-2) and Manufacturing (M), updating Conditional Uses for the CBD will also affect the city's other non-residential zones unless additional code revisions are included to restrict mobile food vending in those zones.

### **Previous Action or Discussion:**

At its July 20, 2015 meeting, the Osseo Planning Commission discussed the topic of Mobile Food Vendors (colloquially referred to as Food Trucks). Planning Commission members expressed interest in allowing mobile food vendors to operate within the city as part of limited duration events—for example, as part of a proposed monthly "Food Truck Day in Osseo" event, or in conjunction with festivals such as Lions Roar. Commission members discussed potential positive and negative effects of Food Trucks and Mobile Food Vending, but did not make a formal statement as to whether Food Trucks were desirable in Osseo or should be permitted under City land use regulations.

### **Background:**

Mobile Food Vending is a land use that is growing in popularity in cities in Minnesota and around the nation. Food trucks may bring new customers and drive-by traffic to an area and increase the city's walkability by providing destinations and vibrant street life. Mobile vending may offer lower barriers to entry to entrepreneurs seeking to establish food businesses; however, food trucks are constrained by limited menus, preparation and storage space, and operating windows (i.e., fair weather). Despite these constraints, mobile vendors present competition to existing brick-and-mortar retailers, who pay property taxes and contribute to a city's business climate year-round.

Other cities have implemented regulations on Mobile Food Vending that may give an appearance of limiting free enterprise without a rational basis for regulation. El Paso, Texas' regulations that prohibited food trucks from operating within 1,000 feet of a restaurant or convenience store were the subject of a 2011 lawsuit. The lawsuit alleged the regulations constituted unreasonable and arbitrary government interference, and that there was no logical nexus between the 1,000 foot separation requirement and protections for public health and safety. As a result of the lawsuit, the city removed these provisions from its code. Because of the potential for similar legal challenges and Osseo's specific retail footprint, staff does not recommend Osseo adopt "buffer based" regulations on Mobile Food Vending.

Following the July Planning Commission Meeting, Staff continued to review potential food truck uses in the City. Mobile Food Vending at approved events can likely continue without Planning Commission or City Council intervention. Because these event plans are presented to and approved on a case-by-case basis by the City Council, Staff does not find a need to address these instances of Mobile Food Vending in City Code.

Whether Mobile Food Vending is or should be allowed within the City of Osseo at times other than Council-approved events remains an open question. Osseo Land Use Code identifies CBD Permitted Uses as including:

- (a) Retail establishments such as grocery, hardware, drug, clothing, appliances, furniture stores, and restaurants.

Osseo Code also identifies CBD Conditional Uses as including

- (7) Seasonal businesses.

It may be reasonable to consider Mobile Food Vendors as a combination of “Restaurant” and “Seasonal Business” and allow them as Conditional Uses in Osseo. Conditional Uses are generally considered to be uses similar to Permitted Uses that may, however, impose potential negative impacts above and beyond those generated by Permitted Uses. Because of these potential negative aspects of a specific land use, Conditions of Approval are put in place to mitigate negative impacts. In the case of Mobile Food Vendors, additional negative impacts might include (but are not limited to) traffic congestion or litter; Conditions of Approval might include requirements that parcels have adequate parking and a stipulation that Mobile Food Vendors be responsible for clearing litter from a specified area around their zone of operation. Conditions of Approval are developed on a case-by-case basis in response to specific potential impacts of a land use. In Osseo, Public Hearings are held in advance of considering or approving Conditional Uses. Conditional Use Permits expire if the use is not conducted within 12 consecutive months.

If the City would like to allow Mobile Food Vending at times outside of Council-approved events, Staff recommends that the City do so by including Mobile Food Vending as a Conditional Use in Commercial Zones. Conditional Use approval would allow public consideration of individual applications for Mobile Food Vending uses.

