



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax (763) 434-9599

CITY OF HAM LAKE PLANNING COMMISSION AGENDA TUESDAY, MAY 27, 2025

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: May 12, 2025

PUBLIC HEARING:

6:01 p.m. Elizabeth Crawford requesting a Special Home Occupation Permit to operate Therapy Roots, LLC, a Biodynamic Craniosacral Therapy and myofunctional therapy business at 1222 Constance Boulevard NE (17-32-23-24-0014).

6:01 p.m. Consideration of amendments to Article 9 of the Ham Lake City Code related to adding Brewer Taproom and Cannabis Retail Business as a Permitted Use in CD-1 (Commercial Development 1) zoning, adding Therapeutic Massage Facilities as a Conditional Use in R-1 (Single Family Residential) zoning, removing Temporary Conditional Uses in its entirety in (R-1) Single Family Residential, Residential-Manufacturing (R-M) and Rural Single Family Residential (R-A) and remove the requirement of a maintenance fee for wetland banking under Article 9-330.8 and general edits related to the required trail easement

NEW BUSINESS:

1. None

COMMISSION BUSINESS:

1. City Council Update

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, MAY 12, 2025

The Ham Lake Planning Commission met for its regular meeting on Monday, May 12, 2025, in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Brian Pogalz, Jeff Entsminger, David Ross, Dave Ringler, Jonathan Fisher and Erin Dixon

MEMBERS ABSENT: Commissioner Kyle Lejonvarn

OTHERS PRESENT: Building and Zoning Clerk Jennifer Bohr

CALL TO ORDER: Chair Pogalz called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Ross, seconded by Fisher, to approve the minutes of the April 28, 2025, Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING:

Chris Frovik, Frovik's Towing and Recovery Twin City, Inc., requesting an amendment to the Conditional Use Permit to allow additional storage of motor vehicles at 14835 Aberdeen Street NE

Mr. Chris Frovik was present. Mr. Frovik stated his business has grown and he is requesting an amendment to the Conditional Use Permit to be able to store additional vehicles on the property. Commissioner Ringler completed the inspection, a copy which is on file. Commissioner Ringler stated he met Mr. Frovik onsite. Commissioner Ringler stated all items listed in Building Official Jones' memo were applicable to the site. Commissioner Ringler stated part of the existing fence needs repair. Commissioner Ringler stated security cameras are in place and are operational. Commissioner Ringler stated the parking diagram shows parking in front of overhead doors. Commissioner Ringler stated he did not discuss this with Mr. Frovik but vehicles cannot be parked in front of overhead doors and stated those areas will need to remain open. Commissioner Ringler suggested modifying the parking diagram so that two rows of seven cars could be parked in the middle of the eastern portion of the lot. Chair Pogalz stated Mr. Frovik could also consider requesting a total of 62 parking spaces rather than 70. Mr. Frovik stated a total of 60 parking spaces would be adequate. Chair Pogalz asked if there was

discussion about contacting the Coon Creek Watershed District (CCWD) before any paving was done on the property. Mr. Frovik stated he has submitted a CCWD Technical Assistance Application form and is waiting for the CCWD to contact him.

Chair Pogalz opened the public hearing at 6:05 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:06 p.m.

Motion by Ringler, seconded by Fisher, to recommend approval of an amendment to the Conditional Use Permit as requested by Chris Frovik, Frovik's Towing and Recovery Twin City, Inc., to allow additional storage of up to 60 motor vehicles at 14835 Aberdeen Street NE subject to:

- 1) Striping parking spaces for customers (3), handicap (1) and employee parking (5) per site plan.**
- 2) All parking lots, drives and surfaces upon which the general public and employees shall have access shall be hard surfaced per Article 9-220.1(a).**
- 3) No paving added to site without approval from the City of Ham Lake and the Coon Creek Watershed District.**
- 4) Maintaining the chain-link fence with privacy slats for security and repairing the existing fence.**
- 5) Security cameras and security lighting must be in place and must be operational at all times.**
- 6) Securing any loose parts on vehicles before towing to prevent loose parts from falling onto any city street.**
- 7) No more than 60 cars to be stored within the fenced area.**
- 8) No cars are to be parked in front of overhead doors; the approach to overhead doors must always be unobstructed.**
- 9) Drive aisles between stored vehicles must be a minimum of 20 feet.**
- 10) Outside storage to consist of towed vehicles only.**
- 11) No subleasing the property to additional tenants.**
- 12) Any vehicle leaking fluids, such as oil or anti-freeze, are not to be stored at this location.**
- 13) Towed vehicles allowed onsite for a maximum of 46 days.**
- 14) Meeting all City, State and County requirements.**

All present in favor, motion carried. *This application will be placed on the City Council's Monday, May 19, 2025, agenda.*

Mr. Frovik asked why no subleasing of the property, to additional tenants, continued to be a condition of the Conditional Use Permit. Mr. Frovik stated he thought that condition should have been removed some time ago. Chair Pogalz stated the Conditional Use Permit has been issued for Mr. Frovik's business; other tenants on the property could require other regulations. Mr. Frovik stated the conditions could remain as proposed.

