

**Green Step Cities: Comprehensive Plan as a foundational document for decision making**

The Columbia Heights Code of Ordinances makes reference to the City's Comprehensive Plan in the follow article.

**Article 1: Zoning and Land Development**

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**9.101 Purpose, authority, and jurisdiction.**

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*Purpose.* The City Council of the City of Columbia Heights, Minnesota, adopts this article to accomplish the following:

- (1) Protect the public health, safety, morals, aesthetics, comfort, convenience and general welfare of the community and its people;
  - (2) implement the goals and policies included in the city's **comprehensive plan**;
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**9.102 Rules of Construction.**

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(B) *Application.*

- (1) In their interpretation and application, the provisions of this article shall be held to be the minimum requirements for the promotion and protection of the public health, safety, morals and general welfare. The city may impose additional requirements where deemed necessary to protect the public interest and ensure compliance with the standards and purposes of this article and the goals and policies of the **comprehensive plan**.
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**9.103 Definitions.**

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**COMPREHENSIVE PLAN.** The policies, statements, goals and interrelated plans for private and public use of land and water, transportation, and community facilities including recommendations for plan execution, documented texts, ordinances, maps which constitute the guide for the future development of the city.

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**9.104 Administration and Enforcement.**

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(b) *Duties.* The Planning Commission shall have the following responsibilities:

1. Hear and make recommendations to the City Council regarding all applications for a conditional use permit or an amendment to a conditional use permit.
2. Hear and make the final decisions on all applications for an interim use as defined in this article.

3. Hear and make recommendations to the City Council regarding all applications for an amendment to this article, both text amendments and amendments to the district boundaries on the official zoning map.

4. Hear and make recommendations to the City Council regarding all applications for minor subdivisions, preliminary plats and final plats.

5. Review, hold public hearings, and prepare recommendations on any changes to the City's **Comprehensive Plan**.

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**9.104 Administration and Enforcement.**

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(5) *Application fees.* Fees for all applications for development or land use approval shall be a flat rate and established by resolution of the City Council. The city retains the right to require an escrow and additional payment for any out-of-pocket expenses for consultants and professional services and/or to obtain an escrow for cases that are extraordinary in size or complexity. Remaining escrowed funds not spent in reviewing the application shall be returned to the applicant. Payment of all fees is a condition of application approval. The fee schedule shall be:

<b><i>PLANNING AND ZONING FEE SCHEDULE</i></b>	
<b><i>Land Use Action</i></b>	<b><i>Flat Rate Fee</i></b>
Appeal	\$185
<b>Comprehensive Plan Amendment</b>	\$500
Conditional Use Permit	\$200
Preliminary Plat	\$500 + Escrow
Final Plat	\$100
Interim Use	\$250
Minor Subdivision (Lot Split)	\$275
Site Plan Review	\$250
Vacation	\$150
Variance	\$200
Zoning Amendment	\$500

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**9.104 Administration and Enforcement.**

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(6) *Required findings.* The City Council shall make each of the following findings before granting a variance from the provisions of this article:

(d) The granting of the variance is in harmony with the general purpose and intent of **the Comprehensive Plan.**

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**9.104 Administration and Enforcement.**

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(H) *Conditional use permits.*

(b) The use is in harmony with the general purpose and intent of the **comprehensive plan.**

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**9.104 Administration and Enforcement.**

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(5) *Required findings.* The Planning Commission shall make each of the following findings before granting an interim use:

(a) The use is one of the interim uses listed for the zoning district in which the property is located, or is a substantially similar use, as determined by the Zoning Administrator.

(b) The use is in harmony with the general purpose and intent of the Comprehensive Plan.

(5) *Required findings.* The Planning Commission shall make each of the following findings before granting an interim use:

(a) The use is one of the interim uses listed for the zoning district in which the property is located, or is a substantially similar use, as determined by the Zoning Administrator.