Potential Conditions of Approval for a Mobile Food Vending CUP include:

In order to be an eligible Mobile Food Vending use,

- 1) The property must be able to provide all parking spaces required by City code, in addition to providing adequate space for mobile food vending. A prescriptive site plan for the mobile food vending use, showing vendor location, pedestrian and vehicular access routes, trash removal zone, and existing and required parking spaces shall be approved by the City Planner and kept on record with the City, with updates and revisions filed regularly as amendments to the vending plan are made. Violating the prescriptive plan approved by the City Planner and kept on record with the City shall be a violation of the CUP;
- 2) All vehicle and mobile food vendor parking shall occur on an impervious surface, per Osseo City Code § 153.078 (D);
- 3) All vending must occur on an improved surface;
- 4) The mobile food vendor must at all times meet all requirements of the Hennepin County Community Health Department and the Minnesota Department of Health as it relates to food retail establishments and the Community Health Department certification shall be prominently displayed within the mobile food vendor near the retail sales windows(s);
- 5) During any hours at which the mobile food vendor is open, the business shall be open to any State or County Health official and to any City official or police officer for inspection to determine compliance with the stated conditionals of approval;
- 6) The mobile food vendor must ensure that all employees vending within Osseo are duly licensed as transient merchants with the city;

- 7) Following any hours during which the mobile food vendor is open, the mobile food vendor shall immediately remove all trash within a 25 foot radius of the vending unit and dispose of all refuse in a private trash receptacle;
- 8) Price rates for all products shall be prominently posted on the mobile food vending unit in a location available to all prospective customers;
- 9) The hours of operation shall be not earlier than 7:00 AM and not later than 9:00 PM;
- 10) Any building appearance changes shall adhere to Osseo City Code §93.21 and §153.053;
- 11) The mobile food vendor shall adhere to all applicable sign codes (Osseo Code §153.090 through §153.099) related to outdoor and temporary signage and shall apply for and receive all necessary Osseo Sign Permits. Applicable sign code provisions include but are not limited to:
  - § 153.091 (V) A parked vehicle carrying advertising shall be considered a sign unless in operable condition, carrying a current, valid license tag, and unless the vehicle does not remain parked at the same location for 72 continuous hours.

**City Code Amendments (new content/revisions in red underline):**

**§ 153.009 DEFINITIONS** (to be placed as appropriate in alphabetic order amid existing definitions)

**MOBILE FOOD VENDING. Operating a Ready-To-Eat retail food establishment or Ready-to-Eat food distribution activity from a food truck, trailer, or cart, regardless of means of locomotion that can or does routinely change location. A mobile food vending operation conducted from any one location for more than fourteen consecutive days ceases to be a mobile food vending operation and shall instead comply with other applicable portions of Osseo City Code. For the purposes of a mobile food vending Conditional Use, “mobile food vending” excludes food delivery operations and vending machines.**

**FOOD DELIVERY OPERATION. A food service operation from which individual portions of food are ordered in advance by a customer, subsequently prepared at another food service operation or a retail food establishment, and delivered to the customer to a location other than that where the food was prepared. Food delivery operations are distinct from Mobile Food Vending.**

**READY-TO-EAT FOOD. Ready-To-Eat food shall be as defined pursuant to FDA Food Code 2013 § 1-2 DEFINITIONS, as it may be amended from time to time. (See Attachment for the current definition.)**

**§ 153.037 CENTRAL BUSINESS DISTRICT, CBD.**

C) *Conditional uses.* Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

- (1) Essential service structures and uses;
- (2) Entertainment and amusement services such as arcades, billiards, bowling alleys, lounges, clubs, and lodges;
- (3) Private institutions (e.g., convalescent housing, infirmaries, nurseries, and schools);
- (4) Dry cleaning;
- (5) Blueprint and photocopying establishments;
- (6) Pet shops;
- (7) Seasonal businesses;

**(8) Mobile food vending;**

~~(8)~~(9) Commercial businesses such as on- or off-sale liquor establishments (taverns, pubs) and restaurants intending to sell or serve liquor as part of regular business; and

~~(9)~~(10) Any other uses determined by the city to be the same or similar type uses.

