

Lanesboro City Council
Regular Meeting Agenda
Monday, July 1, 2024 at 6:00 p.m.
Lanesboro Community Center Meeting Room and Zoom

*Zoom is provided as a way to offer more accessibility to council and committee meetings.

However, due to potential technical issues, full functionality is not guaranteed*

Join Zoom Meeting

<https://us02web.zoom.us/j/86176812830?pwd=VmQycUtxblpPUlBkVEIxbG9xcWhEZz09>

Meeting ID: 861 7681 2830 Passcode: 588100

Dial by your location • +1 305 224 1968 US • +1 309 205 3325 US • +1 312 626 6799 US (Chicago)

Call the Regular Meeting to Order

- A. Agenda Approval
- B. Public Comments
- C. Approval of Minutes
 - a. [Minutes of Regular Meeting, June 3, 2024](#)
- D. Consent Agenda
 - a. [Accounts Payable](#)
 - b. [Southern Minnesota Initiative Foundation Donation](#)
 - c. City Office Closure – July 5, 2024
 - d. [Buffalo Bill Days Fireworks Permit](#)
 - e. [Buffalo Bill Days Firemen’s Dance Street Closure Request](#)
 - f. [Resolution 2024-22: Appointment of Election Judges for the August 13, 2024 Primary Election and the November 5, 2024 General Election](#)

Department Reports

- A. Administration
- B. Street
- C. Park

Continued Business

- A. Downtown Commercial Land Use – Interim Ordinance
- B. [Highway 250 Project – Letter of Intent](#)
- C. [Donations of Public Art, Memorials, and Monuments](#)
- D. [Ordinance 130.02 Amendment – Discharging Firearms](#)

New Business

- A. [Sylvan Park Pond Shoreline Project](#)
- B. [Ordinance Chapter 151: Land Use Amendment - 1st Reading](#)
- C. [Ordinance Chapter 120 – 1st Reading](#)
- D. [City Fee Schedule Amendment](#)
- E. AT&T Lease Amendment

Miscellaneous

Next Meeting: Monday, August 5, 2024 at 6:00 p.m.

Adjourn Regular Meeting

**Lanesboro City Council
Regular Meeting Minutes
Monday, June 3, 2024 – 6:00 p.m.
Lanesboro Community Center Meeting Room & Zoom**

Present:

Members: X Jason Resseman X Chase Bakke X Joe Goetzke
 X Mindy Albrecht-Benson X Kathryn Wade
Staff: X Mitchell Walbridge X Darla Taylor X David Haugen
 ___ Mark Lawstuen ___ Jerod Wagner X Tara Johnson
 ___ Joseph O’Koren
Guests: Bonita Underbakke, Wanda Hanson, Ceil Allen, Jon Buggs, Brian Malm (Bolton & Menk),
 Stacey Schultz

Regular Meeting

Call to Order: Member Resseman called to order the Regular Meeting at 6:00 p.m.

Technical Recess: At 6:02 p.m., Member Resseman placed the meeting in recess due to technical difficulties with the Zoom streaming service.

Return from Recess: The meeting resumed at 6:08 p.m. when Member Resseman brought the meeting out of recess.

A. Agenda: City Administrator Walbridge requested the following changes to the agenda:

- Add 2022 Street/Utility Project Pay Request #12 to New Business.
- Remove Sylvan Park Pond Shoreline Project from New Business.

Member Wade entered a motion to approve the agenda with the requested changes; Member Bakke seconded the motion. Motion carried with all in favor.

B. Public Comment:

- Jon Buggs expressed concern over lack of communication between the city and the library board regarding a surveillance camera installed in the lobby outside of the library. Jon Buggs also stated the library board meetings of the past several months have been chaotic due to animosity between the library board, the city council, and city staff.

C. Approval of Minutes: Member Goetzke entered a motion to approve the minutes of the May 6, 2024 Regular Meeting as presented; Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

D. Consent Agenda:

1. Accounts Payable
2. Hire of Season Park Maintenance Employee – Joseph Newman

Member Albrecht-Benson entered a motion to approve the Consent Agenda; Member Bakke seconded the motion. Motion carried with all in favor.

Department Reports

A. Fire Department: Member Bakke presented the fire department update.

- There have been 13 calls year-to-date in 2024.
- Two new members are participating in required training and obtaining certifications.
- Five members received storm spotter training certification.
- The department has facilitated three controlled burns in 2024.
- The fire department’s golf tournament was a success with 21 teams that participated.
- The department will conduct a training session on June 8, 2024, including a house burn.
- POET grant and DNR grant applications have been submitted. If grants are awarded, funds will be used to cover warning light installation expenses and fire equipment purchases.

B. Economic Development Authority (EDA): Member Goetzke presented the EDA update.

Draft 06/04/2024

- A grant application is pending to recapitalize the EDA's revolving loan fund.
- A strategic planning survey has been completed.
- The Lanesboro Entrepreneur Action Network has created new goals for its sub-committee.
- Cathy Enerson, EDA Director, will have new market data insights available in July.
- The EDA Board has expressed interest in investigating the development of the city's riverfront property that houses the city's public works buildings. A special meeting is scheduled for June 6, 2024 to tour the property. Member Resseman stated that any direction regarding the sale of city property would need to come from the city council, and that the city council would need to initiate any steps regarding the sale of the property.

C. Library: Library Director Tara Johnson presented the library's report.

- The Friends of the Lanesboro Library book sale will take place on June 8, 2024.
- The summer reading program kicks off on June 6, 2024.
- The Fillmore County Board of Commissioners has approved the contract for library funding for the years 2025-2027. Director Johnson stated there will be a 3% increase in funding each contract year.

Continued Business

A. Downtown Commercial Land Use – Interim Ordinance: Administrator Walbridge reported that the Planning and Zoning Commission is in the process of revising the city's Land Use ordinance chapter to regulate lodging within the city. Additionally, the commission is drafting language for a new ordinance chapter that will establish a licensure regulation system for short-term lodging venues. Due to the progress made, it appears that an interim ordinance is not necessary. Administrator Walbridge recommended tabling the Downtown Commercial Land Use discussion until the next meeting. Member Resseman entered a motion to table to the July city council meeting; Member Bakke seconded the motion. Motion carried with all in favor.

B. Highway 250 Project – Letter of Intent: Administrator Walbridge stated that a revised draft of the letter was not received from MnDOT. Brian Malm from Bolton & Menk mentioned that MnDOT's project management team is working on the language revisions and will submit the revised letter to the city for its next meeting. Member Resseman entered a motion to table discussion on the Letter of Intent; Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

New Business

A. Donations of Public Art, Memorials, and Monuments: Administrator Walbridge presented draft ordinance language to the council members that would regulate donations of public art, memorials, and monuments. Both the Planning and Zoning Commission and the Park Board reviewed the draft at their meetings before referring it to the city council. Administrator Walbridge requested that members review the draft language for discussion at the July city council meeting. Member Resseman entered a motion to table discussion to the July city council meeting; Member Goetzke seconded the motion. Motion carried with all in favor.

B. Ordinance 130.02 Amendment – Discharging Firearms: Administrator Walbridge introduced revised language for the city's 130.02 Discharge of Firearms ordinance. Walbridge explained that the discussion to revise the ordinance stemmed from a citizen's request to the Planning and Zoning Commission, highlighting unclear language regarding where and when the discharge of firearms is acceptable within city limits. Walbridge requested that council members review the drafted ordinance language for future discussion. Member Resseman entered a motion to table discussion to the July city council meeting; Member Wade seconded the motion. Motion carried with all in favor.

C. 2022 Street/Utility Project Pay Request #12: Brian Malm updated the city council on the status of the street/utility project. Yard cleanup and sod replacement on Kirkwood Street are in progress. The final pavement on Kirkwood Street has been completed, and manholes have been installed. Final striping of Kirkwood Street is scheduled for June 8, 2024. The final payment and project completion are due by July 26, 2024, and the project is expected to be completed under the cost estimate. Member

Draft 06/04/2024

Albrecht-Benson entered a motion to approve Pay Request #12 in the amount of \$260,112.93; Member Resseman seconded the motion. Motion carried with all in favor.

- D. 2024 Case 580 SN Backhoe Purchase: A quote from Titan Machinery in La Crosse, Wisconsin was presented for the purchase of a 2024 CASE 580SN Backhoe.

2024 CASE 580SN Cash Price - \$135,500
Total Trade-In Price for 2019 CASE 580SN - \$72,000
Total Cash Price with Trade-In - \$63,500

David Haugen, Public Works Supervisor, explained that the city's current 2019 CASE Backhoe is due for replacement based on the city's vehicle replacement schedule. Haugen emphasized the importance of adhering to the schedule to maximize the trade-in value. He noted that the quoted equipment is an upgrade of the same model currently in the city's public works fleet. Administrator Walbridge explained that the funding for the purchase will be split between the city's Public Works Department and Lanesboro Public Utilities. Walbridge also stated that both the Public Works Department and Lanesboro Public Utilities vehicle replacement funds have sufficient funding to cover the purchase. Member Resseman entered a motion to authorize up to \$37,463.00 from the city's vehicle replacement fund for the purchase of a 2024 CASE 580SN Backhoe; Member Bakke seconded the motion. Motion carried with all in favor.

- E. Invasive Buckthorn Removal: The Park Board recommended that the city council approve a quote for invasive buckthorn removal from two areas within the city: along Ridgeview Lane South and around the ponds in Sylvan Park. A quote from O'Connell Excavating & Snow Plowing estimated the removal cost at \$1,200 per area. Administrator Walbridge stated that the Park Department's budget has adequate funding to cover the total expense of \$2,400. Member Goetzke entered a motion to approve the quote from O'Connell Excavating & Snow Plowing in the amount of \$2,400; Member Bakke seconded the motion. Motion carried with all in favor.

Miscellaneous

- A. City Administration: Member Resseman commented that it is the city administrator's role to advise and ensure that the city's boards and commissions act within guidelines and comply with federal and state laws when conducting business on behalf of the city. Member Resseman further noted that the city administrator performs these duties to protect the best interests of the city.

Next Meeting: Monday, July 1, 2024 at 6:00 p.m.

Member Resseman adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Mitchell Walbridge
City Administrator/Clerk

CITY OF LANESBORO

06/26/24 8:29 AM

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Payments

Current Period: July 2024

Payments Batch 07012024PAY		\$62,636.10	
Refer	51487 <i>MERCHANTS BANK</i>	-	
Cash Payment	E 312-43100-610 Interest	Fire Hall EMS Building	\$16,096.85
Invoice			
Transaction Date	6/11/2024	OPERATIONAL ACC 10100	Total \$16,096.85
Refer	51488 <i>MERCHANTS BANK</i>	-	
Cash Payment	E 309-47000-610 Interest		\$1,653.00
Invoice			
Transaction Date	6/11/2024	OPERATIONAL ACC 10100	Total \$1,653.00
Refer	51489 <i>F&M COMMUNITY BANK</i>	-	
Cash Payment	E 310-43100-610 Interest	2018A	\$1,127.50
Invoice			
Cash Payment	E 311-43100-610 Interest	2022B	\$10,799.25
Invoice			
Transaction Date	6/11/2024	OPERATIONAL ACC 10100	Total \$11,926.75
Refer	51490 <i>LOFFLER</i>	-	
Cash Payment	E 211-45500-413 Office Equipment Rental		\$30.43
Invoice 4719525			
Cash Payment	E 100-41500-413 Office Equipment Rental		\$95.30
Invoice 4719526			
Transaction Date	6/11/2024	OPERATIONAL ACC 10100	Total \$125.73
Refer	51491 <i>HEARTLAND SECURITY SERVICES</i>	-	
Cash Payment	E 211-45500-318 Security Subscription		\$71.04
Invoice 794476			
Transaction Date	6/11/2024	OPERATIONAL ACC 10100	Total \$71.04
Refer	51492 <i>GALE GROUP</i>	-	
Cash Payment	E 211-45500-230 Books & Movies		\$59.23
Invoice 84462629			
Transaction Date	6/11/2024	OPERATIONAL ACC 10100	Total \$59.23
Refer	51493 <i>RIVERLAND COMMUNITIY COLLA</i>	-	
Cash Payment	E 220-42000-208 Meetings / Trainings		\$2,400.00
Invoice 1233224			
Transaction Date	6/11/2024	OPERATIONAL ACC 10100	Total \$2,400.00
Refer	51494 <i>DUNN BLACKTOP</i>	-	
Cash Payment	E 100-43100-265 Asphalt		\$143.50
Invoice 4400006798			
Cash Payment	E 100-43100-265 Asphalt		\$143.50
Invoice 4400006826			
Transaction Date	6/12/2024	OPERATIONAL ACC 10100	Total \$287.00
Refer	51495 <i>LRS OF MINNESOTA</i>	-	
Cash Payment	E 100-45200-410 Rentals (GENERAL)		\$405.00
Invoice MP251147			
Cash Payment	E 100-41500-430 Miscellaneous (GENER	City Wide Clean Up	\$1,710.67
Invoice UB414301			
Transaction Date	6/17/2024	OPERATIONAL ACC 10100	Total \$2,115.67

