

CHAPTER 10

LAND USE REGULATION (ZONING)

The City Council of Alexandria does ordain that the Ordinance commonly known as the "Zoning Ordinance of the City of Alexandria" be enacted to read as follows:

Section 10.01 Title and Application

Subd. 1. **Title.** This Ordinance shall be known as the "Alexandria Zoning Ordinance" except as referred to herein, where it shall be known as "this Ordinance."

Subd. 2. **Intent and Purpose.** The intent of this Ordinance is to protect the public health, safety and general welfare of the community and its people through the establishment of minimum regulations governing development and use. This Ordinance shall divide the City into use districts and establish regulations in regard to location, erection, construction, reconstruction, alteration and use of structures and land. Such regulations are established to protect such use areas; to promote orderly development and redevelopment; to provide adequate light, air and convenience of access to property; to prevent congestion in the public right-of-way; to prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards and density of population; to provide for compatibility of different land uses; to provide for administration of this Ordinance; to provide for amendments; to prescribe penalties for violation of such regulations; and to define powers and duties of the City staff, the Board of Adjustment and Appeals, the Planning Commission, and the City Council in relation to the Zoning Ordinance.

Subd. 3. **Relation to Comprehensive Municipal Plan.** It is the policy of the City of Alexandria that the enforcement, amendment, and administration of this Ordinance be accomplished with due consideration of the recommendations contained in the Comprehensive Municipal Plan as developed and amended from time to time by the Planning Commission and City Council of the City. The Council recognizes the Comprehensive Municipal Plan as the Policy for responsibility to regulate land use and development in accordance with the policies and purpose as set forth.

Subd. 4. **Standard, Requirement.** Where the conditions imposed by any provisions of this Ordinance are either more or less restrictive than comparable conditions imposed by other ordinance, rule or regulation of the City, the ordinance, rule or regulation

which imposes the more restrictive condition, standard, or requirements shall prevail.

Subd. 5. **Interpretation.** In their interpretation and application, the provisions of this Ordinance shall be held to the minimum requirements for the promotion of the public health, safety and welfare.

Subd. 6. **Scope.** No structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used for any purpose nor in any manner which is not in conformity with the provisions of this Ordinance.

Subd. 7. **Occupancy, Building Permit.** Except as herein provided, no building, structure or premises shall hereafter be used or occupied and no building permit shall be granted that does not conform to the requirements of this Ordinance.

Subd. 8. **Uses Not Provided For Within Zoning Districts.** Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered prohibited. In such case the City Council or the Planning Commission, on their own initiative or upon request, may conduct a study to determine if the use is acceptable and if so what zoning district would be most appropriate and the determination as to conditions and standards relating to development of the use. The City Council, Planning Commission or property owner, upon receipt of the staff study shall, if appropriate, 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.

Subd. 9. **Authority.** This Ordinance is enacted pursuant to the authority granted by the Municipal Planning Act, Minnesota Statutes, Sections 462.351 to 462.363.

Subd. 10. **Separability.** It is hereby declared to be the intention of the City that the several provisions of this Ordinance are separable in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, building, or other structure, such

judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.

Subd. 11. **Rules.** The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

A. The singular number includes the plural, and the plural the singular.

B. The present tense includes the past and the future tenses, and the future the present.

C. The word "shall" is mandatory while the word "may" is permissive.

D. The masculine gender includes the feminine and neuter.

Source: Ord. 338-2nd Series
Effective Date: 2/08/93