**Budget or Other Considerations:**

The City's current fee schedule establishes a \$500 application fee for Conditional Use Permits, which compensates the City for public notice requirements and staff time required to review applications.

**City Goals Met By This Action:**

- Foster and promote economic development and business success in the City.
- Ensure the City of Osseo's financial stability.
- Keep taxes and utility rates as low as possible.
- Provide for the wellbeing and safety of Osseo residents.
- Create a more walkable community.

**Options:**

The Planning Commission may choose to:

1. Recommend City Council approve revisions to Osseo City Code § 153.009 Definitions and § 153.037, Central Business District, CBD to address Mobile Food Vending;
2. Recommend City Council approve revisions to Osseo City Code § 153.009 Definitions and § 153.037, Central Business District, CBD to address Mobile Food Vending with noted changes/as amended;
3. Recommend City Council deny approval of revisions to Osseo City Code § 153.009 Definitions and § 153.037, Central Business District, CBD to address Mobile Food Vending;
4. Table action on this item for more information.

**Recommendation/Action Requested:**

Staff makes no recommendation to the Planning Commission, and reminds the Commission that items may be tabled if additional information or time for consideration is required.

**Staff Recommendation Includes:**

Planning/Administrative Intern Nancy Smebak; City Administrator Riley Grams

**Next Step:**

The Osseo City Council will consider the Planning Commission's recommendation at its November 23, 2015 meeting.