CITY OF LANESBORO

06/26/24 8:29 AM

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Payments

Current Period: July 2024

Refer	51496	BOLTON & MENK INC	-			
Cash Payment	E 411-43100-300	Professional Svcs (GEN			\$8,295.00	
Invoice	0337737					
Cash Payment	E 100-41500-303	Engineering Fees			\$1,170.00	
Invoice	0337638					
Transaction Date	6/17/2024	OPERATIONAL ACC	10100	Total	\$9,465.00	
Refer	51497	DAVID BAKKE	-			
Cash Payment	R 100-45200-34750	Auditorium Use Fees Wangen Wedding Lights 6/15			\$150.00	
Invoice						
Transaction Date	6/17/2024	OPERATIONAL ACC	10100	Total	\$150.00	
Refer	51498	ALL CRAFT EXTERIORS	-			
Cash Payment	E 220-42000-401	Repairs/Maint Buildings			\$13,800.00	
Invoice	8797					
Transaction Date	6/17/2024	OPERATIONAL ACC	10100	Total	\$13,800.00	
Refer	51499	THREADS	-			
Cash Payment	E 235-49900-452	BBD T-shirts			\$392.67	
Invoice						
Transaction Date	6/24/2024	OPERATIONAL ACC	10100	Total	\$392.67	
Refer	51500	HUNTINGTON ELECTRIC	-			
Cash Payment	R 100-45200-36230	Contributions and Do			\$938.36	
Invoice	6982			Project 2024-1		
Transaction Date	6/24/2024	OPERATIONAL ACC	10100	Total	\$938.36	
Refer	51501	PRESTON AUTO PARTS	-			
Cash Payment	E 220-42000-240	Small Tools and Minor E			\$106.48	
Invoice	800046					
Cash Payment	E 100-43100-210	Operating Supplies (GE			\$84.94	
Invoice	800221					
Transaction Date	6/24/2024	OPERATIONAL ACC	10100	Total	\$191.42	
Refer	51502	OKOREN LAW OFFICE LLC	-			
Cash Payment	E 100-41500-304	Legal Fees			\$1,723.96	
Invoice	1304					
Transaction Date	6/25/2024	OPERATIONAL ACC	10100	Total	\$1,723.96	
Refer	51503	ULTIMATE SAFETY	-			
Cash Payment	E 220-42000-404	Repairs/Maint Machiner			\$117.92	
Invoice	211892					
Transaction Date	6/25/2024	OPERATIONAL ACC	10100	Total	\$117.92	
Refer	51504	AFLAC	-			
Cash Payment	G 100-21707	Aflac			\$33.00	
Invoice	515559					
Transaction Date	6/26/2024	OPERATIONAL ACC	10100	Total	\$33.00	
Refer	51505	DIAMOND VOGEL PAINTS	-			
Cash Payment	E 100-43100-404	Repairs/Maint Machiner			\$288.50	
Invoice						
Transaction Date	6/26/2024	OPERATIONAL ACC	10100	Total	\$288.50	
Refer	51506	RUSHFORD FIRE DEPT.	-			

Payments

Current Period: July 2024

Cash Payment	E 220-42000-300 Professional Svcs (GEN Mutual Aid			\$800.00
Invoice				
Transaction Date	6/26/2024	OPERATIONAL ACC 10100	Total	\$800.00

Fund Summary

10100 OPERATIONAL ACCOUNT

100 GENERAL FUND	\$6,886.73
211 LIBRARY	\$160.70
220 FIRE FUND	\$17,224.40
235 BUFFALO BILL DAYS FUND	\$392.67
309 2017B PARK ROAD	\$1,653.00
310 2018A ZENITH PAVING	\$1,127.50
311 2022B Street & Utility Imprmt	\$10,799.25
312 2022A Emergency Services Bldg	\$16,096.85
411 2022 STREET & UTILITY IMPROV	\$8,295.00
	<u>\$62,636.10</u>

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$62,636.10
Total	<u>\$62,636.10</u>



SOUTHERN MINNESOTA
INITIATIVE FOUNDATION

SMIF's investments and partnerships in

Fillmore County since 1986

Southern Minnesota Initiative Foundation (SMIF) is a regional development and philanthropic organization that fosters economic and community vitality in southern Minnesota through a culture of collaboration and partnership. Serving 20 counties which includes 175 communities and one Native nation.

For every donation from Fillmore County of **\$1** → **\$33** is invested back into Fillmore County communities.*

**Includes grants, loans & programming*



29 Loans

to support entrepreneurs

473 Grants

to support community projects

\$13.5 Million

invested by SMIF in Fillmore County through grants, loans and programming



Questions?

Alissa Oeltjenbruns
Vice President of Community Vitality
507-475-3056
alisso@smifoundation.org



Check out SMIF's recent activity in your county



SMIF's Recent Activity in Fillmore County

Early Childhood Spotlight



\$15,000 Early Care and Education Grant to Chatfield Public Schools

Community Education provides training and resources to strengthen and support social emotional learning in the early childhood classrooms, child care settings and homes. Resources are available for all young families and providers, regardless of economic status.

Other recent activity:

- 155 English and 45 Spanish books awarded to Fillmore Central Community Ed
- 400 books awarded to Kingsland Public Schools

Entrepreneurship Spotlight



Rural Entrepreneurial Ventures (REV) in Spring Valley

We accomplished so much through REV. The EDA developed a new website offering links to news, contacts, resources and community events. Over \$125,000 in revolving loans have been distributed to support local business growth. Microgrants for child care were created.

-Chris Hahn, Spring Valley EDA Director

Other recent activity:

- AJ's Diner received a Business Loan
- REV in Lanesboro
- Technical assistance to 13 entrepreneurs

Community Vitality Spotlight



Paint the Town Grant to Spring Valley EDA

There is a new colorful addition welcoming people to downtown Spring Valley. The EDA received free paint for the Spring Valley Creek Mural, an 8' x 16' painting designed by a local artist and painted with the help of community volunteers. The completed mural is on display on the side of the S&S Bait Shop.

Other recent activity:

- \$48,600 in matching funds to six Community Foundations
- \$66,854 in Small Town Grants to orgs in Pilot Mound, Rushford, Preston, Lanesboro, Fountain, Spring Valley

920 Children Supported

71 Entrepreneurs Supported



CITY OF LANESBORO

202 Parkway Ave. S • P.O. Box 333 • Lanesboro, MN 55949 • (507) 467-3722 Fax (507) 467-2557 • lanesboro@accgroup.cc

www.lanesboro-mn.gov

July 1, 2024

To: J&M Displays
Attn: Terry Meiley

From: Mitchell Walbridge
City of Lanesboro

RE: Fireworks to be held 8-3-24

Dear J&M Displays,

This letter shall serve as an official permit from the City of Lanesboro for the Buffalo Bill Days display of Fireworks to be held August 3, 2024 with a back up date on August 4, 2024. We approve of the fireworks to be let off at dusk from the Lanesboro Football Field Pleasant St E Lanesboro, MN 55949.

If you have any further questions, I can be reached at (507) 467-3722 or e-mail lanesboro@accgroup.cc.

Thank you for your time.

Sincerely,

Mitchell Walbridge
City Administrator/Clerk

CITY OF LANESBORO, MN STREET/PARKING CLOSURE POLICY INFORMATION

Purpose: This policy is intended to assist the City Council in making sound street and parking closure decisions, while maintaining the best interest of all residents and businesses of the city, with the least disruption to the community as a whole.

Street/Parking Closure permits from the City of Lanesboro will be reviewed by the Public Works Supervisor, please advise as to the type of safety warning and barrier devices that will be needed for your project.

The Event/Street Closure permit application is attached on the following pages. Please read the instructions completely and include the required diagram in your application. Please complete **ALL** items below. Incomplete applications **WILL NOT** be processed.

You can submit your Event/Street Closure permit application by the following:

Email: MWalbridge@lanesboro-mn.gov

Mail: PO Box 333, Lanesboro, MN 55949

Drop off: City Office, 202 Parkway Avenue South, Lanesboro, MN 55949

Applicant Fees: \$100 per barricade and \$20 per cone damage deposit;

The Damage Deposit is refundable if the area used is left clean and in good condition and there is no damage to a barricade or cone. No staking of tents or other holes in the Streets or Right of Ways (ROW - area adjacent to a street including sidewalks. A \$500.00 per hole fine will be imposed if found. *Please make checks payable to The City of Lanesboro.

No disruption to City Streets or Sidewalks by Tent Stakes, signage, etc.

The applicant agrees to comply with all of the terms and conditions and stipulations of this permit, all ordinances of the city and statutes of the state and all other applicable laws and understands that failure to comply will result in immediate revocation of this permit. If the applicant does not adhere within the constraints of the conditions set forth on their approved Street/Parking Closure or failure to clean up from the event; applicant will be found in violation of the policy and this may result in denial of future permits for a period of one year from date of violation.

Indemnification.

The City shall not be liable to Applicant, its agents, servants, guests, employees, or invitees for any damage to person or property caused by any act, omission, or neglect (including the service and consumption of alcohol) of Applicant, its agents, servants, guests, employees, or invitees. Without limiting or being limited by any other indemnity in this Agreement, but rather in confirmation and furtherance thereof, Applicant agrees to indemnify, defend, and hold City harmless of, from, and against any and all losses, damages, liabilities, claims, actions, causes of action, demands, liens, costs, or expenses (including, but not limited to, court costs, reasonable attorney's fees, and litigation expenses) in connection with any injury to or death of any person or damage to or theft, loss, or loss of the use of any property occurring on or about the Permit Area arising from Applicant's

CITY OF LANESBORO, MN STREET/PARKING CLOSURE POLICY INFORMATION

occupancy or use of the Permit Area, or from any activity, work, or thing done, permitted or suffered by Applicant, in or about the Permit Area, or from any breach or default on the part of Applicant in the performance of any covenant, or agreement on the part of Applicant to be performed pursuant to the terms of this Agreement, or due to any other act of omission or willful misconduct of Applicant or any of its agents, servants, guests, employees or invitees. It is further explicitly understood by Applicant that Applicant accepts sole responsibility for its actions, and the actions of their agents, servants, guests, employees or invitees, regarding the service or consumption of alcohol on or within the Permit Area. This indemnification provision is a material term of this Permit Application and Agreement.

Waiver and Assumption of Risk.

The Applicant knows, understands, and acknowledges the risks and hazards associated with using the Permit Area and hereby assumes any and all risks and hazards associated therewith. Applicant hereby irrevocably waives any and all claims against the City or any of its officials, employees, or agents for any bodily injury (including death), loss or property damage incurred by the Applicant as a result of using the Permit Area, and hereby irrevocably releases and discharges the City and any of its officials, employees or agents from any and all claims of liability. This Waiver and Assumption of Risk provision is a material term of this Permit Application and Agreement.

Applications must be submitted 60 days prior to the event date. Applications will be authorized on a first come basis. If the requested event coincides with an approved or established event within the city, the application will be denied, you may be able to work within the scope of the existing event if the chair of the event deems your activity appropriate.