NEW BUSINESS: None

COMMISSION BUSINESS:

City Council Update

Chair Pogalz informed the Commissioners that the City Council concurred with the Commission's recommendations to approve the Certificate of Occupancy for Reggie's Mobile Home Transport, Inc., the Commercial Site Plan for JBR Aberdeen, LLC and the two South Shore Estates sketch plans. There will not be a Planning Commissioner present at the May 19, 2025, City Council meeting.

ADJOURNMENT:

Motion by Dixon, seconded by Fisher, to adjourn the Planning Commission meeting at 6:09 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk

**CITY OF HAM LAKE
PLANNING COMMISSION REQUEST APPLICATION
INSPECTION REPORT**

MTG DATE: May 12, 2025

INSPECTION ISSUED TO: David Ross

APPLICANT/CONTACT: Elizabeth Crawford

TELEPHONE NUMBER: 763-226-5198 or ecrawford716@gmail.com

BUSINESS/PLAT NAME: Therapy Roots, LLC

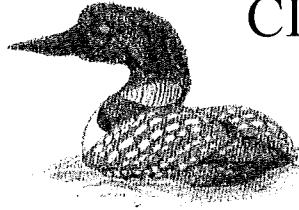
ADDRESS/LOCATION OF INSPECTION: 1222 Constance Blvd NE

APPLICATION FOR: Special Home Occupation Permit

RECOMMENDATION: _____

DATE: _____

PLANNING COMMISSIONER SIGNATURE: _____



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax (763) 434-9599

NOTICE OF PUBLIC HEARING CITY OF HAM LAKE COUNTY OF ANOKA STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a Public Hearing shall be held before the Ham Lake Planning Commission on Tuesday, May 27, 2025 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Elizabeth Crawford requesting a Special Home Occupation Permit to operate Therapy Roots, LLC (a biodynamic, craniosacral and myofunctional therapy business) at 1222 Constance Boulevard NE, a parcel of land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

LOT 1 BLOCK 1 DEER CROSSING, EX N 180 FT OF E 250 FT THEREOF

At such hearing both written and oral comments will be heard.

DATED: May 16, 2025

Jennifer Bohr
Building & Zoning Clerk
City of Ham Lake



CITY OF HAM LAKE

PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

Phone (763) 434-9555 Fax (763) 235-1697

Date of Application 4/29/2025

Date of Receipt 4-29-25
Receipt # 102203 Amount \$ 400.00

Meeting Appearance Dates:

Planning Commission 5/27/2025

City Council _____

Please check request(s):

☐ Metes & Bounds Conveyance
☐ Sketch Plan
☐ Preliminary Plat Approval*
☐ Final Plat Approval
☐ Rezoning*
☐ Multiple Dog License*

☐ Commercial Building Permit
☐ Certificate of Occupancy
☒ Home Occupation Permit
☐ Conditional Use Permit (New)*
☐ Conditional Use Permit (Renewal)
☐ Other _____

***NOTE: Advisory Signage is required for land use alterations and future road connections. This application also requires a Public Hearing. Such fees shall be deducted from deposit.**

Development/Business Name: Therapy Roots, LLC

Address/Location of property: 1222 Constance Blvd. NE, Ham Lake, MN 55304

Legal Description of property: Lot 1 Blk 1 Deer Crossing

PIN # 17-32-23-24-0014 Current Zoning R-1 Proposed Zoning _____

Notes: _____

Applicant's Name: Elizabeth Crawford

Business Name: Therapy Roots, LLC

Address 1222 Constance Blvd. NE

City Ham Lake State MN Zip Code 55304

Phone _____ Cell Phone 763-226-5198 Fax _____

Email address ecrawford716@gmail.com

You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.

