

**BOARD OF COUNTY COMMISSIONERS  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 99-152**

**DATE** December 14, 1999

**DEPARTMENT** Dept. of Transportation &  
Physical Development, Land Management

**MOTION BY COMMISSIONER** Pulkrabek

**SECONDED BY COMMISSIONER** Hegberg

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**RESOLUTION APPROVING TEXT AMENDMENT TO  
THE WASHINGTON COUNTY DEVELOPMENT CODE  
CHAPTER TWO, PART 3 ZONING REGULATIONS  
RAILROAD OVERLAY DISTRICT'S PERFORMANCE STANDARDS  
ORDINANCE NO. 142**

**WHEREAS**, Washington County is authorized to carry on County planning and zoning activities in the unincorporated areas of the County pursuant to MINN. STAT. CHAPT. 394; and

**WHEREAS**, the Washington County 2015 Comprehensive Plan was adopted by the Washington County Board of Commissioners on April 22, 1997 and became effective October 1, 1997 as Washington County Ordinance No. 124; and

**WHEREAS**, MINN. STAT. § 473.865 requires counties to adopt the official controls described in their Comprehensive Plan so as to implement the Comprehensive Plan; and

**WHEREAS**, the Washington County Development Code was adopted by the Washington County Board of Commissioners and became effective on October 20, 1997 as Washington County Ordinance No. 127; and

**WHEREAS**, an application has been submitted to amend Chapter Two, Part 3, Section 3.2(2)(A)(1)(a) of the Washington County Development Code to allow a railroad operation to operate during the hours of 10:00 a.m. to 10:00 p.m. on Sunday and from 10:00 a.m. to 12:30 a.m. New Year's Eve (December 31 January 1).

**WHEREAS**, the Washington County Planning Advisory Commission held a public hearing on the proposed amendment on October 27, 1999 and recommended denial of the application to the Washington County Board of Commissioners; and

**WHEREAS**, on November 23, 1999, the Washington County Board of Commissioners conducted a public hearing to consider the amendment to Chapter Two, Part 3, Section 3.2(2)(A)(1)(a); and

**WHEREAS**, the records of the public hearing consist of the minutes of the Planning Advisory Commission meeting, staff reports, correspondence, presentation by staff of the Washington County Department of Transportation and Physical Development Land Management, Land Survey, representative of Minnesota Zephyr, Inc., and members of the public; and

**WHEREAS**, (a) The Minnesota Zephyr, Inc. is a unique operation and has been an asset to Washington County since 1990; (b) the economic benefit of increased tourism by having the Minnesota Zephyr dinner excursion train run an additional evening a week and on New Year's Eve outweighs the inconvenience to a limited number of citizens; and (c) the additional evening hours on the use of the railroad tracks by the Minnesota Zephyr does not greatly impact adjacent land uses.

**NOW, THEREFORE, BE IT RESOLVED**, based upon the hearing record, the Washington County Board of Commissioners hereby amends Chapter Two, Part 3, Section 3.2(2)(A)(1)(a) of the Washington Counts Development Code as follows:

(a) Railroad operations other than specified in (b) and (c) below: 10:00 a.m. to 10:00 p.m. Monday through Sunday (seven days a week) and on the holiday of New Years Eve from 10:00 a.m. to 12:30 a.m. (December 31 January 1)

**BE IT FURTHER RESOLVED**, that the Washington County Zoning Administrator is directed to make the changes set forth in the Washington County Development Code and cause the same to be published and codified according to law and from and after the effective date of Ordinance No. 142, the previous Ordinance No. 127, effective October 27, 1998 in Chapter Two, Part 3, Section 3.2(2)(A)(1)(a) thereto is repealed.

**ATTEST:**

James R. Schug  
County Administrator

Wally Abrahamson  
Chairman, County Board

	Yes	No
Abrahamson	X	
Hegberg	X	
Peterson	Absent	
Pulkrabek	X	
Stafford	X	