No Assignment.

This Agreement shall not be assigned by Applicant unless agreed to in a separate signed writing by City.

Amendments.

Any modification or amendment to this Agreement shall require a written agreement signed by both Parties.

CITY OF LANESBORO APPLICATION FOR EVENT/PERMIT TO CLOSE STREET OR PARKING SPACE

The following application is submitted to the City of Lanesboro as a request to hold an event and/or for a street closing or parking space closure on a public right-of-way.

Applicant Information:

Applicant/Organization: Lanesboro Fire Department

Applicants Address: 301 Sheridan St. W Lanesboro, MN

Applicant Email: chase.bakke@gmail.com

Provide two contact numbers for individuals that can be reached during the event:

CITY OF LANESBORO, MN
STREET/PARKING CLOSURE POLICY INFORMATION



Contact Person: Rob Wagner, Chief

Contact Phone: 507-676-5730

Contact Person: Chase Bakke, Council Liaison

Contact Phone: 507-421-4489

DESCRIPTION OF PURPOSE/EVENT

LFD requests a street closure on Coffee St. E between the blocks of Main Street to Kenilworth Ave N. We would like to host our annual street dance on the Friday night of Buffalo Bill Days. This is our main fundraising event of the year. The band is scheduled to play from 8:30 P.M. to 12:30 A.M. Please look at the attached layout of our event that includes fencing, stage, and beverage trailer.

*Please attach a sketch of the proposed layout and traffic control for the event to this application.

Please provide name and a signature from the property owners within the proposed area to be closed noting they are in agreement with the closure. Please include additional information if necessary on a separate document:

Name	Address	Signature
Merchants Bank	118 Parkway Ave. N	Kenneth J. A. Markes Pres
<i>Rest River Saloon</i>	<i>112 Coffee St</i>	<i>[Signature]</i>
Action Fitness	102 Coffee St E	Angela Taylor
The Peddler	107 Coffee St E	[Signature]
Jon Pieper	111 Coffee St E	[Signature]
Val Tindall	110 Coffee St E ⁴ _{Other bldg.}	Val Tindall
Rick Lamore	Coffee Street	Rick Lamore
Brad Ewin	106 106 Coffee Street	Brad A Ewin
Kirsten Mersing	105 Coffee Street	[Signature]
Sydney Waldow	109 Coffee St.	[Signature]
[Signature]	100 Coffee St	[Signature]

CITY OF LANESBORO, MN
STREET/PARKING CLOSURE POLICY INFORMATION



LOCATION: Coffee St. E (alley behind bank will be blocked)

BETWEEN: Main Street

&/TO: Kenilworth Ave N

CROSS STREET

CROSS STREET

DATE: August 2nd, 2024

TIME: 3:00 P.M.

START DATE

START TIME

DATE: August 3rd, 2024

TIME: 1:30 A.M.

END DATE

END TIME

*This will generally be referred to as the "Permit Area."

A certificate of General Liability Insurance in the amount of \$1,000,000 naming the City as an additional insured for the event must be provided to the City Office. The policy should provide that it cannot be canceled upon ten (10) days written notice filed with the City Office. Insurance may be available through the League of Minnesota Cities GatherGuard program. <https://www.lmc.org/insurance-trust/coverages/gatherguard/>

Applicant Signature

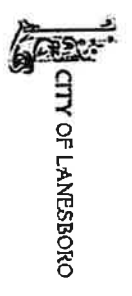
Date

To request use of City-owned barricades and or cones, please complete the following, you will be responsible for setting up and moving the barricades and cones for the event.

of Cones needed: _____

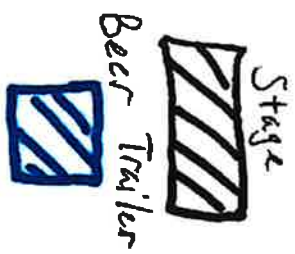
of Barricades needed: _____

Pick up Date: _____ Pick up Time: _____



Legend

-  City Limits
-  Parcels 03/17/2023
-  Lanseboro ImageryClip_2022
-  Red: Layer_1
-  Green: Layer_2
-  Blue: Layer_3



Map Name



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting its area shown, and is to be used for reference purposes only. The City of Lanseboro is not responsible for any inaccuracies herein contained.



Real People. Real Solutions.

**CITY OF LANESBORO, MN
STREET/PARKING CLOSURE POLICY INFORMATION**



Return Date: _____ Return Time: _____

CITY OF LANESBORO - OFFICE USE ONLY

Date Deposit Paid: _____

Special Conditions:

Detour and Barricade signage conditions:

Date Issued: _____ Permit Expires: _____

Authorized By: _____

**CITY OF LANESBORO
RESOLUTION NO. 2024-22**

**A RESOLUTION APPOINTING PRIMARY AND GENERAL ELECTION JUDGES
FOR THE ELECTIONS OF AUGUST 13, 2024 AND NOVEMBER 5, 2024**

WHEREAS, a State Primary Election will be held on August 13, 2024; and the State General Election will be held on November 5, 2024; and

WHEREAS, Minnesota Statute 204B.21, subd. 2, requires election judges for precincts in a municipality be appointed by the governing body of the municipality; and

WHEREAS, the City of Lanesboro has one voting precinct; and

WHEREAS, the following individuals have agreed to serve as election judges and have met the qualifications established by the State of Minnesota; and

WHEREAS, the following new candidates for election judge will have received training and will be eligible to serve after meeting the qualifications established by the State of Minnesota;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lanesboro hereby appoints the following persons to serve as election judges for the Primary and General Elections of 2024, with the understanding that amendments may be necessary to the appointments in order to fill vacancies and meet party splits; and approves payment of an hourly wage of \$15.00 per hour during election judge training and time served on election days.

JUDGES: Mitchell Walbridge, Darla Taylor, Bonita Underbakke, Jennifer Kimball-Olson, Jerome Deden, Kathryn Wade, Leah Steding, Joe Goetzke, Tamara DeGarmo, Vickie Torkelson, Denise Dahle

Adopted by the Lanesboro City Council this 1st day of July, 2024.

Jason Resseman
Mayor

Attested:

Mitchell Walbridge
City Administrator/Clerk



Minnesota Department of Transportation
District 6 Rochester
2900 48th Street NW
Rochester, MN 55901

June 24, 2024

Mr. Jason Resseman
Mayor
City of Lanesboro
202 Parkway Avenue South
Lanesboro, MN 55949

Subject: **Letter of Intent** - State Project 2319-21 Lanesboro Reconstruction of MN 250 from MN 16 to south end of Bridge #23027.

Mayor Resseman,

This serves as a Letter of Intent between MnDOT District 6 and the City of Lanesboro for the preconstruction and construction work needed to complete State Project (SP) 2319-21, MN 250 reconstruction from the intersection of MN 16 to the south end of Bridge #23027. This project is currently anticipated to Let in October 2026.

Project Scope: The scope of this project includes (but is not limited to) the total reconstruction of MN 250 from the intersection of MN 16 to the south end of Bridge #23027. Typical items to be reconstructed include the entire roadway pavement section within the project limits (including aggregate base and existing subbase as required), storm sewer, curb & gutter, sidewalk, pedestrian ramps, lighting, and city utility replacement (water and sanitary sewer). This list is not all inclusive and may include additional elements. The project scope will be developed in coordination with the MnDOT Project Manager and will consider previous planning studies as well as the long-range plans of MnDOT and the City of Lanesboro.

Project Funding: MnDOT's share of the project construction cost is currently estimated at \$6,000,000. MnDOT will contribute up to \$6,000,000 (based on the projected Construction Let cost) in State funds toward this project. This amount will be capped, based on the actual construction cost and use of funds will be determined as outlined in the Agreement – Cost Sharing section below. In addition to the capped amount, MnDOT will be responsible for its share of any post-letting, pre-construction, post-construction, and right-of-way costs, as well as all Contract Administration and Construction Inspection costs, except for costs associated with city utilities.

Pre-Design/Final Design: The City of Lanesboro will lead and complete pre-design and final design tasks and deliverables for the project in accordance with the MnDOT Transportation Project Development Process (TPDP), MnDOT Road Design Manual, MnDOT Technical Memoranda, and other MnDOT Standards as applicable. The project will be Let through the MnDOT Letting Office in Saint Paul. As such, the City of Lanesboro will coordinate with MnDOT on the project requirements and document reviews. MnDOT will conduct reviews and respond in a timely manner.

MnDOT will lead the Early Notification Memo Process which will include notifying all affected offices about the project and providing any information received as a result of this process to the City of Lanesboro. The City of Lanesboro will coordinate as necessary with MnDOT to ensure all issues brought forth from this process are understood and managed appropriately.

Additionally, MnDOT will lead the evaluation of potential contaminated soils and groundwater materials for the project. This will include the Phase I and Phase II investigations as well as any construction monitoring that may be necessary. If contamination is discovered, whichever agency is paying for the work that encounters this contamination will be responsible for the treatment costs associated with the contamination.

If the City of Lanesboro chooses to hire a consultant to complete the design of the project, the City of Lanesboro agrees to acquire a consultant that is listed on MnDOT's pre-qualified list for relevant work types.

Right of Way Acquisition:

The City of Lanesboro will lead the direct purchase process for acquisition of right of way for this project, if any new right of way is required. The City of Lanesboro will, among other things, order titles, provide appraisals, make offers and payments to property owners, and provide all other direct purchase activities necessary to construct the project. Prior to making any offers, the City of Lanesboro will submit appraisals to the MnDOT Right of Way Engineer for review and certification. MnDOT will complete the Platting for any necessary new right of way for trunk highway purposes.

If any parcels required for trunk highway purposes cannot be acquired by direct purchase, the City of Lanesboro will inform the District Right of Way Engineer in a timely manner (12 months prior to letting) to request that MnDOT lead all eminent domain activities. MnDOT will lead and complete the eminent domain activities and make payments to the court or to the property owners (as determined by the court) for properties settled in the eminent domain process. Any payments made by MnDOT for said properties will be in addition to the total capped State Funds identified above as MnDOT's share of the project costs. Prior to letting, MnDOT will take only that City acquired right of way into the trunk highway system (by Commissioner's Orders) that is determined necessary for the future maintenance and operation of the trunk highway.

Letting and Award: MnDOT will advertise, let, and award the construction contract in accordance with approved plans and project documents.

Construction Administration/Inspection: Contract Administration and Construction Inspection will be performed by MnDOT except for any city utilities (sanitary sewer and water main).

Cooperative Construction Agreement/Cost Sharing: The City of Lanesboro and MnDOT will confer during the development of the project to determine which project elements are eligible for State funding. It is anticipated most of the project costs, including design, right of way acquisition, and construction will be determined eligible for state funding. MnDOT will prepare an agreement at the time the final plans are submitted for MnDOT's approval utilizing the MnDOT cost share policy in effect at that time. The state funding identified for construction costs is currently estimated at the capped amount of \$6,000,000. Said state funds will first be applied to eligible trunk highway construction costs in the Schedule I as part of the agreement. If a balance of state funds remains after construction eligibility is determined, the district will seek approval to reimburse the City of Lanesboro for design, and/or right of way acquisition costs up to the capped amount. As noted above, in addition to the capped amount, MnDOT will be responsible for it's share of any post-letting, pre-construction, post-construction, and right of way costs, as well as all Contract Administration and Construction Inspection costs, except for costs associated with city utilities.

I concur with the intent of this letter:

Greg Paulson

Digitally signed by Greg Paulson
Date: 2024.06.24 14:14:30 -05'00'

Greg Paulson, ADE Program Delivery
Minnesota Department of Transportation

Date

I concur with the intent of this letter:

Jason Resseman, Mayor
City of Lanesboro, Minnesota

Date

Donations of Public Art, Memorials, and Monuments

(A) *Purpose.* To provide guidelines for consistency in accepting donations of art, memorials and monuments and the placement of memorials, including installation of monuments and planting of memorial trees, in any public space within the city.