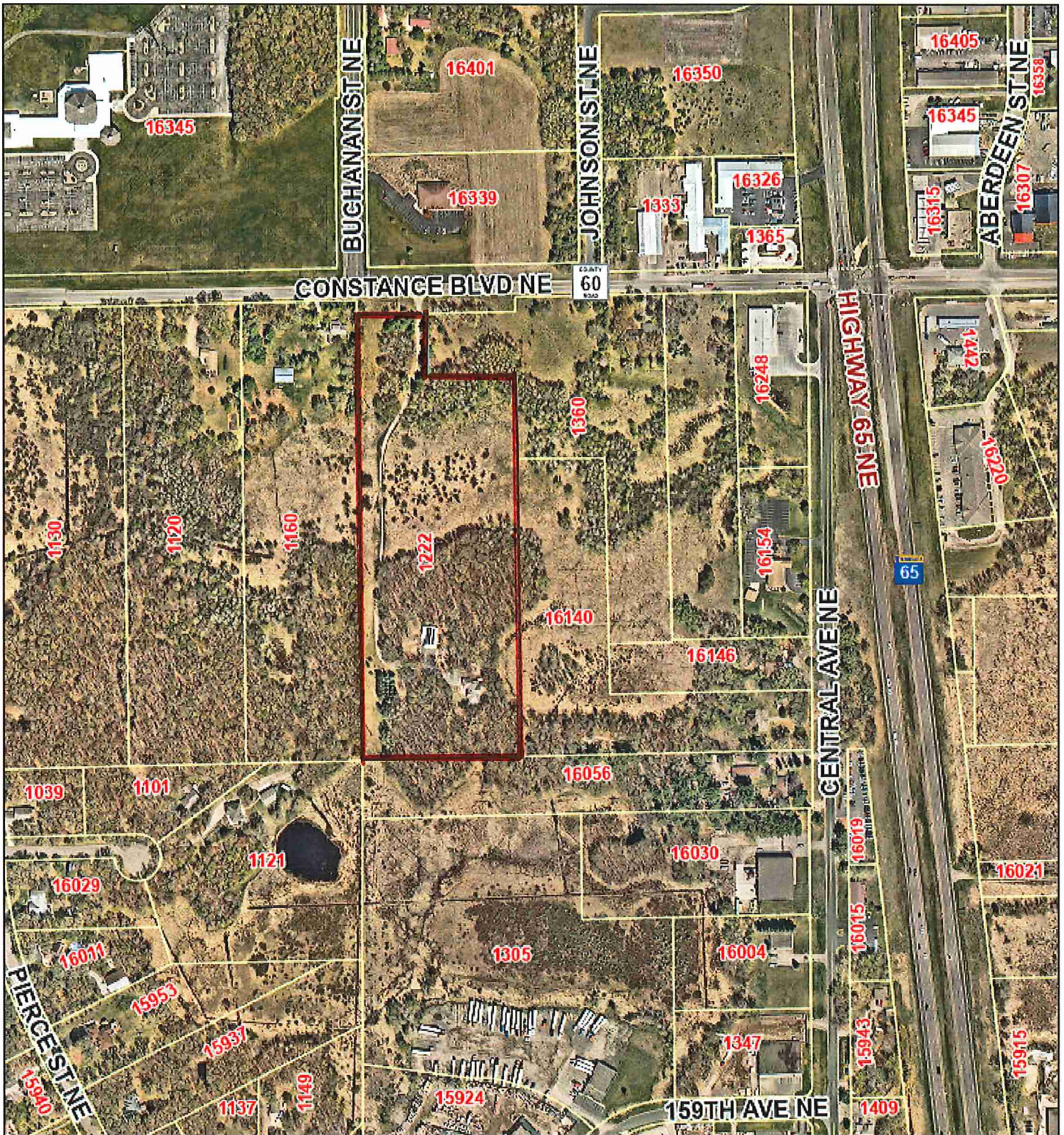
SIGNATURE [Signature] DATE 4/29/2015

- FOR STAFF USE ONLY -

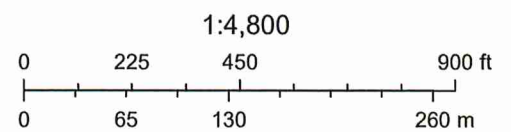
ACTION BY: Planning Commission _____
City Council _____

PROPERTY TAXES CURRENT YES NO
Any Active/Deferred Assessments YES NO

ArcGIS Web Map



5/22/2025, 7:26:31 AM



UD

CD-2

CD-1

CD-1

CD-1

R-1

R-A

R-1

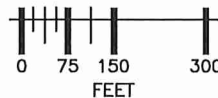
CD-2

BRILLIANT

JOHNSON ST.

CENTRAL AVE.

STATE TRUNK HIGHWAY 1



401

16350

16333

16326
16324
16320

1333

1365

1160

1222

1360

16248

16154

16146

16140

16056

16030

16004

101

1121

Meeting Date: May 7, 2025

CITY OF HAM LAKE

STAFF REPORT

To: Members of the Planning Commission

From: Mark Jones, Building and Zoning Official

Subject: Special Home Occupancy Permit at 1222 Constance Blvd NE

Introduction/Discussion:

Elizabeth Crawford, owner of Therapy Roots, LLC, wants to practice Biodynamic Craniosacral Therapy and myofunctional/speech therapy at her residence located at 1222 Constance Boulevard NE. Ms. Crawford states that she intends to perform this therapy in a 14-foot by 20-foot accessory building. (The accessory building has not yet been constructed.) Because the accessory building will be used as a place of business, the use of the building will need to meet the same standards as uses in mercantile districts. This includes meeting Code for accessibility, parking and bathroom facilities. The driveway area to the proposed accessory building, the dwelling, and the proposed parking area, are currently asphalt. Ms. Crawford will need to construct a hard surfaced walkway from the southern edge of the driveway to the accessory building that meets accessibility code. Exhibit C – Hard Surfaced Walkway, in the packet, is Ms. Crawford's outline of how she plans to create the walkway. Ms. Crawford states the bathroom within the dwelling will be open to clients. The distance between the proposed location of the accessory building where the therapy will be performed, and the dwelling, is less than 500 feet, which is an acceptable travel distance per the Plumbing requirements of Chapter 29 of the Minnesota 2020 Building code.