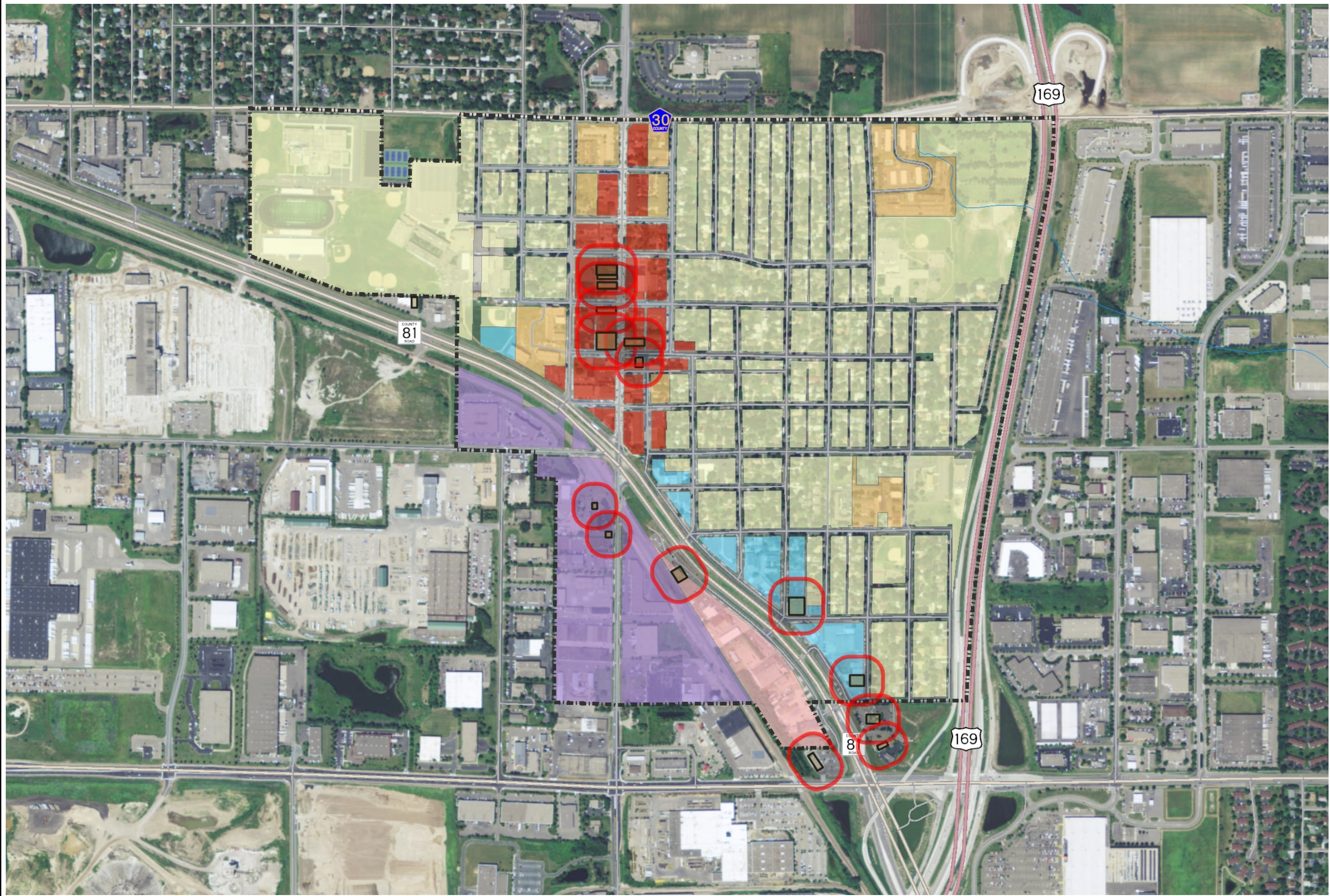
## **FDA Food Code 2013 § 1-2**

### **Ready-to-Eat Food.**

- (1) "Ready-to-eat food" means FOOD that:
  - (a) Is in a form that is edible without additional preparation to achieve FOOD safety, as specified under one of the following: ¶ 3-401.11(A) or (B), § 3-401.12, or § 3-402.11, or as specified in ¶ 3-401.11(C); or
  - (b) Is a raw or partially cooked animal FOOD and the consumer is advised as specified in Subparagraphs 3-401.11(D)(1) and (3); or
  - (c) Is prepared in accordance with a variance that is granted as specified in Subparagraph 3-401.11(D) (4); and 16
  - (d) May receive additional preparation for palatability or aesthetic, epicurean, gastronomic, or culinary purposes.
  
- (2) "Ready-to-eat food" includes:
  - (a) Raw animal FOOD that is cooked as specified under § 3-401.11 or 3-401.12, or frozen as specified under § 3-402.11;
  - (b) Raw fruits and vegetables that are washed as specified under § 3-302.15;
  - (c) Fruits and vegetables that are cooked for hot holding, as specified under § 3-401.13;
  - (d) All TIME/TEMPERATURE CONTROL FOR SAFETY FOOD that is cooked to the temperature and time required for the specific FOOD under Subpart 3-401 and cooled as specified under § 3-501.14;
  - (e) Plant FOOD for which further washing, cooking, or other processing is not required for FOOD safety, and from which rinds, peels, husks, or shells, if naturally present are removed;
  - (f) Substances derived from plants such as spices, seasonings, and sugar;
  - (g) A bakery item such as bread, cakes, pies, fillings, or icing for which further cooking is not required for FOOD safety;
  - (h) The following products that are produced in accordance with USDA guidelines and that have received a lethality treatment for pathogens: dry, fermented sausages, such as dry salami or pepperoni; salt-cured MEAT and POULTRY products, such as prosciutto ham, country cured ham, and Parma ham; and dried MEAT and POULTRY products, such as jerky or beef sticks; and
  - (i) FOODS manufactured as specified in 21 CFR Part 113, Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers.

**Legend**

- City Limits
- Roads
  - US Highway
  - State Highway
  - County Highway
  - Ramp
  - Local Road
- Protected Waters
- Zoning
  - South Highway Commercial
  - North Highway Commercial
  - R-1 One and Two Family Residential District
  - R-2 Multi-Family Residential District
  - CBD Central Business District
  - Manufacturing and Industrial



**Map of Current Restaurant & Convenience Store Locations**



**Disclaimer:**  
 This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Osseo is not responsible for any inaccuracies herein contained.