To ensure the placement of art, monuments, and memorials: 1) commemorate and recognize individuals, institutions or events contributing significantly to the historical creation or betterment of the city, the state or the nation; and 2) are consistent with the overall interests, values, and expectations of the citizens of Lanesboro.

(B) *Scope.* This chapter covers all donations or other placement of art, memorials or monuments, including planting of memorial trees, in any public space within the city. This chapter will supersede any other prior ordinance or code provision affecting or regulating the same subjects. This chapter does not cover city created public road signage or other city created signage or city-owned display boards or banners. any art, monument or memorial placed, prior to the adoption date hereof, are exempted from any retroactive application of the provisions of this chapter.

(C) *Definitions.*

ART: Any form of creative expression, that does not contain a commercial or advertising content and is not a display to public view of letters, devices, structures, fixtures, displays, emblems, placards, or any part of combinations thereof designed to direct, announce or inform the public about businesses and organizations. Commercial logos, depictions of goods or services sold, or any elements of commercial advertising for a business or organization are not allowed in public art. This includes any recognizable figure, product, person or items that directly and recognizably advertise goods or services, including, but not limited to trademarks, mascots, or spokespersons. Includes all mediums, such as sculpture, murals or painting, film, light, or other forms of creative expression

MEMORIAL: A plate, tablet, or slab made of metal, stone or any other appropriate material with text and/or graphics displayed on it and fixed on, applied to, or inserted in a surface, created to recognize and preserve the memory of a person, group, event or place.

MONUMENT: A structure or a three-dimensional physical object (e.g., a sculpture) created to recognize and preserve the memory of a person, group, event or place. A water feature or memorial garden type proposal may be deemed a monument.

(D) *General Naming Principles and Placement.* All proposals for placement of art, memorials, or monuments, including installation of donated seating, street furniture and play/park equipment, and planting of memorial trees in any public space within the city, will be considered on a case-by-case basis, whether generated by the public or from within the city council. Notwithstanding this case-by-case approach, the relevant criteria to be taken into consideration shall include, but not be limited to:

1. There must be a high level of community support for the proposal.
2. The memorial or monument proposal must: a) commemorate a person or a group who made a significant contribution to the city of Lanesboro, the state, or the nation; or b) commemorate an event or occasion that is important in local, state or national history.
3. The art proposal must: (a) demonstrate Lanesboro's values of community and creativity and foster a message of bringing people together; (b) stimulate economic growth and investment; (c) encourage public education and cultural literacy; (d) contribute or celebrate Lanesboro and the region's identity; (e) bridge cultural and social barriers; (f) provide community cohesion; (g) energize publicly viewed spaces in the city; (h) enhance new and existing development; (i) provide local opportunities for talented regional, national and international artists; (j) contribute to Lanesboro and the region as a tourist destination; (k) leave a legacy for the future; and (l) Create a positive impact.

4. Any proposed donation must reflect the character, landscape, natural amenity, flora or fauna, or function of the site or the area.
5. With the exception of historical persons who died more than one hundred (100) years ago, the placement of monuments and memorials after a person shall only be done with the consent of the memorialized person's immediate family.
6. The city council will not approve names that are complex, unduly long, difficult to spell or difficult to pronounce, derogatory or offensive.
7. Art, memorials, and monuments containing statements of religious principles or scriptural verses are prohibited in public parks, public spaces, public buildings or public facilities; provided, however, if such a principle or scripture is unavoidably entwined with an otherwise historically significant event or the persona of a person proposed to be honored, the monument or memorial may contain a minor and incidental reference to such a principle and/or scripture.
8. Any proposed donation and placement of art, memorials, or monuments, including installation of donated seating, street furniture, and park/play equipment, and planting of memorial trees in any public space within the city will be approved by the city council.

(E) *Specific Principles.*

1. The city administrator will have delegated authority to approve or refuse requests for placement of donated art, memorials, or monuments, including seating or benches in parks or public spaces, with subsequent reporting to the city council.
2. Any proposed memorial, monument, donated seating or trees, must:
 - a) Demonstrate some specific justification for being located at the proposed site.
 - b) Be consistent with the city council's approved plans for the proposed site or facility.
 - c) Not compromise the amenity value, aesthetic integrity or character of the proposed site.
 - d) Not interfere with existing and proposed usage patterns, and circulation at the site and must not pose any safety risk to users of the site or facility.
 - e) Contribute to the public space from a functional and/or aesthetic character of the site and should be designed and manufactured using high quality materials and workmanship.
 - f) Be compatible and at a design and quality level commensurate with the location or setting of the site and must be compatible with the surroundings.
3. The city council will not consider for approval monuments or memorials which will impose a significant financial burden on the city to maintain.
4. It will be the city council's responsibility to:
 - a) Approve the design, size, material, text and graphics to be used for memorials and monuments; and
 - b) Approve species of memorial trees to be planted, in a specific case, in parks or other public spaces.

(F) *Safety Requirements.*

1. Any art, memorial, or monument, or part thereof, that is not installed flush with a surface and, any memorial or monument that rises from ground level less than seven feet (7'), shall have rounded edges and shall avoid tripping hazards in the design and installation process.
2. If art, a memorial, or a monument is to be installed on a base, regardless of height, the base shall have rounded edges.
3. All art, memorials, and monuments shall be designed to be noticeably separated from walkways, established lines of non-walkway travel through parks, and established or reasonably likely areas of group running type play or activity.
4. Only seating and play equipment meeting the most current safety design and installation standards will be accepted and approved by the city council.
5. If an art fixture, monument, or memorial consists of, or includes a reproduction model or actual copy of a manmade item; or a sculpture, whether of a human being or otherwise; and such model or

sculpture has sharp or pointed edges or extrusions, including, but without limitation, expressions of hair, fingers, noses, arms, held objects (spears, scepters, guns, books, etc.), airplane wings, helicopter bodies or rotors, etc., such item or sculpture must sit within a protective alcove or on a base that raises the pointed or sharp edge(s) to a height of seven feet (7') or higher. Other permitted options meeting the requirements of this subsection are:

- a) The monument or memorial can be completely enclosed within a hardened glass or plastic viewing container meeting the requirements of subsection A of this section.
- b) The monument or memorial can be separated from pathways or other possible normal access by inattentive or running pedestrians by water or other natural separations.

6. Art, memorials, and monuments installed inside of a public building or other public facility shall be installed within an alcove or cutout of a wall in order to protect inattentive or running pedestrians from injury as a result of contact with the art fixture, monument, or memorial.

(G) *Cost and Ownership.* Unless otherwise decided by the city council in a specific case, the total cost of design, fabrication, transportation, site preparation, installation, lighting, electrical and all other costs relating to a memorial or monument shall be borne by the donor/applicant. All donated memorials, monuments, park/street furniture, equipment, and trees shall become and remain city property.

(H) *Maintenance, Removal, and Relocation.* The city will endeavor to maintain art, memorials, and monuments, including donated park/street furniture, equipment, and memorial trees for their useful life. The city takes no responsibility for the loss, damage and/or replacement of a donated memorial, park/street furniture, equipment, tree or monument. At the expiry of the useful life of furniture or equipment, unless the applicant makes an arrangement with the city to renew, refurbish or replace the furniture or equipment, the city staff may remove the item and, in case of memorials or monuments, reasonable attempts will be made by city staff to return the memorial or monument to the donor.

The city council reserves the right to remove a memorial, monument, or a memorial tree in the following circumstances:

1. The area is to be redeveloped;
2. The character and use of the area in which the item is sited has changed significantly and the item is no longer deemed suitable for the site;
3. The structure or support on which the item is located is to be removed or altered.
4. The city retains the right to relocate any donated art, memorial, monument, park/street furniture, equipment, or a memorial tree, if and when it becomes necessary to do so.

(I) *Processes and Procedures.* The city administrator or an empowered designee shall administer this chapter. In connection with a proposal for the placement of art, memorials, and monuments, including installation of monuments and planting of memorial trees, in any public space within the city, such proposal shall be made in writing and submitted to the city administrator. Written proposals shall include:

1. A detailed description of the proposed art, memorial, or monument, including an artist's rendering of the final form of any physical item which is part of the proposal.
2. A description of the method of funding for the proposal.
3. A statement showing the proposal's compliance with the applicable rules contained in this chapter.
4. An application fee in the amount provided for such applications in the city's uniform fee schedule, as amended from time to time.
5. A safety survey of the proposal demonstrating that the design and location of the proposal will meet or exceed the safety concerns of this chapter and the professional standards of the surveyor.

The city administrator or an empowered designee shall determine whether or not the application submitted is complete and meets the requirements of this chapter. If the application fails to meet the requirements of

this chapter or is not complete, the application will be returned with comments and suggestions as to how the application can be made complete or compliant.

Once a proposal is complete and found to meet the requirements of this chapter, the city administrator or an empowered designee shall prepare a staff report and schedule the proposal for review and action by the relevant advisory boards or city council.

**CITY OF LANESBORO, MINNESOTA
ORDINANCE NO. 130.02**

AN ORDINANCE AMENDING ORDINANCE NO. 130.02 ADOPTED ON _____, AND TITLED “AN ORDINANCE RELATING TO DISCHARGING FIREARMS.”

The City Council of Lanesboro, Minnesota ordains:

Section 1. Ordinance No. 130.02 adopted on August 7, 2023, and titled “Discharging Firearms” is amended to read:

- (A) *General Discharge of Firearms.* It is a misdemeanor for any person to discharge any firearm or bow and arrow within the city or to cause a projectile therefrom to enter the city unless:
 - a. By a police officer in the course of law enforcement;
 - b. By a person firing for a military salute or by persons of the nation’s armed forces acting under military authority;
 - c. By a person protecting life of a person;
 - d. By a special permit of the City Council;
 - e. By a person with proper licensure hunting in an area zoned Rural Agricultural District.
- (B) *Discharge of Firearms Prohibited in Certain Places.* No person shall discharge a firearm upon or over a public road, highway, upon, over, or near a cemetery or city park, playground, orchard, or other ground appurtenant to a school, church, or an inhabited dwelling, the property of another, or charitable institution.
- (C) If any of the above provisions are found to be in conflict with M.S. ‘624.717, as it may be amended from time to time, the provisions of that statute shall prevail.
- (D) Penalty, see ‘130.99.

Section 2. This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of Lanesboro, Minnesota this _____ day of Month, Year.

Mayor

Attested:

City Clerk

DATE: 05/28/2024

TO: Nicole Lehman

FROM: City of Lanesboro

SUBJECT: Lanesboro Park Pond Bank Repair and Culvert Replacement

The project on Lanesboro Park Pond (M-009-025-00.5) will consist of stabilizing 1,555' of bank around both park ponds with Class III rip rap and replace both culverts which are failing and causing additional erosion at both sites. Muskrat runs have caused extensive damage along the park ponds banks over the years and the banks are continuing to slough into the pond making access for anglers and park visitors difficult and dangerous. The southwest bank on the lower pond has lost 8 feet in some areas and has exposed underground electrical lines and is getting near existing sewer lines. Two permanent park benches have been moved already as they were falling into the pond. This section of the pond will need additional fill added behind the rip rap to re-establish the bank and protect the existing infrastructure. Fill will also need to be added behind the rip rap on the downstream end of the upper culvert to re-establish the area that has sloughed away due to the leaking culvert. Two concrete wheelchair access sites will also be added to the lower pond along with a crushed rock path leading to both sites from the existing access road. All disturbed areas will be seeded with oats, BLM #4 pasture mix and mulched at 100% coverage with Flexterra HP - FGM.

Work is planned to be completed in the fall of 2024 pending available funding. We are requesting a 2- or 3-year permit to allow time to secure funding through the MNDNR Shoreline Fishing Initiative. A small amount of the work may need to be done immediately (culvert replacement and protecting the electrical line) with the remaining work being completed after funding is secured.

Bolton & Menk has provided a preliminary cost estimate to the City of Lanesboro for stabilizing the park ponds and their estimate is attached.