Per state code, this type of therapy is a type of massage therapy and does not require a state license. In the Commercial Development I (CD-1) zoning district, Ordinance 9-220.2 lists Therapeutic Massage as a permitted use under the following conditions:

- a) Therapeutic Massage means the practice of administering physical therapy through the massaging, rubbing, kneading or other manipulations of the body, administered solely for therapeutic purposes, but not intended to result in the sexual gratification of the recipient.
- b) No person shall engage in Therapeutic Massage who is not a Massage Therapist (defined as a person who maintains certification with the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB), has passed the MBLEx examination given by the Federation of State Massage Therapy Boards, is a member in good standing in the American Massage

Therapy Association (AMTA), or is a member in good standing in the Associated Bodywork and Massage Professionals (ABMP);

c) Hours of operation shall be limited to 8:00 am to 10:00 pm;

d) The business shall at all times maintain a complete listing of all persons engaged as Massage Therapists and shall on request of City staff furnish evidence that each such person meets the qualifications to be a Massage Therapist.

Ms. Crawford will need to provide the city with a copy of the certification(s) she has from at least one of the organizations noted in 9-220.2 to practice Biodynamic Craniosacral Therapy and myofunctional/speech therapy.

Recommendation:

I recommend approval of a Special Home Occupancy Permit for Elizabeth Crawford of Therapy Roots, LLC at 1222 Constance Boulevard NE with the following conditions:

- 1) Meeting all the requirements of Ordinance 9-350 Home Occupation Permits.
- 2) Ms. Crawford is the only therapist practicing Biodynamic Craniosacral Therapy and myofunctional/speech therapy at this location.
- 3) Ms. Crawford must provide the city with a copy of the required certification(s) as noted in Ordinance 9-220.2(b) for Therapeutic massage.
- 4) Business hours from 9 am to 4 pm Monday through Friday.
- 5) All surfaces upon which motor vehicles will be parked, or driven, and all areas in which clients and pedestrians will be walking from point to point, shall be surfaced with asphalt or concrete, or a surface approved by the Building Official.
- 6) All areas that clients will travel, or have access to, shall meet the Minnesota Accessibility Code. This shall include the bathroom, walking surfaces and parking.
- 7) All parking surfaces must be marked per diagram and maintained.
- 8) The bathroom made available to clients must be in working order at all times.
- 9) Meeting all city and state codes.

Therapy Roots, LLC: Narrative of Business

Business Type

The business I will be conducting is Biodynamic Craniosacral Therapy. This therapy modality is a gentle non-invasive, hands-on therapy session for the whole body. Therapy is performed on a massage table. The client is fully clothed and my touch as a practitioner is light and still. The focus of biodynamic craniosacral therapy is to support the inherent health of the whole being, especially the nervous system. The nervous system dictates all of the body's functioning, constantly sending and receiving information. I will hold various contact points to work with various anatomical structures; by holding the contact point it promotes whole body healing within the fascia system, muscles, lymph nodes, blood flow, nerve impulses, etc. These sessions are typically an hour in length with flexibility for longer or shorter.

I will also be conducting myofunctional/speech therapy. This modality addresses abnormal muscle movement patterns in the mouth and face, focusing on tongue position, breathing, and muscle function. It can help with tongue thrust, open-mouth breathing, abnormal swallow pattern, articulation, language skills, sleep quality, and dental alignment. An evaluation is 1.5 hours in length and follow up sessions are 30-45 minutes.

Production

Materials used for biodynamic craniosacral therapy would include a massage table, linens (changed after each client), pillows, bolsters, and minimal lighting if needed. For myofunctional therapy, I would use a variety of chewies, bite blocks, tongue depressors, sterilized cotton tip swabs, mouth measurement tools, straws, paper, buttons, string, bubbles, snacks, and water.

Employees

I would be the only employee. Hours of operation would be Monday through Friday from 9am-4pm. There is a possibility of being open on the weekends, pending client needs.

Sales Method

All services will be provided onsite.

Onsite customers

Services being offered are 1:1. Majority of clients will be one client per session/appointment with the exception of times if a caregiver/parent is necessary for the client.

Anticipated traffic

There will be one vehicle on the premises at a time. There will be at least 15 minutes between each session so there will not be any overlap of vehicles coming in/out.

Additional Information

All storage needs will be held within the accessory building. No noise will be generated to nearby properties or odors and vibration.

Exhibit A - Site Plan of Property (topography)



Exhibit A.1 - Site Plan of Property



Hard surfaced parking. See Exhibit B for details.

To be constructed accessory building (approx. 14' x 20')

- No well or running water in accessory building.
- No septic connection in accessory building.
- Restroom facilities and running water will be available in residential home on property.
- Accessory building located approx. 220 feet from existing residential home.

See Exhibit A.2 for interior layout of accessory building. All services to be provided in accessory building.

Hard surfaced walkway to be constructed connecting existing asphalt to accessory building. See Exhibit C for additional detail.