(b) The use is in harmony with the general purpose and intent of the **Comprehensive Plan.**

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**9.104 Administration and Enforcement.**

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(L) *Preliminary plats.*

(6) *Required findings.* The City Council shall make each of the following findings before approving a preliminary plat:

(a) The proposed preliminary plat conforms to the requirements of § [9.115](#).

(b) The proposed subdivision is consistent with the **comprehensive plan.**

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**9.104 Administration and Enforcement.**

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(N) *Site plan review.*

(4) *Required findings.* The Development Review Committee shall conduct the administrative review of all site plan approval requests. All findings and decisions of the Committee shall be forwarded to the Planning and Zoning Commission for final decision, unless the Zoning

Administrator determines that Development Review Committee approval of site plan is sufficient. The Planning and Zoning Commission shall make each of the following findings before approving a site plan:

- (a) The site plan conforms to all applicable requirements of this article.
  - (b) The site plan is consistent with the applicable provisions of the city's **comprehensive plan**.
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**9.109 Residential Districts.**

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- (A) Purpose. The residential zoning districts are established to preserve and enhance the quality of living in residential neighborhoods; provide a range of housing types and densities consistent with **the comprehensive plan**; regulate structures and uses which may affect the character or desirability of these residential areas; and provide directly related complementary uses that support the residential areas while safeguarding the residential character of these areas.
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**9.112 Mixed-Use Development District.**

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(B) General provisions.

(1) Application of district. The Mixed Use Development District shall only be applied to those areas identified as being within one of three mixed-use districts in the city's **comprehensive plan**.

(C) Mixed use development district types. The city's **comprehensive plan** identifies three distinct mixed-use development opportunities with the city.

(D) Uses. Mixed-use developments shall contain at least two of the following three land use categories:

(1) Residential uses. All permitted, conditional, and permitted accessory residential uses identified in § 9.109, Residential Districts, and § 9.110, Commercial Districts, which are consistent with the **comprehensive plan** shall be treated as potentially allowable uses within the Mixed Use Development District.

(2) Commercial uses. All permitted, conditional, and permitted accessory commercial uses identified in § 9.110, Commercial Districts, which are consistent with the **comprehensive plan** shall be treated as potentially allowable uses within the Mixed Use Development District.

(3) Institutional uses. All permitted, conditional, and accessory institutional uses identified in § 9.109, Residential Districts, and § 9.110, Commercial Districts, which are consistent with the **comprehensive plan** shall be treated as potentially allowable uses within the Mixed Use Development District.

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(D) Design Overlay District.

(1) Purpose. The Design Overlay Districts are established to increase the visual appeal and pedestrian orientation of certain major street corridors within the city, thereby increasing the economic vitality of these corridors, and to support the goals of the **comprehensive plan**.

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5. Park dedication. It is deemed necessary and consistent with sound city planning to provide in each new proposed plat or subdivision, areas for future development of park and recreational purposes. Each plat shall hereafter provide for a dedication to the municipality, an area not less than 10% of the total proposed area to be subdivided.

a. Such area shall consist of developable and usable land and shall be located so as to serve the present and future needs of the community for recreational or park purposes.

b. The Planning Commission and the Council shall consider the proposed location in relation to existing or contemplated recreational and park sites in other parts of the community and as to the suitability in meeting the requirements of the city's **comprehensive plan**.

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(D) Design standards.

(1) The following design standards are to be followed unless the City Council shall permit a variance because of unusual circumstances due to the topography, placement of buildings or other factors making it reasonable to vary the standards set forth without nullifying the intent and purpose of the **comprehensive plan** or this section.

(2) Streets.

(a) The arrangement, character, extent, width, grade and location of all streets shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

(b) Where such is not shown in the **comprehensive plan**, the arrangement of streets in the subdivision shall either:

1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

2. Conform to a plan for the neighborhood approved or adopted by the City Council to meet a particular situation where topography or other conditions make continuance or conformance to existing streets impractical.

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