0 720 Feet





## City of Osseo Planning Commission Meeting Item

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**Agenda Item:** Consider Recommendation Regarding City Code Updates to § 153.091 SIGNS: REGULATIONS AND STANDARDS; PERMITS; and § 151.04 PROPERTY MAINTENANCE: AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE to clarify size requirements for house numbers

**Meeting Date:** November 16, 2015  
**Prepared by:** Nancy Smebak, Planning/Administrative Intern

**Attachments:** Product Specifications for Whitehall Products Nite Brite Kit (Home Depot)

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**Policy Consideration:**

Consider recommending approval of updates to the Osseo City Code unifying minimum size requirements for property identification numbers in the City of Osseo.

**Background:**

Osseo City Code presently sets forth minimum size requirements for house identification numbers in two locations. § 153.091 SIGNS: REGULATIONS AND STANDARDS; PERMITS, Location (I) states:

A minimum of one address sign shall be required on each building in all districts. The sign shall contain numerals of a sufficient size to be legible from the nearest street yet shall not exceed two square feet in area. The numerals shall be metal, glass, plastic, or durable material and shall not be less than three and one-half inches in height and shall be in a contrasting color to the base. The numerals shall be light or made of some reflective material and so placed to be easily seen from the street.

Meanwhile, § 151.04 PROPERTY MAINTENANCE: AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE Location (Q) states:

Section 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall: contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of six inches high with a minimum stroke width of one-half inch.

The city should set forth uniform size requirements for building address identification numbers. Clearly legible address identification numbers are necessary for emergency responders, many of whom are not Osseo natives and may also be responding from neighboring jurisdictions.

Four inches with a half-inch stroke is recommended as a standard and readily-available size for retail address numbers. Numbers measuring three and one-half inches constructed of metal or plastic are not generally available at mainstream home improvement stores, although vinyl decals may sometimes be found at this size. The attached product specification sheet shows a mainstream retail solution that meets the proposed code requirements at a moderate cost to property owners.

A display board with numbers printed to various sizes is available for the Commission to review at this meeting.

**City Code Amendments (new content/revisions in red underline):**

§ 153.091 SIGNS: REGULATIONS AND STANDARDS; PERMITS, Location (I):

A minimum of one address sign shall be required on each building in all districts. The sign shall contain numerals of a sufficient size to be legible from the nearest street yet shall not exceed two square feet in area. The numerals shall be metal, glass, plastic, or durable material and shall not be less than four inches in height with a minimum stroke width of one-half inch and shall be in a contrasting color to the base. The numerals shall be lighted or made of some reflective material and so placed to be easily seen from the street.

§ 151.04 PROPERTY MAINTENANCE: AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE Location (Q):

Section 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall: contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of four inches high with a minimum stroke width of one-half inch.

**Previous Action or Discussion:**

The Planning Commission has not recently considered this matter.

**Budget or Other Considerations:**

Monitoring the minimum size of house numbers is a low enforcement priority for the City. However, establishing a uniform requirement across all sections of City Code will provide a basis for any necessary future enforcement actions.

**City Goals Met By This Action:**

- Provide for the wellbeing and safety of Osseo residents.
- Provide outstanding service to the residents and businesses of Osseo. (Clearly legible address identification numbers are necessary for emergency responders to provide service.)

**Options:**

The Planning Commission may choose to:

1. Recommend City Council approve revisions to Osseo City Code § 153.091 Signs: Regulations and Standards; Permits; and § 151.04 Property Maintenance: Amendments to International Property Maintenance Code to clarify size requirements for house numbers;
2. Recommend City Council approve revisions to Osseo City § 153.091 Signs: Regulations and Standards; Permits; and § 151.04 Property Maintenance: Amendments to International Property Maintenance Code to clarify size requirements for house numbers with noted changes/as amended;
3. Recommend City Council deny approval of revisions to Osseo City § 153.091 Signs: Regulations and Standards; Permits; and § 151.04 Property Maintenance: Amendments to International Property Maintenance Code to clarify size requirements for house numbers;
4. Table action on this item for more information.