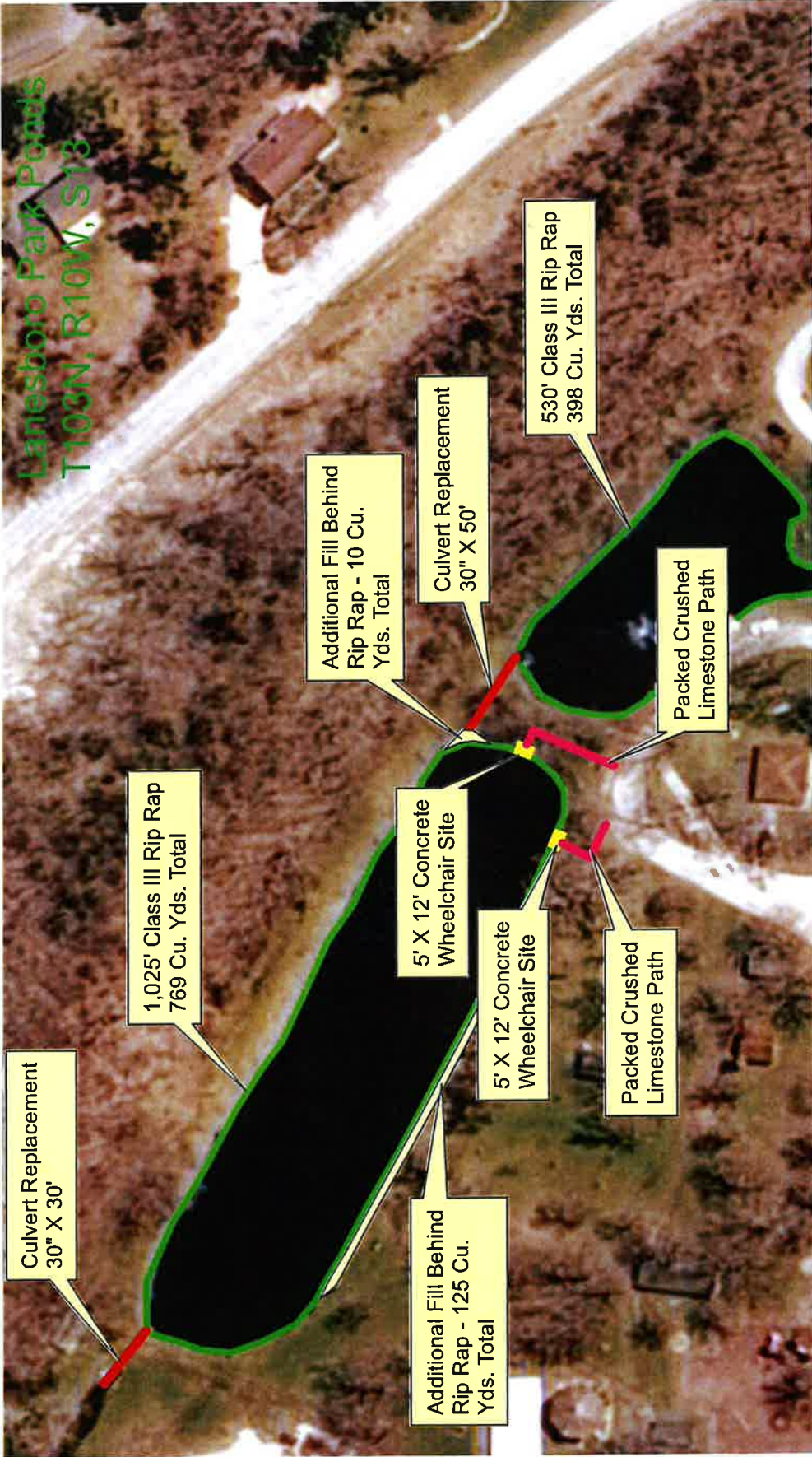
This project will be a cooperative project with the Lanesboro Area Fisheries Office. The Lanesboro Stream Habitat Crew would be doing the rip rap installation, additional fill work and seeding / mulching of the pond banks.

Bank repair materials:

- 1,517 tons of Class III Rip Rap (1,167 Cubic Yards).
- 135 Cubic Yards of dirt fill.
- 1 - 30" X 30' culvert
- 1 - 30" X 50' culvert
- 25 bales of Flexterra HP -FGM.
- 21 lbs. of BLM #4 Pasture Mix.
- 28 lbs. of Seed Oats.

- 2 – 5' x 12' Concrete Wheelchair Pads.
- 2 – Steel Railings for Wheelchair Pads.
- 15 tons of Class V Road Rock (11.5 Cubic yards).

Lanesboro Park Ponds
T103N, R10W, S13



Culvert Replacement
30" X 30'

1,025' Class III Rip Rap
769 Cu. Yds. Total

Additional Fill Behind
Rip Rap - 10 Cu.
Yds. Total

Culvert Replacement
30" X 50'

530' Class III Rip Rap
398 Cu. Yds. Total

Packed Crushed
Limestone Path

5' X 12' Concrete
Wheelchair Site

5' X 12' Concrete
Wheelchair Site

Packed Crushed
Limestone Path

Additional Fill Behind
Rip Rap - 125 Cu.
Yds. Total

**PRELIMINARY COST ESTIMATE
SYLVAN PARK POND STABILIZATION**

CITY OF LANESBORO, MINNESOTA
BMI PROJECT NO. H19.113151
2/8/2017

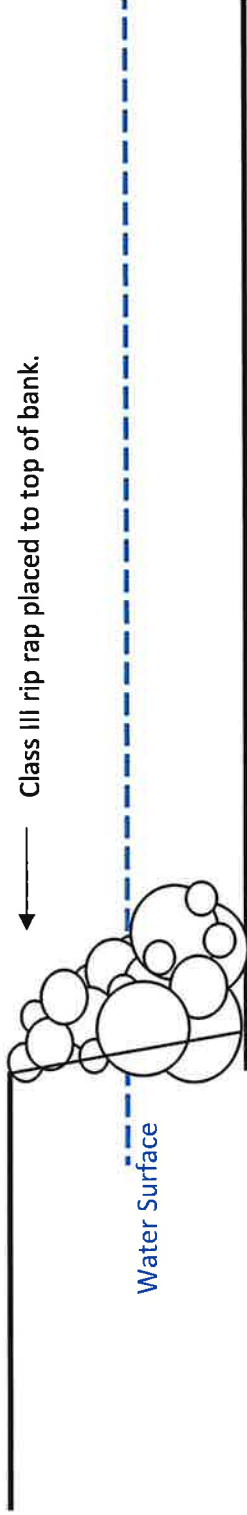


SYLVAN PARK POND STABILIZATION

ITEM NO.	MnDOT SPEC NO.	ITEM	UNIT	UNIT PRICE	QTY	TOTAL
1	2021.501	MOBILIZATION	LS	\$3,000.00	1	\$3,000.00
2	2105.601	SHORE REPAIR	LS	\$4,500.00	1	\$4,500.00
3	2105.601	DEWATERING	LS	\$2,500.00	1	\$2,500.00
4	2511.502	RANDOM RIPRAP CLASS II	TON	\$50.00	1415	\$70,750.00
5	2511.515	GEOTEXTILE FABRIC TYPE IV	SY	\$2.00	2200	\$4,400.00
6	2575.555	TURF ESTABLISHMENT	LS	\$2,500.00	1	\$2,500.00
CONSTRUCTION SUBTOTAL						\$87,650.00

SUMMARY OF IMPROVEMENTS	TOTAL COST
CONSTRUCTION SUBTOTAL	\$87,650.00
CONSTRUCTION CONTINGENCY	\$8,765.00
TOTAL ESTIMATED CONSTRUCTION COSTS	\$96,415.00

Park Pond Rip Rap Placement











PROJECT PROPOSAL

Minnesota Department of
Natural Resources

(OFFICE USE ONLY)
Project Number
Federal Aid
Section

Name of Unit Lanesboro Park Ponds		Project 2F210 – FY25 Project	
Region 3	Area Lanesboro	County Fillmore	
Location (Attach detailed map of project location)		Township 103N	Range R10W

Detailed Explanation of Project: See attached supplement to be included with all habitat improvement projects

Stabilize 1,555 feet of eroded pond banks on the two park ponds located in the City of Lanesboro’s Sylvan Park. Banks will be stabilized with rip rap to prevent erosion and to improve angler access on this high use urban fishery. Two concrete wheelchair access sites will be added to the lower pond along with a crushed rock trail leading to each site from the tar access road. The park ponds are annually stocked with 7,500 catchable rainbow yearlings throughout the trout angling season. The existing banks and old rip rap have continued to slough into the pond over the years and makes shore angling more difficult. There is a new fishing pier located on the upper pond that provides shore fishing opportunities, but it is only large enough for a small percentage of the anglers that fish these ponds.

COST ESTIMATE (Include state labor and equipment costs on cooperative or matching projects)

TIME LINE

Regional Use	Funding Source	Year 1	Year 2	Year 3	TOTAL
		2200			
Salaries - Labor		\$8,726			
Salaries - Supervision		\$3,069			
Equipment Rental		\$4,166			
Travel and Subsistence					
Materials and Supplies		\$48,952			
Work Agreement					
Contract					
TOTALS		\$64,913			

PROJECT REQUIREMENTS BEFORE BEGINNING WORK

<input type="checkbox"/> Eng. (DNR) Feasibility Survey	<input type="checkbox"/> Eng. (DNR) Plans and Specs.	<input type="checkbox"/> Eng. (SCS)	<input type="checkbox"/> Easement	<input checked="" type="checkbox"/> Water Permit
<input type="checkbox"/> Agreement	<input type="checkbox"/> Acquisition	<input type="checkbox"/> Contract	<input checked="" type="checkbox"/> MPCA 401 Cert.	<input checked="" type="checkbox"/> USACE Permit

Explanation of Project Requirement:

Division of Waters Permit has been acquired along with the Army Corps of Engineers Permit. The MPCA 401 Certification is still pending approval. Possible Blanding’s Turtle hibernation area, may restrict dates for construction.

Proposed Starting Date October 15th, 2024		Proposed Completion Date October 31, 2024	
Submitted by:	Signature of Area Supervisor	Date	
	Signature of Regional Manager	Date	
	Signature of Section Supervisor	Date	
	Signature of Development Coordinator	Date	
	Signature of Director	Date	
Approved by:	Signature	Title	Agency
			Date

FISHERIES PROJECT PROPOSAL
(Supplement to NA-01555)

PROJECT TITLE: Lanesboro Park Ponds

PROJECT LOCATION (PUBLIC LAND OR PRIVATE LAND): Lanesboro City Property

PROJECT DESCRIPTION/SCOPE/RELATION TO EXISTING PROJECT: Stabilize pond banks to reduce erosion and improve shore fishing opportunities.

EXPECTED OUTCOMES/RESULTS: Reduce bank erosion and improve bank fishing opportunities.

POTENTIAL CONFLICTS/BARRIERS: Possible Blanding's Turtle Hibernation Area, may restrict dates for construction work.

EXISTING AND POTENTIAL PARTNERS/MATCHING FUNDS/IN-KIND: City of Lanesboro will provide labor and or equipment help on the project.

RECOMMENDED FUNDING SOURCE: Game & Fish

PREFERRED STARTING DATE: October 15, 2024

EXPECTED TIME LINE: 2 weeks.

	DESCRIBE ACTIVITY	ESTIMATED COST
YEAR 1	Stabilize 1,555 feet of eroded pond banks with rip rap. Improve shore fishing opportunities, add two wheelchair access sites to the lower pond.	\$64,913
YEAR 2		
YEAR 3		

Note: Funding request can cover multiple years. For example year 1 activities may include scoping, working with land owners, securing partnerships... Year 2 could include costs for engineering, environmental review or other preliminary project needs. Year 3 could include actual on the ground work (labor and materials) etc.