===== = hard surfaced walkway

Residential home
- Existing Septic
@ - Existing well

Exhibit A.2 – Interior Layout of Proposed Accessory Building

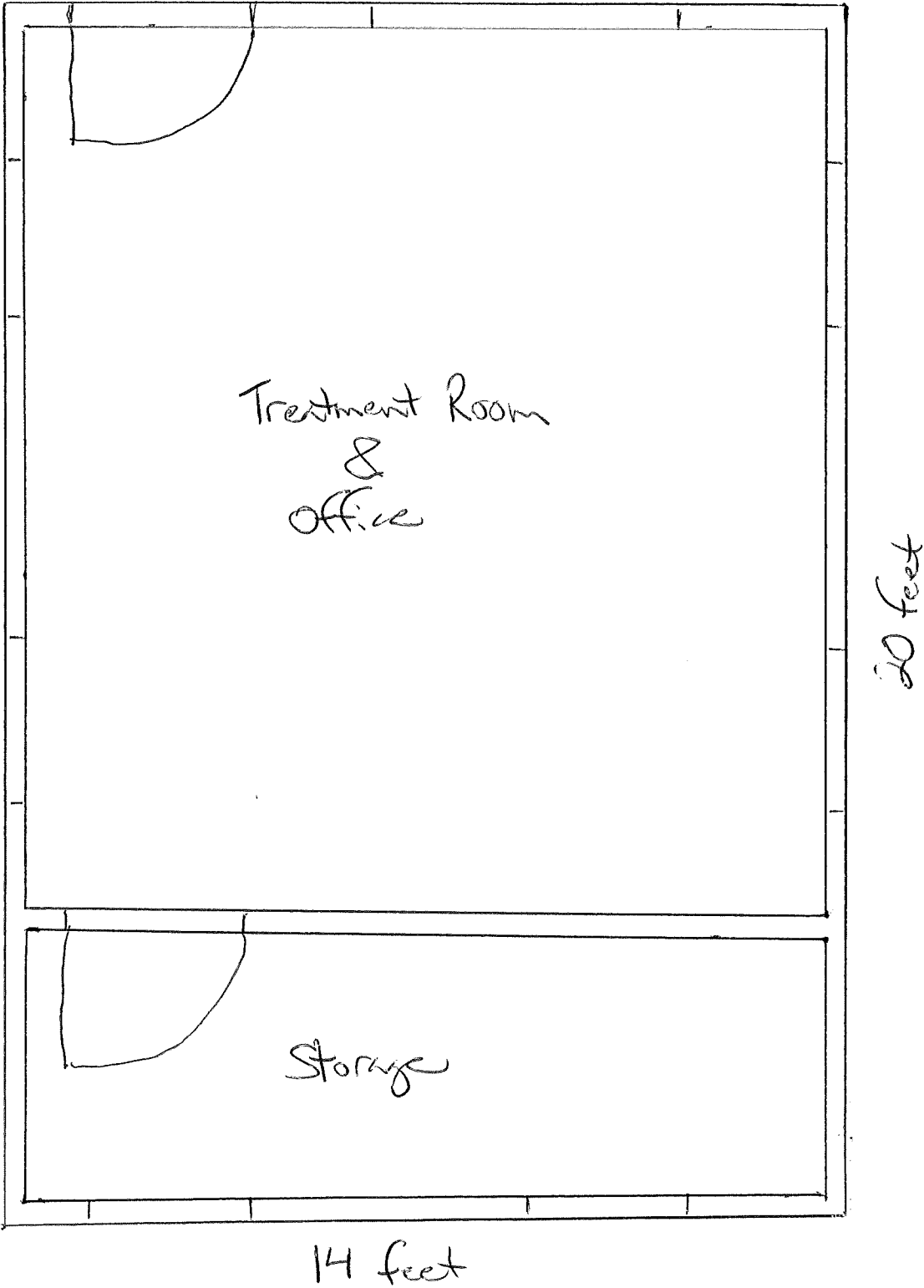


Exhibit B - Hard Surfaced Parking Detail

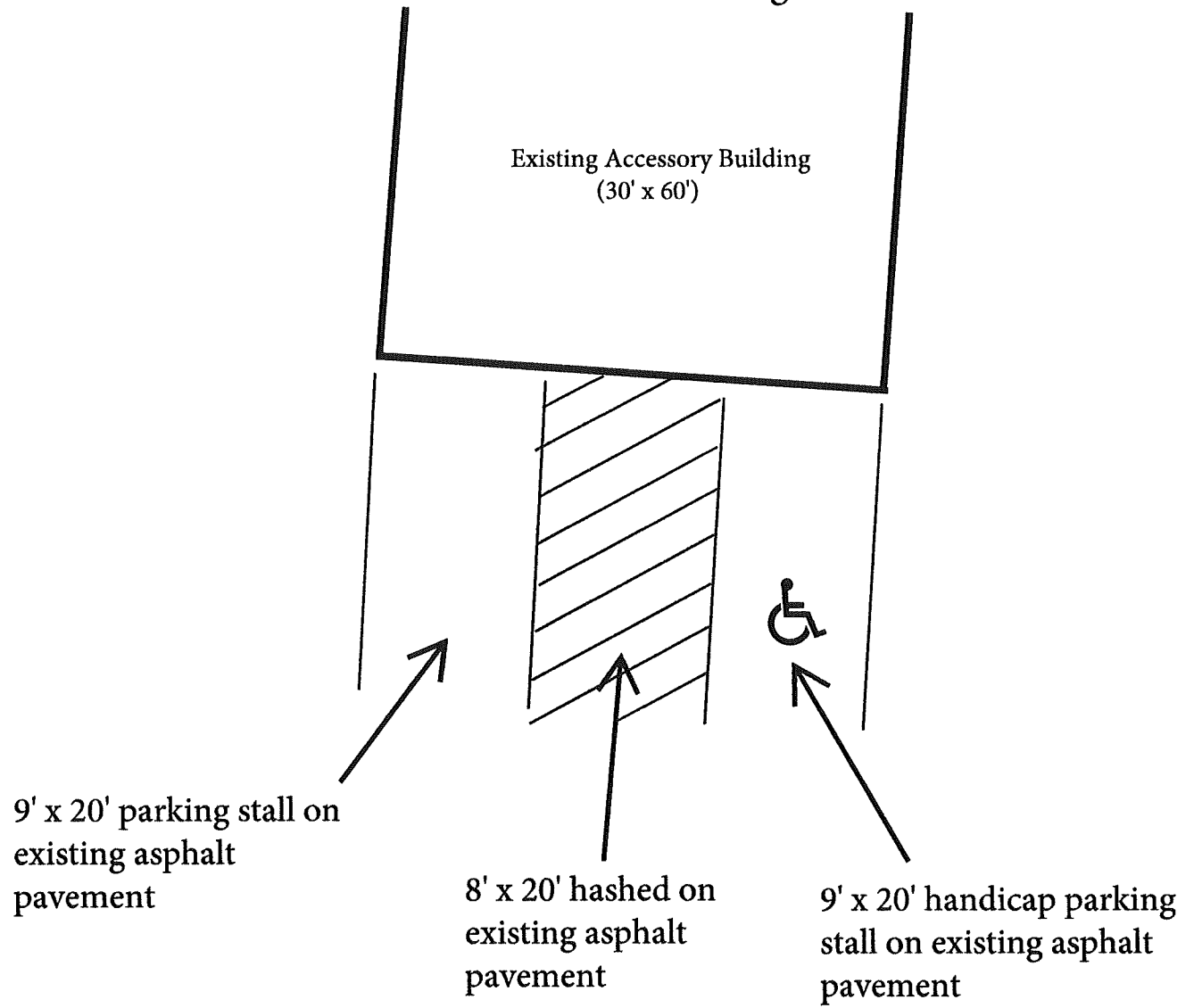


Exhibit C – Hard Surfaced Walkway

Description of Hard Surfaced Walkways:

- Between Parking Area and to be constructed Accessory Building:
 - An existing asphalt driveway currently exists at the proposed hard surfaced parking area and extends to the tree line directly south of the parking area. From this point, a hard surfaced walkway (as noted on Exhibit A.1) will be constructed to connect the existing asphalt driveway to the accessory building that will meet the following ADA guidelines:
 - Sidewalk width: 4 feet wide
 - Cross Slope: Maximum of 2%
 - Running Slope: Maximum of 5%
 - Surface/Material: Walkway will be constructed of either concrete or wood. If wooden, spaces will be no greater than ½ inch wide with the long dimension perpendicular to the direction of travel.
 - Changes in Level: Changes in level between ¼ and ½ inch will have beveled edges.
- Between to be constructed Accessory Building and Existing Home (with restroom facilities):
 - The existing asphalt driveway and the to be constructed hard surfaced walkway connecting the accessory building to the existing asphalt driveway will provide a continuous hard surfaced walkway from the accessory building to the existing home.

Excerpts from Article 9 of the Ham Lake City Code

...