**Recommendation/Action Requested:**

Staff recommends the Planning Commission choose option (1) Recommend City Council approve revisions to Osseo City Code § 153.091 Signs: Regulations and Standards; Permits; and § 151.04 Property Maintenance: Amendments to International Property Maintenance Code to clarify size requirements for house numbers

**Next Step:**

The Osseo City Council will consider the Planning Commission's recommendation at its November 23, 2015 meeting.



More saving.  
More doing.

Your Store: **Maple Grove #2844**  
Use **Current Location** or [find store](#)

**Whitehall Products** | Model # 14137 | Internet # 100386578  
**Nite Brite Kit**

★★★★☆ (13) | [Write a Review](#) | [Questions & Answers \(1\)](#)



**\$19.97** /each

[Open Expanded View](#)



**PRODUCT OVERVIEW** Model # 14137 | Internet # 100386578 | Store SO SKU # 1000318278

Whitehall Nite Brite address system comes with a reflective background creating maximum visibility. 3 different mounting options allow you to place on a wall, post, or top of your mailbox. This double-sided plaque includes 52 self-stick 4 in. numbers and an easy alignment template making vertical and horizontal address presentation simple. Lifetime limited guarantee.

- Whitehall nite brite reflective material provides maximum visibility
- Whitehall nite brite includes three mounting options
- Whitehall nite brite 4 in. numbers are easy to see from a distance
- Whitehall nite brite comes with a lifetime limited guarantee

**SPECIFICATIONS**

**DIMENSIONS**

Number/Letter Height (in.)	4	Product Height (in.)	16
Number/Letter Width (in.)	2	Product Width (in.)	4.5
Product Depth (in.)	6		

**DETAILS**

Background	Yes	Number/Letter/Other	Number
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## City of Osseo Planning Commission Meeting Item

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<b>Agenda Item:</b>	<b>Discuss Urban Livestock (e.g., Chicken &amp; Beekeeping) Policy</b>
<b>Meeting Date:</b>	November 16, 2015
<b>Prepared by:</b>	Nancy Smebak, Planning/Administrative Intern
<b>Attachments:</b>	Osseo City Code § 52.015 and § 94.45 “Does Your City Allow Bees or Farm Animals in Residential Areas?” Article

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**Policy Consideration:**

Provide input to be used in developing an Animal Husbandry policy for the City of Osseo.

**Background:**

Backyard production of chickens and other fowl, rabbits, and fish in urban areas is a growing area of interest in Minnesota and nation-wide. Many cities that used to forbid the practice are reconsidering ordinances to allow animals to be raised within their city limits. Osseo’s City Code does not currently address keeping livestock in residential areas, but only prohibits animals “running at large” or being herded or picketed on public property (§ 94.45). City Code also prohibits depositing animal excrement on upon public or private property within the city (§ 52.015)

When animal husbandry is allowed in urban areas, it is important to ensure that animals do not become a nuisance for neighbors or nearby property owners. For this reason, many cities do not allow crowing roosters or escape-artist goats. Permitted animals are generally small, quiet, and unlikely to produce noxious odors. Animal enclosures may have specific setback requirements that differ from other “accessory structure” requirements.

**Previous Action or Discussion:**

The Planning Commission has not recently considered this matter.

**Budget or Other Considerations:**

Costs for administering an animal husbandry permitting program could be absorbed in a permit fee.

**City Goals Met By This Action:**

- Provide for the wellbeing and safety of Osseo residents.
- Foster and promote economic development and business success in the City.
- Provide outstanding service to the residents and businesses of Osseo.

**Options:** The Planning Commission may bring up topics staff should consider in crafting an Animal Husbandry policy for the City of Osseo.

**Next Step:** A policy and any associated City Code amendments will be drafted and presented at a future Planning Commission Meeting.

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## **Osseo City Code § 52.015 and § 94.45**

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### **§ 52.015 UNSANITARY DEPOSIT ON PROPERTY PROHIBITED.**

It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the city, or in any area under the jurisdiction of the city, any human excrement, garbage, or other objectionable waste, or animal excrement.

