

CHAPTER 1

TITLE / RULES / APPLICATION

SECTION:

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10-1-1: TITLE. This Ordinance shall be known, cited and referred to as the “St. Francis Zoning Ordinance” except as referred to herein, where it shall be known as “this Ordinance.”

10-1-2: PURPOSE AND INTENT. The purpose and intent of this Ordinance is adopted for the intent and purpose to:

- A. Protect the public health, safety, morals, comfort, convenience and general welfare.
- B. Promote orderly development of the residential, commercial, industrial, recreational and public areas.
- C. Conserve the natural and scenic beauty and attractiveness of the City.
- D. Conserve and develop the natural resources in the City.
- E. Provide for the compatibility of different land uses and the most appropriate use of land throughout the City.
- F. Divide the area in the City into zones and districts regulating therein the location, construction, reconstruction, alteration and use of structures and land.

10-1-3: LEGISLATIVE AUTHORITY. This Ordinance is enacted pursuant to the authority granted by the Municipal Planning Act, Minnesota Statutes, Section 462.351 to 462.363.

10-1-4: RULES. The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

- A. The word “building” includes structure and dwelling.
- B. The word “person” includes an individual, corporation, co-partnership, and association.
- C. The word “shall” is mandatory, and the word “may” is permissive.
- D. All measured distances expressed in feet shall be to the nearest twelfth of a foot.
- E. In the event of conflicting provisions, the more restrictive provisions shall apply.

10-1-5: APPLICATION.

- A. Where the conditions imposed by any provision of this Ordinance are either more or less restrictive than comparable conditions imposed by any other law, ordinance, statute, resolution, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements prevail.
- B. No structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used for any purpose which is not in conformity with the provisions of this Ordinance.
- C. Whenever in any zoning district a use is not specifically allowed or specifically prohibited, the use shall be considered prohibited, unless the Zoning Administrator determines the proposed use is very similar to an allowed use. If the use is found to be very similar to an allowed use, the proposed use shall be allowed.
- D. The City Council or the Planning Commission, on their own initiative or upon request, may conduct a study to determine if a use which is neither allowed nor prohibited is acceptable and if so, what zoning district would be most appropriate and the conditions and standards relating to development of the use. The City Council, Planning Commission or property owner, if appropriate, shall initiate an amendment to the zoning ordinance to provide for the particular use under consideration or shall find that the use is not compatible for development within the City.
- E. In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and general welfare.

- F. The maintenance of certain standards is essential to insure compatible relationships between land uses within a community. All uses allowed, as either permitted or conditional uses within the City's various zoning districts shall conform to the following district provisions and regulations within this Ordinance.

10-1-6: INTERPRETATION. If any provision of this Ordinance is determined to be ambiguous, this Ordinance shall be interpreted in conformance with Minnesota law and in conformance with the expressed legislative purpose and intent. To this end, the following shall be determined:

- A. The public purpose of the standard with respect to which an interpretation is required.
- B. The actual impact of a proposed interpretation.
- C. The proposed interpretation will protect the health, safety, and general welfare of the community.