****ATTACHED DETAILED MAP OF PROJECT LOCATION**



MINNESOTA

**SYLVAN PARK PONDS PUBLIC FISHING SITE
LAND USE, OPERATIONS AND MAINTENANCE COOPERATIVE AGREEMENT
BETWEEN
THE STATE OF MINNESOTA AND CITY OF LANESBORO**

This agreement, between the State of Minnesota, acting by and through the Commissioner of the Department of Natural Resources, hereinafter referred to as the "State", and the City of Lanesboro, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS, the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access on lakes and rivers, where access is inadequate; and

WHEREAS, the State and the City are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS, the State and the City have determined that a shore fishing site on Sylvan Park Ponds is of high priority under the state public water access program; and

WHEREAS, the City owns land described as Sylvan Park at section 13, Township 103 Range 10 of Fillmore County, which is attached and incorporated into this agreement as Exhibit A; and

WHEREAS, the State and the City desire to cooperate in the installation and maintenance of a shore fishing site around two Sylvan Park Ponds; and

WHEREAS, a resolution or copy of the City board meeting minutes authorizing the City to enter into this agreement is attached and incorporated into this agreement as Exhibit B; and

NOW, THEREFORE, in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the public, the parties agree as follows:

I. STATE'S DUTIES AND RESPONSIBILITIES

- a. The State will encumber funds for the facility through the standard internal purchasing process including, but not limited to, a separate requisition request.
- b. Installation to stabilize the shore fishing site, incorporate two fishing platforms, and install two concrete culverts shall be the responsibility of the State, with cooperation from the City.
- c. The State will review and approve any signs before they are placed at the facility by the City.
- d. The State shall assist the City with major structural repairs, which include platform repair and rip-rap maintenance if required.
- e. The State reserves the right to inspect the premises at any times to ensure that the City complies with the terms of this Agreement.

II. CITY'S DUTIES AND RESPONSIBILITIES

- a. The City shall comply with all local, state and federal laws, regulations, rules and ordinances which may apply to the management, operation, and maintenance of said premises. The City shall obtain any permit or license which may be required for the construction of the shore fishing site and two culverts.

- b. The City is responsible to purchase and deliver the two culverts (one 30'x50' and one 30'x30') needed to connect the two ponds and pond tributary and maintain their effectiveness.
- c. The City will maintain the accessible sidewalk/pathway, which meets ADA requirements of less than a 5% gradient, 2% cross slope connecting the Fishing Platforms to an accessible parking space.
- d. The City agrees to comply with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.) and all applicable regulations and guidelines.
- e. The City shall provide personnel and equipment when feasible to assist with the installation of the shore fishing site.
- f. The shore fishing site and related facilities shall be free and remain open every day during open water season in conjunction with the City's established operational months and hours for a facility of this type. The City may close the shore fishing site for emergencies, or for other reasons, without prior written consent of the State. The City shall notify the State representative within 48 hours of the closing of the shore fishing site for emergency reasons or if the facility will remain closed longer than 48 hours.
- g. Free and adequate parking in the vicinity will be provided for the shore fishing site including at least one (1) designated van accessible space for persons with disabilities.
- h. The City may install signage for the site as approved by the State.
- i. The City shall maintain the facilities and keep them in good and sanitary order in accordance with the City's established practices for maintenance of City facilities. Additionally, the City shall provide all necessary routine maintenance and minor repairs including, but not limited to, vegetation maintenance and management, addition of gravel on paths to platforms, or addition of smaller amounts of rip-rap to the shoreline. The State shall assist the City with major structural repairs subject to the availability of funding according to the provisions of Article II.
- j. The City must follow Minnesota DNR's Operational Order 113, which requires preventing or limiting the introduction, establishment and spread of invasive species during activities on public waters and DNR-administered lands. Operational Order 113 is incorporated into this agreement by reference and can be found at http://files.dnr.state.mn.us/assistance/grants/habitat/heritage/oporder_113.pdf. Duties listed are in Op Order 113 under Sections II and III (p. 5-8).
 - a. The City shall prevent invasive species from entering into or spreading within a project site by cleaning equipment and clothing prior to arriving at the project site.
 - b. If equipment or clothing arrives at the project site with soil, aggregate material, mulch, vegetation (including seeds) or animals, it shall be cleaned with tools or equipment furnished by the City (such as brush/broom, compressed air or pressure washer) at the staging area.
 - c. The City shall dispose of material and debris cleaned from equipment and clothing at an appropriate location. If the material cannot be disposed of onsite, then the material must be secured prior to transport (such as a sealed container, covered truck, or wrap with tarp) and legally dispose of offsite.
 - d. The City shall ensure that all equipment and clothing used for work in public waters has been adequately decontaminated for aquatic invasive species. All equipment and clothing including but not limited to waders, vehicles and boats that are exposed to any public water of the state must be thoroughly cleaned and drained of all water before transport to another location.

- k. Habitat restorations and enhancements conducted on DNR lands and prairie restorations on state lands or on any lands using state funds are subject to pollinator best management practices and habitat restoration guidelines pursuant to Minn. Stat. 84.973. Practices and guidelines ensure an appropriate diversity of native species to provide habitat for pollinators through the growing season.

III. FUNDING

The State shall provide funding for its responsibilities under Article I through the standard internal purchasing process including, but not limited to a separate requisition in which funds will be encumbered.

The total obligation of the State for its responsibilities under Article I shall be limited to the amount of funds administratively allocated to this project, estimated to be \$49,000. No additional funding will be provided, unless agreed upon by all parties and an amendment to this Agreement is completed and executed.

IV. TERM

- a. *Effective Date: August 1, 2024* or the date the State obtains all required signatures under Minnesota Statutes Section 16C.05, Subdivision 2, whichever is later. Neither the State nor the City shall begin work under this Agreement until it is fully executed and authorization has been granted.

V. LIABILITY

Each party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. The State's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes Section 3.736, and other applicable law. The City's liability shall be governed by Minnesota Statutes Sections 466.01 - 466.15, and other applicable law.

VI. AUDIT

Under Minnesota Statutes Section 16C.05, sub. 5, the books, records, documents and accounting procedures and practices of the City relevant to the agreement shall be subject to examination by the Commissioner of Natural Resources, the Legislative Auditor and the State Auditor for a minimum of six (6) years from the end of this agreement.

VII. ANTITRUST

The City hereby assigns to the State any and all claims for overcharges as to goods and/or services provided in connection with this Agreement resulting from antitrust violations that arose under the antitrust laws of the United States and the antitrust laws of the State of Minnesota

VIII. FORCE MAJEURE

Neither party shall be responsible to the other or considered in default of its obligations within this Agreement to the extent that performance of any such obligations is prevented or delayed by acts of God, war, riot, disruption of government, or other catastrophes beyond the reasonable control of the party unless the act or occurrence could have been reasonably foreseen and reasonable action could have been taken to prevent the delay or failure to perform. A party relying on this provision to excuse performance must provide the other party prompt written notice of inability to perform and take all necessary steps to bring about performance as soon as practicable.

IX. CANCELLATION

This Agreement may be cancelled by the State at any time with cause or as necessary as provided in Article II, upon thirty (30) days written notice to the City.

This Agreement may also be cancelled by the State if it does not obtain funding from the Minnesota

Legislature, or other funding sources, or if funding cannot be continued at a level sufficient to allow for the payment of services covered under this agreement. The State will notify the City by written or fax notice. The State will not be obligated to pay for services provided after the notice is given and the effective date of cancellation. However, the City shall be entitled to payment, determined on a pro-rated basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the agreement is cancelled because of a decision of the Minnesota Legislature, or other funding source, not to appropriate the necessary funds. The State shall provide the City notice of lack of funding within a reasonable time of the State's receiving that notice.

X. GOVERNMENT DATA PRACTICES

The City and the State must comply with the Minnesota Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the City under this agreement. The civil remedies of Minn. Stat. 13.08 apply to the release of the data referred to in this clause by either the City or the State.

XI. PUBLICITY AND ELECTRONIC ACCESSIBILITY

Any publicity regarding the subject matter of this agreement must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the City individually or jointly with others, or any subcontractors, with respect to the program and services provided from this agreement.

All publicity shall be provided in an accessible format per Minnesota Statute 16E.03, sub. 9. State of Minnesota guidelines for creating accessible electronic documents can be found at the following URL: <https://mn.gov/mnit/programs/accessibility/>.

XII. COMPLETE AGREEMENT

This agreement contains all negotiations and agreements between the State and the City. No other understanding regarding this agreement, whether written or oral, may be used to bind either party. Any amendment to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.

XIII. AUTHORIZED REPRESENTATIVES

Any notice, demand or communication under this Agreement by either party to the other shall be deemed to be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, or by email to:

The State's Authorized Representative is Melissa Wagner, Lanesboro Area Fisheries Supervisor, 23785 Grosbeak Rd, Lanesboro, MN, 55949, 507-765-7061, Melissa.Wagner@state.mn.us, or her successor.

The City's Authorized Representative is Mitchell Walbridge, Lanesboro City Administrator, 202 Parkway Avenue South, Lanesboro, MN, 55949, 507-467-3722, mwalbridge@lanesboro-mn.gov, or his successor.

IN WITNESS WHEREOF, the parties have caused the Agreement to be duly executed intending to be bound thereby.

DEPARTMENT OF NATURAL RESOURCES

LANESBORO CITY ADMINISTRATOR

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

DEPARTMENT OF ADMINISTRATION
Delegated to Materials Management Division

LANESBORO CITY MAYOR

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

(Effective Date)

STATE ENCUMBERANCE VERIFICATION

Individual certifies that funds have been encumbered as req. by Minn. Stat. 16A.15 and 16C.05.

Signed: _____

Date: _____

Contract: _____

CHAPTER 151: ZONING

Section

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GENERAL PROVISIONS

The previous version of Lanesboro City Ordinance Code Chapter 151: Land Use is repealed as of _____, 2024. Chapter 151: Land Use of the Lanesboro City Code is hereby amended to read in its entirety as set forth below. The City Council of Lanesboro, Minnesota ordains:

' 151.0 AUTHORIZATION, INTENT AND PURPOSE.

(A) This chapter is enacted pursuant to the authority granted by the Municipal Planning Act, M.S. " 462.351 et seq. The intent of this chapter is to ensure public health, safety and general welfare in accordance with the adopted development goals, plans and policies as stated hereto. This plan for the city is to ensure that the land uses of the city are properly situated in relation to one another, providing for adequate space for each type of development; to control the density of development in each area of the city so that the property can be adequately serviced by such governmental facilities as streets, schools, recreation and utilities systems; to direct new growth into appropriate areas; to protect existing property by requiring that the development afford adequate light, air and privacy for persons living and working within the city; to improve the quality of the physical environment of the city; to protect and maintain property values, and to preserve and develop the economic base of the city.

(B) This chapter is not in effect until the provisions of ' 151.05 are complied with and notice and public hearing is provided as required by M.S. ' 462.357 Subd. 3, as it may be amended from time to time.

' 151.02 TITLE.

This chapter, together with the zoning map required at ' 151.05, shall be known as the City Zoning Ordinance except as referred to herein, where it shall be known as this Ordinance or this chapter.

' 151.03 INTERPRETATIONS OF TERMS.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the same meaning as they have in common usage unless such meaning is clearly contrary to the intent of this chapter and so as to give this chapter its most reasonable application. For the purpose of this chapter, the words must and shall are mandatory and may is permissive. All distances, unless otherwise specified, shall be measured horizontally. For the purpose of this chapter, the terms in ' 151.04 have the meanings given them.

' 151.04 DEFINITION OF TERMS.

For the purpose of this chapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

ACCESSORY STRUCTURE OR FACILITY. Any building or improvement located on the same lot as the principal use subordinate to a principal use which, because of the nature of its use, can reasonably be located at or greater than normal structure setbacks.

ACCESSORY USE. A use on the same lot with and incidental and subordinate to the principal use or structure or facility.

AGRICULTURAL USE. The use of land for the growing and/or production of field crops, livestock, and livestock products for the production of income, including but not limited to the following:

- Field crops, including: barley, soy beans, corn, hay, oats, potatoes, rye sorghum, and sunflowers.
- Livestock including: dairy and beef cattle, goats, horses, sheep, hogs, poultry, game birds, and other animals including dogs, ponies, deer, rabbits, and mink.
- Livestock products, including: milk, butter, cheese, eggs, meat, fur and honey.