### **§ 94.45 RUNNING AT LARGE PROHIBITED.**

No person shall allow any horses, mules, asses, cattle, hogs, sheep, goats, kids, cats, or domestic fowl to run at large, or shall herd or picket these animals on the public streets, alleys, or grounds.

# Does Your City Allow Bees or Farm Animals in Residential Areas?

## BRETT SMITH

DEPUTY CLERK-TREASURER  
DASSEL

Dassel (population 1,462), home to the largest barbecued chicken gathering in Minnesota, did not permit the harboring of chickens in residential areas. The passion and initiative of various residents sought to abolish this contradiction by drafting an ordinance.

### Setting parameters

These individuals, who have extensive knowledge, explained that allowing chickens would not only be useful for economic purposes, such as the laying and selling of eggs, but could also be educational for children. Supporters of the chicken ordinance and those with a first-hand account of raising chickens were adamant that by eliminating roosters and capping the number of chickens based on acreage, the city would be able to minimize any potential nuisances.

After hours of intense research and collaboration, a proposed ordinance was adopted on June 15, 2015. The ordinance allows for up to five hens on parcels under an acre, and up to 10 for those over an acre. The ordinance also requires maintaining chicken coops a minimum of 15 feet from a permit holder's dwelling, 40 feet from adjacent dwellings, and 10 feet from lot lines. The ordinance does not allow for any farm animals other than chickens.

### Opposition

The proposed ordinance was not without its detractors. Opponents of the ordinance argued that noise, odors, and lack of aesthetic appeal would create nuisances and civil unrest within the city. Attracting unwanted pests and rodents was also a primary concern.

At first glance, it may seem that the debate among residents would create tension, and those on the opposite ends of the spectrum would harbor bad feelings toward one another. However, I see the process as a "glass-half-full" situation because it spurred on community engagement. Citizens were presented with the opportunity to step up to the podium and be heard. It also showed that the city works for the people of Dassel and hones in on their best interest.

The passing of the chicken ordinance further opens the door for residents who may want to fight for issues they are passionate about. It has shown citizens that their influence can make an imprint on Dassel.

### Good for community

I do not see ill will between the supporters and objectors of the chicken ordinance. Instead, residents displayed a healthy understanding and respect toward one another's stance on the issue. This is what allows a community to thrive and unify.

## TIM GLADHILL

COMMUNITY DEVELOPMENT DIRECTOR  
RAMSEY

The City of Ramsey allows bees and certain farm animals, including chickens, to be kept in residential areas. Ramsey is a developing community with a rural history. Our community of 24,300 people takes pride in maintaining a unique balance of rural and urban character.

### Restrictions on farm animals

The first restrictions on the keeping of farm animals can be traced to 1980, when the community began to experience some of its first more urbanized development patterns. In 2002, during another significant growth period for Ramsey, the city began restricting the keeping of certain animals on less than 3 acres.

Many traditional farm animals are allowed on parcels that are at least 3 acres. This includes horses, which can also be kept on lots as small as 1.5 acres with the issuance of a conditional use permit (CUP).

### Adding some flexibility

In 2012, Ramsey made a policy change to be more flexible on the keeping of some smaller farm animals in response to consistent resident feedback. The change was also prompted in part by city goals to focus on sustainability issues.

Chickens are now allowed on all residential properties. The number allowed is based on a sliding scale tied to lot size. Chickens must be kept in an enclosure and in sanitary conditions. The enclosure should include an area for exercise. Roosters or clucking hens are not allowed due to complaints about noise generated from these animals.

### CUP process

Beekeeping is now also an allowable use with proper enclosures, setbacks, and flyway barriers. As with horses on lots smaller than 3 acres, a CUP is required for beekeeping. Some other animals (including dogs if a resident has four or more) also require a CUP. The purpose of this process is to allow for public comment, attach reasonable conditions, and better respond to instances of improper care.

This process for approval has been unpopular with some residents, however, so the city is considering amending its ordinances again to provide for a more streamlined and reduced cost approval process when compared to the city's general CUP process. The city feels this balances the need for input from surrounding neighbors with the need for a process that is better sized to the actual request. ☑