9-220.2 Commercial Development I (CD-1)

The CD-1 zone is intended to apply to certain commercial uses on lands abutting the city's only major thoroughfare, Trunk Highway 65. In that these lands have high visibility to the traveling public, it is considered important to the preservation of land values in general, as well as important to the continuing ability of the city to generate the establishment of quality commercial development and the concomitant tax and employment base, that structures in the CD-1 zones observe specific construction and aesthetic standards, which are listed below. No usage shall be permitted in the CD-1 zone which does not observe the standards found in Article 9-220.2 (a) below.

a) Standards for Site and Building Construction

- i) Except for structures housing public utility feature, no metal or pole-type building shall be permitted;
- ii) Exterior wall surfaces shall be of brick, decorative masonry, stone, precast panel, architectural concrete, glass, stucco, architectural metal panel with hidden fasteners, or wood framed with horizontal lap siding;
- iii) No galvanized surfaces shall be permitted, either on roofs or siding;
- iv) All roofs shall be colored and shall incorporate a minimum 18-inch soffit on the eave edge of the roof;
- v) All roofs shall have a minimum 12-inch overhang on the gable ends;
- vi) All roofs have a minimum 6-inch fascia;
- vii) Standing metal seam roofing shall be permitted (minimum 24-gauge, non-galvanized);

b) Permitted Uses (Including uses that are ancillary to the main use)

...

