

OPTION 2: CITY COUNCIL WORKSESSION
DRAFT 4.12.2022

ORDINANCE NO. _____

AN ORDINANCE AMENDING NORTHFIELD CITY CODE, CHAPTER 34 – LAND DEVELOPMENT CODE

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted; sections which are only proposed to be re-numbered are only set forth below as to their number and title):

SECTION 1. Northfield Code, Chapter 34 – Land Development Code, Article 2. – Zoning Districts and Use Regulations, Section 2.5.3 – Historic Overlay District (H-O), Clause (C) – Certificate of Appropriateness, is hereby amended, as follows:

- (C) **Certificate of Appropriateness.** Except as otherwise provided in Section 7.8.3, ~~No~~ activity within the H-O district shall occur on a heritage preservation site without having first received a certificate of appropriateness issued by the HPC pursuant to Section 8.5.8, Heritage Preservation Commission's Certificate of Appropriateness. All supporting documents relating to the certificate of appropriateness (e.g., plans and photographs) shall be kept on file by the city planner. Activity initiated or completed without the consent of the HPC and the city as required shall be considered to be in violation of this LDC.

SECTION 2. Northfield Code, Chapter 34 – Land Development Code, Article 7. – Administration, Section 7.8.3 – Exemptions, is hereby amended, as follows:

7.8.3 Exemptions.

- (A) Other non-city government entities carrying out a governmental function, activity, or implementation of essential services shall be exempt in whole or in part from this LDC to the extent exempted by state or federal law.
- (B) The other governmental agencies that are exempt from the regulations of this LDC, in whole or in part, are encouraged to meet the requirements of this LDC to the maximum extent possible.

SECTION 3: This Ordinance shall take effect thirty days after its publication.

Passed by the City Council of the City of Northfield, Minnesota, this ____ day of

_____, 2022.

ATTEST:

City Clerk

Mayor

First Reading	
Second Reading	
Date of Publication	

Date Ordinance takes effect	
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VOTE: ____ POWNELL ____ GRABAU ____ NAKASIAN ____ NESS
 ____ PETERSON WHITE ____ REISTER ____ ZUCCOLOTTO

DRAFT

**OPTION 3: CITY COUNCIL WORKSESSION
DRAFT 4.12.2022**

ORDINANCE NO. ____

AN ORDINANCE AMENDING NORTHFIELD CITY CODE, CHAPTER 34 – LAND DEVELOPMENT CODE

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted; sections which are only proposed to be re-numbered are only set forth below as to their number and title):

SECTION 1. Northfield Code, Chapter 34 – Land Development Code, Article 2. – Zoning Districts and Use Regulations, Section 2.5.3 – Historic Overlay District (H-O), Clause (C) – Certificate of Appropriateness, is hereby amended, as follows:

- (C) **Certificate of Appropriateness.** Except as otherwise provided in Section 7.8.3, No activity within the H-O district shall occur on a heritage preservation site without having first received a certificate of appropriateness issued by the HPC pursuant to Section 8.5.8, Heritage Preservation Commission's Certificate of Appropriateness. All supporting documents relating to the certificate of appropriateness (e.g., plans and photographs) shall be kept on file by the city planner. Activity initiated or completed without the consent of the HPC and the city as required shall be considered to be in violation of this LDC.

SECTION 2. Northfield Code, Chapter 34 – Land Development Code, Article 7. – Administration, Section 7.8.3 – Exemptions, is hereby amended, as follows:

7.8.3Exemptions.

- (A) The city and other government entities carrying out a governmental function, activity, or implementation of essential services ~~may shall~~ be exempt in whole or in part from this LDC to the extent ~~permitted in~~ provided by state and federal law or this city code.
- (B) The city and other governmental agencies that are exempt from the regulations of this LDC, in whole or in part, are encouraged to meet the requirements of this LDC to the maximum extent possible.
- (C) The Section 8.5.8, Certificate of Appropriateness requirements shall not apply to either: (1) city government services; or (2) city government projects located upon or within city-owned property or upon or within a dedicated public right-of-way. The heritage preservation commission, after consulting for review and recommendations from the State Historic Preservation Officer, shall review and make recommendations to the city council regarding city government projects involving the alteration, rehabilitation, moving, or demolition of a city owned building or structure on a designated heritage preservation site within 60 days of receipt from city staff of the applicable city project plan or building permit in the event there is no city project plan.

SECTION 3: This Ordinance shall take effect thirty days after its publication.

Passed by the City Council of the City of Northfield, Minnesota, this ____ day of _____ 2022.

ATTEST:

City Clerk

Mayor

First Reading	
Second Reading	
Date of Publication	
Date Ordinance takes effect	

VOTE: ____ POWNELL ____ GRABAU ____ NAKASIAN ____ NESS
 ____ PETERSON WHITE ____ REISTER ____ ZUCCOLOTTO

OPTION 4: CITY COUNCIL WORKSESSION
DRAFT 4.12.2022

ORDINANCE NO. ____

AN ORDINANCE AMENDING NORTHFIELD CITY CODE, CHAPTER 34 – LAND DEVELOPMENT CODE

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted; sections which are only proposed to be re-numbered are only set forth below as to their number and title):

7.3 City Council.

7.3.1 Powers and Duties. In addition to any other authority granted to the city council by charter, ordinance, or state law, city council shall have the following powers and duties related to this LDC:

- (A) To adopt, monitor, and insure implementation of the principles, goals, and strategies of the official comprehensive plan for Northfield;
- (B) To determine the number, qualifications, and terms of the members of the planning commission, the zoning board of appeals, and heritage preservation commission based on the City Charter, Section 3.2;
- (C) To initiate or act upon proposed amendments, supplements and enactments to this LDC and changes to the zoning map, or changes to the Land Development Code text;
- (D) To review and make decisions regarding heritage preservation site designations;
- (E) To review and make decisions on appeals from decisions by the heritage preservation commission on certificate of appropriateness;
- (E) To review and make decisions on preliminary plat, final plats, and accept related improvements;
- (F) To review and make decisions on annexation requests;
- (G) To decline to follow a recommendation of the planning commission provided that such action is passed or approved by a majority vote of the full membership of the city council, and the planning commission is provided with a written response from the city council to the planning commission detailing the reason for the city council decision as provided in City Charter, Section 3.2; and
- (H) To modify or waive the payment of park dedication requirements as established in Section 5.2.6(C), Waiver of Requirements, upon application by the property owner, or designated representative as provided for in this LDC.

7.4 Planning Commission and Zoning Board of Appeals.

7.4.1Created. There is hereby established a planning commission, a single board that serves as both the planning commission and zoning board of appeals for the city in accordance with Minn. Stat. § 462.354.

7.4.2Title and Citations. This board shall be referenced and cited in this LDC as the planning commission unless the specific citation relates to the board's role as the zoning board of appeals, in which case, the board shall be referenced and cited as the zoning board of appeals.

7.4.3Length of Members' Terms. Members of the planning commission and zoning board of appeals shall be appointed for terms of three years, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall be appointed only for the remainder of such term. Upon the expiration of the member's term of office, a member shall continue to serve until his/her successor is appointed. Members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.

7.4.4Powers and Duties as Planning Commission. In addition to any other authority granted to the planning commission by charter, ordinance, or state law, the planning commission shall have the following powers and duties related to this LDC:

- (A) To make recommendations to the city council regarding the adoption of the official comprehensive plan for Northfield or any amendments thereto;
- (B) To review and make recommendations to city council on preliminary plats and conditional use permits;
- (C) To initiate and make recommendations to city council regarding proposed amendments, supplements and enactments to this LDC and changes to the zoning map, or changes to the Land Development Code text; and
- (D) To review and make recommendations to city council regarding annexation requests.

7.4.5Powers and Duties as the Zoning Board of Appeals. In addition to any other authority granted to the zoning board of appeals by charter, ordinance, or state law, the planning commission, acting as the zoning board of appeals, shall have the following powers and duties related to this LDC:

- (A) To review and make decisions on appeals from administrative decisions.
- (B) To review and make decisions on appeals from decisions by the heritage preservation commission on certificates of appropriateness;
- (C) To review and make decisions on variance requests; and
- (D) To interpret the Zoning District boundaries as provided for in Section 2.1.4, Interpretation of Zoning District Boundaries.

7.5 Heritage Preservation Commission (HPC).

7.5.1 Created. There is hereby established a heritage preservation commission in accordance with Minn. Stat. § 471.193, subd. 2.

7.5.2 Members. The membership of the heritage preservation commission shall be as outlined in the heritage preservation commission bylaws, subject to the requirements of the Minn. Stat. § 471.193, subd. 5 and the city council's authority as outlined in Section 4.3.1(B). Members of the heritage preservation commission shall be appointed for terms of three years, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall be appointed only for the remainder of such term. Upon the expiration of the member's term of office, a member shall continue to serve until his/her successor is appointed. Members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.

7.5.3 Annual Report. The heritage preservation commission shall make an annual report, containing a statement of its activities and plans, to the state historic preservation office and the city council.

7.5.4 Powers and Duties. In addition to any other authority granted to the heritage preservation commission by charter, ordinance, or state law, the heritage preservation commission shall have the following powers and duties related to this LDC:

- (A) To review and make decisions on certificates of appropriateness;
- (B) Following designation of a heritage preservation commission site by city council, the heritage preservation commission shall act as a resource and in an advisory capacity to the owner of the property regarding preservation, restoration, and rehabilitation activities. Heritage preservation commission activity in this regard shall include participation in the planning and implementation of activities within the downtown historic district and other sites that have been designated as heritage preservation sites.
- (C) The heritage preservation commission shall work for the continuing education of the citizens of the city with respect to the city's civic and architectural heritage. This continuing education may include public meetings or publications. It shall keep current and public a register of designated heritage preservation sites along with the plans and programs that pertain to them.
- (D) The heritage preservation commission may recommend to the city the acceptance of gifts and contributions to be made to the city and to assist the city staff in the preparation of applications for grant funds to be made through the city for the purpose of heritage preservation. Any contributions or gifts will be expended in the manner provided through the city's fiscal policy.
- (E) The heritage preservation commission shall establish and monitor an archive policy that would encourage the collection of all city planning and development records, documents, studies, models, maps, plans and drawings. This may be entered into the

public library historical archives as a permanent record of city history and development.

- (F) At the discretion of the heritage preservation commission, public hearings may be initiated to solicit public input regarding proposed activities on a heritage preservation site.
- (G) To recommend to the city council heritage preservation site designation as provided for in Section 8.5.7, Heritage Preservation Site Designation.

This Ordinance shall take effect thirty days after its publication. Passed by the City Council of the City of Northfield, Minnesota, this ____ day of _____ 2022.

ATTEST:

City Clerk

Mayor

First Reading:

Second Reading:

Date of Publication:

Date Ordinance takes effect:

VOTE: ____ POWNELL ____ GRABAU ____ NAKASIAN ____ NESS
 ____ PETERSON WHITE ____ REISTER ____ ZUCCOLOTTO