APARTMENT. A room or suite of rooms with cooking facilities available which is occupied as a residence by a single family, or a group of individuals living together as a single-family unit.

BED AND BREAKFAST. A guest accommodation offered in a private residence where the owner or host lives on the premises; there the number of guest rooms available does not exceed 6; where breakfast but no other meal or liquor can be served by the host. Said residence must be 75 years or older, as measured as of January 1, 1996, before, it will qualify to be operated as a bed and breakfast. Also, no more than 12 licenses for a bed and breakfast establishment shall be issued and be active at any one time.

BOARDING HOUSE. An entire building where, for compensation and by arrangement for definite periods less than monthly, lodging, cooking facilities and/or small meals is provided for groups of people not to exceed twenty persons.

BUILDING. Any structure having a roof supported by columns, walls or other means of support for the shelter or enclosure of persons or property.

BUILDING HEIGHT. The vertical distance to be measured from the grade of a building line to the top, to the cornice of a flat roof, to the deck line of a mansard roof, to a point on the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch type roof, to the mean distance of the highest gable on a pitched or hip roof.

BUILDING LINE. A line parallel to a lot line or the ordinary high water level at the required setback beyond which a structure may not extend.

COMMERCIAL USE. The principal use of land or buildings for the sale, lease, rental or trade of products, goods and services and other activities carried out for financial gain.

COMPREHENSIVE PLAN OR POLICIES. A compilation of goals, policy statements, standards, programs, and maps for guiding the physical, social, and economic development, both public and private, of the city, as defined in the Minnesota City Planning Act, and including any

unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

CONDITIONAL USE. A land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that certain conditions as detailed in the zoning ordinance exist, the use or development conforms to comprehensive land use plan of the community, and the use is compatible with the existing neighborhood. The city may impose additional conditions in specific instances to protect the health, safety and welfare.

DECK. A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to principal use or site and at any point extending more than three feet above ground level.

DWELLING, DUPLEX, TRIPLEX and QUAD. A dwelling structure on a single lot, having two, three, and four units respectively, being attached by common walls and each unit equipped with separate sleeping cooking, eating, living and sanitation facilities.

DWELLING, MULTIPLE. A building or portion thereof used for occupancy by three or more families living independently of each other.

DWELLING, ONE-FAMILY. A building used exclusively for occupancy by one family.

DWELLING, TWO-FAMILY. A building used exclusively for occupancy by two families living independently of each other.

DWELLING SITE. A designated location for residential use by one or more persons using temporary or movable shelter, including camping and recreational vehicle sites.

DWELLING UNIT. Any structure or portion of a structure or other shelter designed as short or long-term living quarters for one or more persons, including rental or time-share accommodations, such as motel, hotel and resort rooms and cabins.

EASEMENT. A grant by a property owner for the use of a strip of land for the purpose of constructing and maintaining utilities, including but not limited to sanitary sewers, water mains, electric lines, telephone lines, storm sewer or storm drainage ways, and gas lines.

HOME OCCUPATION. A lawful occupation customarily carried on by a resident of a dwelling as an accessory use within the same building. Such occupation must be clearly secondary to the principal use and not change the nature of the principal use.

HOSTEL. A building which operates as an establishment that provides food and lodging for a specific group of people, such as students, workers, or travelers.

HOTEL, MOTEL, INN, or LODGE. A building which provides a common entrance, lobby, halls and stairway in which people are, for compensation, lodged with or without meals.

INDUSTRIAL USE. The use of land or buildings for the production, manufacture, warehousing,

storage or transfer of goods, products, commodities or other wholesale items.

JUNK YARD. Land and structures used for the storage or keeping of junk, including scrap metals, or for the dismantling or wrecking of automobiles or other machinery, other than the storage of materials which is incidental or accessory to any business or industrial use on the same lot.

LIGHT INDUSTRIAL. The assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare or health or safety hazards outside the building or lot where the assembly, fabrication or processing takes place, where the processes are housed entirely within a building, or where the outdoor storage of goods and materials used does not exceed 25% of the floor area of all buildings on the lot.

LOT. A parcel of land designated by plat, metes and bounds, registered land survey, auditors plot, or other accepted means, and separated from other parcels or portions by that description for the purpose of sale, lease or separation. A lot must be situated and have its principal frontage on a public street.

LOT, CORNER. A lot situated at the intersection of two or more streets, or bounded on two or more adjacent sides by street lines.

LOT, INTERIOR. A lot other than a corner lot.

LOT LINE. A line of record bounding a lot which divides a lot from another lot, a public street or any other public or private space.

LOT LINE, FRONT. A lot line abutting a dedicated public right-of-way.

LOT LINE, REAR. The lot line opposite and most distant from the front lot line. In the case of corner lots, the rear lot line shall be determined by the zoning administrator based upon characteristics of the surrounding neighborhood.

LOT LINE, SIDE. Any lot line other than a front or rear lot line.

LOT WIDTH. The shortest distance between lot lines measured at the midpoint of the building line.

MANUFACTURED HOME. A structure, transportable in one or more sections which in the traveling mode is eight feet or more in width or 40 body feet or more in length, or when erected on-site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation when connected to required utilities, and includes the plumbing, heating and air conditioning and electrical systems contained therein, and which meets all the requirements established under M.S. ' 327.31, as it may be amended from time to time, the Manufactured Home Building Code.

MOBILE HOME. A manufactured home that is less than 16 feet wide over at least 30 feet of its

length in the erected mode, suitable for year-round occupancy and containing the same water supply, waste disposal, and electrical conveniences as immobile housing and subject to tax or registration under State law and having no foundation other than wheels; jacks and skirting. Width measurement shall not take account of overhangs and other projections beyond the principal exterior walls.

NONCONFORMING STRUCTURE OR USE. A structure or use lawfully in existence on the effective date of this chapter or any amendment thereto, and not conforming to the regulations for the district in which it is situated.

NONCONFORMITY. Any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

PLANNED UNIT DEVELOPMENT, COMMERCIAL. Typically include uses that provide transient, short-term lodging spaces, rooms or parcels, and their operations are essentially service-oriented. For example: hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are Commercial Planned Unit Developments.

PLANNED UNIT DEVELOPMENT, RESIDENTIAL. A use where the nature of residency is non-transient, and major or primary focus is not service-oriented. For example: residential apartments, manufactured home parks, townhouses and full-fee ownership residences would be considered as Residential Planned Unit Developments. To qualify as a Residential Planned Unit Development, a development must contain at least five dwelling units or sites.

RECREATIONAL VEHICLE. A vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towed by a light duty truck and is primarily designed not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

RESTAURANT. An establishment in which food and/or drink is offered or prepared and served for public consumption and is served to customers at tables by employees. Restaurants may include incidental take-out service.

RESIDENT FAMILY. A person or group of persons who live together in a dwelling unit and meet the following criteria: the dwelling is the primary residence for the person or persons where they reside the majority of the year; and, for the purposes of conducting short-term rentals within the residential dwelling, a member of the resident family must be physically present on the premises during the rental period.

SETBACK. The minimum distance from any lot line that an improvement may be placed, measured perpendicularly from the lot line to the closest point of the improvement.

SETBACK LINE. The line which is the specified setback -distance from and parallel to any lot line, or other specified line, such as the ordinary high water level, edge of wetland, floodplain, or

top of bluff.

STORAGE. Goods, materials or equipment placed or left in a location on a premises.

STRUCTURE. Anything constructed, placed or erected on or attached to, in some manner, the ground.

STRUCTURE, PRINCIPAL. The building in which is conducted the primary use of the lot on which the building is located.

USE. The purpose or activity for which a premises is designed, arranged or intended or for which it is or may be occupied or maintained.

VACATION DWELLING UNIT. A dwelling unit, as defined by this Chapter, offered for trade or sale, whether for money or exchange of goods or services, for periods of 1 to 29 nights.

WIND ENERGY CONVERSION SYSTEM OR WINDMILL. An apparatus capable of converting wind energy into electricity.

YARD. An open space unobstructed from the ground upward with the exception of landscape materials and minor fixtures of a non-structural nature commonly found in a yard.

YARD, FRONT. The area between the front lot line and the front setback line.

YARD, REAR. The area between the rear lot line and the rear setback line.

YARD, SIDE. A space extending from the front yard to the rear yard along a side lot line measured perpendicularly from the side lot line to the closest point of a structure.

ZONING ADMINISTRATOR. The City Administrator/Clerk or other person designated by the City Council to administer and enforce the provisions of this chapter.

' 151.05 ZONING MAP.

- (A) This chapter has no effect until the boundaries of the use districts are delineated on an Official Zoning Map, created pursuant to M.S. ' 462.357, Subd. 1, as it may be amended from time to time, which, once it is adopted by ordinance after notice and hearing as provided in M.S. ' 462.357, Subd. 3, as it may be amended from time to time, is hereby adopted by reference and declared to be a part of this chapter. This map shall be on permanent file and available for public inspection in the City Office. It shall be the responsibility of the Administrator/Clerk or other person appointed by the City Council to administer this chapter to maintain and keep the map up to date.

- (B) All property within the city shall have the zoning designation shown on the official zoning map. If there is any discrepancy or inconsistency between the official zoning map and any other map, ordinance or source which purports to indicate the zoning of property, the official zoning map shall take precedence. The provisions of this section shall not be interpreted to require the city to zone all properties within the city limits or to prevent zoning of only a portion of the city.

- (C) Zoning district boundary lines shown on the official zoning map are intended to follow lot lines, the center lines of streets or alleys, the center lines of street or alleys projected, railroad right-of-way lines, the center of watercourses or the corporate limits of the city, unless otherwise specifically indicated.

' 151.06 ANNEXED LAND.

Any land hereafter annexed to the city shall be considered to be in the district that is delineated on the adjacent areas than are designated for orderly annexation, unless otherwise reclassified.

' 151.07 COMPLIANCE WITH ORDINANCE.

- (A) No structure or land shall hereafter be used or occupied and no structure shall hereafter be erected, constructed, reconstructed, moved or structurally altered, except in conformity with the regulations specified in the Zoning Ordinance for the district in which it is located.
- (B) The provisions of this chapter shall be minimum requirements. Where the conditions imposed by any provision of this chapter differ from those required by any statute or other ordinance of the city, the regulations which are more restrictive or which impose the higher standard shall prevail.

Penalty, see ' 151.99

'151.08 SEVERABILITY.

Every section or subdivision of this chapter is declared separable from every other section or subdivision. If any section or subdivision is held to be invalid by competent authority, no other section or subdivision shall be invalidated by such action or decision.

ZONING DISTRICTS

' 151.20 CLASSIFICATION OF ZONING DISTRICTS.

- A. R-1 Single Family Residential District
- B. R-2 Multi-Family Residential District
- C. R-3 Residential Business District
- D. M-1 Manufactured Home Parks
- E. M-2 Manufactured Homes
- F. C-1 Downtown Commercial District
- G. C-2 Highway Commercial District
- H. I Industrial District
- I. RA Rural Agriculture District

' 151.21 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) *Purpose.* The purpose of the R-1 Single Family Residential District is to provide for moderate density one and two-family dwelling units and directly related, complementary uses.

(B) *Permitted uses and structures.*

- (1) One and two-family dwelling units.

- (2) Public, government owned parks, playgrounds, athletic fields and other public recreational uses.
- (3) Churches and places of religious assembly, public and private schools and government-owned buildings and facilities.
- (4) Agricultural gardens and forestry.
- (5) Manufactured homes which meet the standards set forth in ' 151.24.
- (6) As required by M.S. ' 462.357, Subd. 7, as it may be amended from time to time, a state licensed residential facility serving six or fewer persons, a licensed day care facility serving 12 or fewer persons, and a group family day care facility licensed under Minn. Rules, parts 9502.0315 to 9502.0445, as it may be amended from time to time, to serve 14 or fewer children shall be considered a permitted single family residential use of property for the purposes of zoning, except that a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use.
- (7) Bed and Breakfasts with two rooms or less.