- **Therapeutic Massage** where the business meets the following criteria:
 - a) *Therapeutic Massage* means the practice of administering physical therapy through the massaging, rubbing, kneading or other manipulations of the body, administered solely for therapeutic purposes, but not intended to result in the sexual gratification of the recipient.

- b) No person shall engage in *Therapeutic Massage* who is not a *Massage Therapist* (defined as a person who maintains certification with the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB), has passed the MBLEx examination given by the Federation of State Massage Therapy Boards, is a member in good standing in the American Massage Therapy Association (AMTA), or is a member in good standing in the Associated Bodywork and Massage Professionals (ABMP));
- c) Hours of operation shall be limited to 8:00 am to 10:00 pm;
- d) The business shall at all times maintain a complete listing of all persons engaged as *Massage Therapists* and shall on request of City staff furnish evidence that each such person meets the qualifications to be a *Massage Therapist*.

...

9-350 **Home Occupation Permits**

A *Home Occupation* is an occupant-owned enterprise carried on in a residential dwelling, which meets the criteria specified below. A *Home Occupation* permit may be issued by the City Council after review and recommendation by the *Planning Commission*, and subject to any conditions imposed by the City Council. A *Home Occupation* permit may be revoked by the City Council, after affording due process of law to the applicant, if the conditions of issuance or any other ordinance feature are violated. This requirement for a *Home Occupation* permit shall not apply to any enterprise consisting of activities carried out entirely within the dwelling, where all employees live at the residence, where no specialized chemicals are used by the business, where there is no customer traffic, and where there are no physical deliveries requiring vehicles larger than normal small parcel delivery services (USPS, UPS, FedEx, etc.).

9-350.1 Criteria The following criteria must be observed for any usage to qualify for a Home Occupation Permit.

- a) **Incidental Usage** The usage must be clearly incidental and subservient to the usage of the premises as a dwelling, and may not occupy a significant portion of the dwelling unit living space;
- b) **Indoors** All activities must be carried on indoors. No outside storage, except the parking of motor vehicles, shall be permitted;
- c) **Parking** No on-street parking shall be generated, and no more than a total of four passenger motor vehicles may be parked at the premises in conjunction with the occupation, including employee and customer parking. All parking shall be on paved surfaces;
- d) **Employees** No more than one employee who does not live at the residence shall be permitted;
- e) **Traffic** The activity may not generate any traffic in excess of that normally generated by a residential dwelling unit;

f) Nuisance and Compliance The usage shall not generate any nuisance, and the landowner shall at all times be compliant with all other municipal codes, and the regulations of all other jurisdictions;

g) Pick-Ups and Deliveries Pickups and deliveries are allowed by single rear axle vehicles. Notwithstanding the foregoing, deliveries by vehicles possessing more than a single rear axle shall be limited to one such vehicle per day without prior City approval. Semi-trucks are strictly prohibited.

9-350.2 Annual Review All *Home Occupation* permits shall be reviewed annually by the City Staff, and shall automatically be renewed unless complaints have been received, in which case the permit shall be re-submitted to the *Planning Commission* for review and recommendation to the City Council.

9-350.3 Special Home Occupation Permits A party desiring to conduct a Home Occupation in a Garage or Accessory Building under conditions meeting the remaining requirements of Article 9-350 may apply for a Special Home Occupation Permit under the following procedure:

a) The applicant shall submit a site plan drawn to scale showing the locations and dimensions of all buildings and driveways on the premises, and identifying the location where the Home Occupation activity will take place.

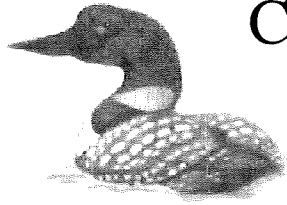
b) The applicant shall submit a narrative in sufficient detail to describe all aspects of the activity to be conducted and the locations of all such activity.

c) The Planning Commission shall conduct a Public Hearing on the proposed application, with mailed notice to all resident whose property lines come within 750 feet of the property lines of the applicant's lot, and published notice at least ten days prior to the hearing.

d) Following the Public Hearing, the Planning Commission shall make recommendations to the City Council, including such conditions as are deemed appropriate.

Notwithstanding any provision in Article 9-350.1 (a) to the contrary, a Special Home Occupation shall be mainly confined to the Garage or Accessory Building. A Special Home Occupation Permit shall be subject to the same provisions for revocation as Home Occupation Permits. In addition, notwithstanding any provision in Article 9-350.1 to the contrary, a Special Home Occupation may include uses that are normally not found in

residential dwellings, as long as there are no obvious outward indicia of the activities being carried on under the Special Home Occupation Permit, no noise generated which is audible to nearby properties, no odor or vibration generated that is detectable to nearby properties, no outside storage which is visible from nearby properties or public ways, and any customer traffic, pick-ups, and deliveries is in conformance with Article 9-350.1.



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info@ci.ham-lake.mn.us

NOTICE OF PUBLIC HEARING CITY OF HAM LAKE COUNTY OF ANOKA STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Tuesday, May 27, 2025 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the following amendments to Article 9 of the Ham Lake City Code:

Amending Article 9-210.1(b) by adding Therapeutic Massage Facilities as a Conditional Use in R-1 (Single Family Residential) zoning.

Amending Article 9-220.2(b) by adding Brewer Taproom and Cannabis Retail Business as a Permitted Uses in CD-1 (Commercial Development I) zoning.

Removing Temporary Conditional Uses in its entirety in Single Family Residential (R-1), Residential – Manufactured Home (R-M) and Rural Single Family Residential (R-A) zoning districts.

Removing the requirement of a maintenance fee for wetland banking under Article 9-330.8 and general edits related to the required trail easement dedication.

At such hearing both written and oral comments will be heard.

DATED: May 16, 2025

Jennifer Bohr
Building and Zoning Clerk
City of Ham Lake



**CITY OF HAM LAKE
STAFF REPORT**

To: Planning Commissioners

From: Denise Webster, City Administrator

Subject: Public Hearing – Amendments to Article 9 of the Ham Lake City Code

Introduction/Discussion:

- 1) In 2016, the City Council approved the licensing of Brew Pubs (Brew Taprooms), at that time the use was not added to a zoning district. It was discussed by the Code Committee and it was determined that Brew Taprooms would be added as a permitted use to Commercial Development 1 (CD-1).
- 2) The City Council is in the process of adopting an Ordinance for Cannabis Retail Business and it was determined that this would be added as a permitted use in Commercial Development 1 (CD-1) zoning.
- 3) Staff discussed Temporary Conditional Uses that are found within Single Family Residential (R-1), Residential-Manufacturer Home (R-M), and Rural Single Family Residential (R-A). Temporary Conditional Uses do not apply and therefore are being removed entirely from these zoning districts. With the removal of Temporary Conditional Uses, Therapeutic Massage Facilities will now be allowed as a Conditional Use in R-1 Zoning.
- 4) The Wetland Bank Ordinance was approved by the City Council on March 17, 2025. After review by staff, it was found that certain language regarding dedication of easements was not included. Further review found that the maintenance fee no longer applies and is being removed in Section C.

Recommendation:

Recommend that the Planning Commission recommend approval of the proposed amendments to Article 9 of the Ham Lake City Code.

ORDINANCE NO. 25-XX

An Ordinance Amending ARTICLE 9, COMPREHENSIVE ZONING, to amend the Ham Lake City Code to add Brewer Taproom and Cannabis Retail Business as a permitted uses in Commercial Development 1 (CD-1), add Therapeutic Massage Facilities as a Conditional Use in Single Family Residential (R-1) and removing Temporary Conditional Uses in its entirety in Single Family Residential (R-1), Residential – Manufactured Home (R-M) and Rural Single Family Residential (R-A) and to remove the requirement of a maintenance fee for wetland banking under Article 9-330.8 and general edits related to the required trail easement dedication.

Be it Ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota as follows:

ARTICLE 9, COMPREHENSIVE ZONING of the Ham Lake City Code is hereby amended as indicated in the following sections:

9-210.1 Single Family Residential (R-1)

b) *Conditional Uses*

- Therapeutic Massage Facilities

c) ~~Temporary Conditional Uses~~

- ~~• Therapeutic Massage Facilities~~

AND

9-210.2 Residential – Manufactured Home (R-M)

e) ~~Conditional Uses and Temporary Conditional Uses~~

~~_____ • None~~

AND

9-210.3 Rural Single Family Residential (R-A)

a) **General Requirements for Conditional Uses**

- iv) Small Lots: Notwithstanding the following, for R-A lots of three acres or less in size, as measured from the centerline of adjacent roadways, the only Permitted Uses, and Conditional Uses and ~~Temporary Conditional Uses~~ allowed shall be those in the R-1 zoning district.

AND

9-210.3 Rural Single Family Residential (R-A)

c) ~~Temporary Conditional Uses~~: The following ~~Temporary Conditional Uses~~ shall apply in the R-A districts:

- i) ~~All Temporary Conditional Uses in the R-1 District.~~

AND

9-220.2 Commercial Development I (CD-1)

b) Permitted Uses (including uses that are ancillary to the main use)

...

- Retail Facilities – engaged in the sale of goods(Excluding Motor Vehicle/ Boat/RV/Camper Sales), from freestanding one-store locations, shopping centers, strip malls or enclosed malls, including, but not limited to:
 - ...
 - Book Stores
 - Brewer Taproom
 - ...
 - Candy Stores
 - Cannabis Retail Business
 - ...

AND

9-330.8 Wetland Bank

C. Easement It shall be a mandatory condition of any Conditional Use Permit issued for a Wetland Bank that the permit holder dedicate to the City a 20-foot wide an easement through and/or adjacent to the Wetland Bank to accommodate for a 10-foot wide trail installed by the permit holder to include sufficient sloping and drainage as determined by the City Engineer. The easement shall be for public use. ~~The 20-foot wide minimum easement shall be maintained by the Maintenance Fee collected as part of this Article.~~

Presented to the Ham Lake City Council on June 2, 2025 and adopted by a unanimous vote this ____ day of _____, 2025.

Brian Kirkham, Mayor

Denise Webster, City Clerk