(C) *Accessory uses.*

- (1) Customary accessory uses incidental to the principal uses such as gardens, private garages, screen porches, play equipment, signs, as set forth in division (D)(1) of this section, one storage shed not exceeding 12 feet in height or 500 square feet or covering more than 30% of the area of the side or rear yard in which they are located, satellite dishes and antennae, solar equipment, greenhouses not exceeding 12 feet in height or 500 square feet or covering more than 30% of the area of the side or rear yard in which they are located and swimming pools intended for single-family use.
- (2) The renting of rooms by a resident family for lodging or vacation dwelling purposes only, and for not more than two rooms in a one-family dwelling.

(D) *Conditional uses.* Within the R-1 District no structure or land shall be used for the following except by conditional use permit and in conformance with the standards specified in division (I) of this section.

- (1) Home occupations in a residence.
- (2) Hospitals and nursing homes, licensed day care centers serving 12 or more persons and cemeteries.

(3) Accessory buildings other than those listed in (C)(1), including storage sheds and green houses over 12 feet in height or 500 square feet or covering more than 30% of the area of the side or rear yard in which they are located.

(4) Wind energy conversion systems or windmills.

(5) Private recreational facilities as a principal use and excluding accessory play equipment and swimming pools intended for single family use.

(6) Inns and Bed and Breakfasts with 3 to 6 rooms.

(7) Golf Courses, excluding miniature golf courses.

(E) *Lot requirements and setbacks.* The following minimum requirements shall be observed in an R-1 District, subject to additional requirements, exceptions and modifications set forth in this chapter:

(1) *Lot area.* 10,000 square feet

(2) *Lot width.* 75 feet.

(3) *Setbacks.*

(a) *Front yards.* Not less than 30 feet;

(b) *Side yards.* 6 feet.

(c) *Side yards, corner lots.* 25 feet on side adjacent to street, but in no case less than the setback of an adjacent lot which has its front yard on the same street.

(d) *Rear yards.* 20 feet.

(4) *Detached accessory building setback requirements.* Not less than 5 feet from rear yard line and not less than 4 feet from the side yard lines in the rear yard. On corner lots not less than 25 feet from the adjacent street, but in no case less than the setback of an adjacent lot which has its front yard on the same street.

(5) *Access.* All lots shall front on and have ingress and egress by means of a public right-of-way.

(F) *Building requirements; height.* No structure shall exceed 2 stories or 35 feet, whichever is less.

(G) *Parking.* Refer to " 151.35 through 151.39.

(H) *Height limitations.* Height limitations shall not apply to water towers, chimneys, flag poles, antennae, wind energy conversion systems, church spires, church belfries or church domes not containing habitable space and support towers permitted by ' 150.04.

(I) *Conditional use permit standards for the R-1 Single-Family Residential District.*

(1) *Purpose.* It is the intent of the city in establishing general and specific criteria for conditional uses that such uses be subject to careful evaluation to ensure that their location, size and design are consistent with the standards, purposes and procedures of this chapter and the comprehensive plan, if one exists. The Planning Commission, if one exists, may recommend and the City Council may impose conditions on such uses in order to affect the purpose of this chapter.

(2) *General standards.* No conditional use permit shall be granted unless the City Council determines that all of the following standards will be met:

(a) The use is consistent with the intent of this chapter;

(b) The use is consistent with the goals, policies and objectives of the comprehensive plan, if one exists;

(c) The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and

(d) The use does not have an undue adverse impact on the public health, safety or welfare.

(3) *Specific standards.* In addition to the standards specified in division (2) above, no conditional use permit shall be granted unless the City Council determines that all of the specific standards contained in this subdivision will be met.

(a) Licensed day care facilities for 15 or more persons:

1. Located only on a collector or arterial roadway as designated in the comprehensive plan, if one exists, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;

2. Buildings set back 50 feet from all property lines and parking lots set back 15 feet from streets and non-residential property and 25 feet from residential property;

3. Pick-up and drop-off areas located outside of parking setback area;

4. Outdoor recreational areas to be set back 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties; and

5. One parking space provided for each six children based upon the licensed capacity of the center;
- (b) Storage sheds or greenhouses in excess of 500 square feet of gross floor area or 12 feet in height or occupying more than 30% of the side or rear yard in which they are located:
1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;
 2. Not to be used for commercial activities;
 3. Structure to be architecturally consistent with the principal structure;
 4. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties;
 5. Minimum lot size of four acres; and
 6. Must be located in a side or rear yard.
- (c) Home occupations in a residence:
1. Such occupation shall be carried on in the-main building;
 2. Not more than 25% of the floor space of the residence is used for this purpose;
 3. No articles for sale be displayed so as to be visible from the street;
 4. The conduct of the home occupation shall result in no change in the outside appearance of the building or land, or other visible evidence of the conduct of the home occupation, other than one sign, not exceeding one square foot in area, non-illuminated and mounted flat against the wall of the dwelling;
 5. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood;
 6. Only limited retail sales activity;
 7. Maximum of one outside employee;
 8. Adequate off-street parking based on number of employees and customers per day;
 9. Parking area screened from offsite views;
 10. No outside storage;

11. Shall not result in significant levels of noise, air or other pollution and shall meet the performance standards of ' 151.31;
12. Business hours restricted to no more than 8:00 a.m. to 9:00 p.m.; and
13. Outside parking of no more than one commercial type vehicle or vehicle identified for business purposes not to exceed one ton capacity which is used for both personal and business transportation. The vehicle is to be owned and registered by an occupant of the property and parked in a screened location.

(d) Private recreational facilities as a principal use:

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan, if any, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
2. Buildings set back 50 feet from all property lines;
3. No more than 70% of the site to be covered with impervious surface and the remainder to be suitably landscaped in accordance with ' 151.31;
4. Signs shall be designed to be consistent with the principal use;
5. Adequate off-street parking based on number of employees and customers per day;
6. Parking area and waste management areas screened from offsite views;
7. No outside storage; and
8. Shall not result in significant levels of noise, air or other pollution.

(e) Wind energy conversion systems (WECS):

1. Set back from the nearest property line a distance equal to the height of the tower plus one-half the diameter of the rotor;
2. Certified by a professional engineer as being of a design adequate for the atmospheric conditions of the area;
3. Equipped with over-speed or similar controls designed to prevent disintegration of the rotor in high winds;
4. Compliance with all building and electrical code requirements of the city, the noise regulations of the Minnesota Pollution Control Agency and the rules and regulations of the Federal Communications Commission and Federal Aviation Administration;

5. If the WECS has not been operated for a period of one year or fails to meet the conditions of this chapter, the City Council may order it dismantled and the site restored to its original condition;
6. If the owner or person responsible for the WECS does not maintain it or comply with all requirements of this chapter, the city may take such steps as are necessary to achieve compliance. The cost of such work, including administrative costs, shall be a lien against the property and may be collected as a special assessment. The city may sell salvaged and valuable materials at public auction on ten days' notice; and
7. The WECS shall meet the performance standards of ' 151.31.

(f) Hospitals or nursing homes:

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan, if any, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
2. Buildings set back 50 feet from all property lines;
3. No more than 70% of the site to be covered with impervious surface and the remainder to be suitably landscaped;
4. Signs shall be designed to be consistent with the principal use;
5. Adequate off-street parking based on number of employees and customers per day;
6. Parking area and waste management areas screened from offsite views;
7. No outside storage; and
8. Shall not result in significant levels of noise, air or other pollution and shall meet the performance standards of ' 151.31.

Penalty, see ' 151.99

' 151.22 R-2 MULTIPLE FAMILY RESIDENTIAL DISTRICT.

- (A) *Purpose.* The purpose of the R-2 Multiple Family Residential District is to provide for medium density housing in multiple family structures and directly related complementary uses.
- (B) *Permitted uses and structures.*
- (1) Any permitted use in a Single-Family Residential District.
 - (2) Multiple-family dwelling.
- (C) *Accessory uses.* Any accessory use permitted in Single-Family Residential District.
- (D) *Conditional uses.* Within the R-2 District no structure or land shall be used for the following except by conditional use permit and in conformance with the standards specified in division (H) of this section.
- (1) Any conditional use permitted in Single-Family Residential District.
 - (2) As required by M.S. ' 462.357, Subd. 8, a licensed day care facility serving from 13 through 16 persons.
- (E) *Lot requirements and setbacks.* The following minimum requirements shall be observed in R-2 Districts, subject to additional requirements, exceptions and modifications set forth in this chapter:
- (1) *Lot area.* 10,000 square feet for one and two-family dwellings and 3,000 square feet per dwelling unit for multiple-family dwellings.
 - (2) *Lot width.* 75 feet for one and two-family dwellings, and 100 feet for multiple family dwellings.
 - (3) *Setbacks.*
 - (a) *Front yards.* Not less than 30 feet.
 - (b) *Side yards.* 15 feet.
 - (c) *Side yards, corner lots.* 25 feet on side adjacent to street, but in no case less than the setback of an adjacent lot which has its front yard on the same street.
 - (d) *Rear yards.* 30 feet.
 - (4) *Detached accessory building setback requirements.* Not less than 5 feet from the rear lot line and not less than 4 feet from the side yard line in the rear yard. On corner lots, not less than 25 feet from adjacent lot which has its front yard on the same street.

- (5) All lots shall front on and have ingress and egress by means a public right-of-way.
- (F) *Parking*. Refer to " 151.35 through 151.39.
- (G) Height limitations shall not apply to water towers, chimneys, flag poles, antennae, wind energy conversion systems, church spires, church belfries or church domes not containing habitable space and support towers permitted by ' 150.04.
- (H) Conditional use permit standards for the R-2 Multiple-Family Residential District.
- (1) *Purpose*. It is the intent of the city in establishing general and specific criteria for conditional uses that such uses be subject to careful evaluation to ensure that their location, size and design are consistent with the standards, purposes and procedures of this chapter and the comprehensive plan, if one exists. The Planning Commission, if one exists, may recommend and the City Council may impose conditions on such uses in order to affect the purpose of this chapter.
- (2) *General standards*. No conditional use permit shall be granted unless the City Council determines that all of the following standards will be met:
- (a) The use is consistent with the intent of this chapter;
 - (b) The use is consistent with the goals, policies and objectives of the comprehensive plan, if one exists;
 - (c) The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
 - (d) The use does not have an undue adverse impact on the public health, safety or welfare.
- (3) *Specific standards*. In addition to the standards specified in division (2) above, no conditional use permit shall be granted unless the City Council determines that all of the specific standards contained in this subdivision will be met.
- (a) As required by M.S. ' 462.357, Subd. 8, a state licensed residential facility serving from 7 through 16 persons, or a licensed day care facility serving from 13 through 16 persons.
 - 1. Located only on a collector or arterial roadway as designated in the comprehensive plan, if one exists, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
 - 2. Buildings set back 50 feet from all property lines and parking lots set back 15 feet from streets and non-residential property and 25 feet from residential property;

3. Pick-up and drop-off areas located outside of parking setback area;
 4. Outdoor recreational areas to be set back 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;
 5. One parking space provided for each six attendees based upon the licensed capacity of the center; and
 6. Meets the performance standards of ' 151.31.
- (b) Storage sheds or greenhouses in excess of 500 square feet of gross floor area or 12 feet in height or occupying more than 30% of the side or rear yard in which they are located:
1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;
 2. Not to be used for commercial activities;
 3. Structure to be architecturally consistent with the principal structure;
 4. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties;
 5. Minimum lot size of four acres;
 6. Must be located in a side or rear yard.
- (c) Home occupations in a residence:
1. Such occupation shall be carried on in the-main building;
 2. Not more than 25% of the floor space of the-residence is used for this purpose;
 3. No articles for sale be displayed so as to be visible from the street;
 4. The conduct of the home occupation shall result in no change in the outside appearance of the building or land, or other visible evidence of the conduct of the home occupation, other than one sign, not exceeding one square foot in area, non-illuminated and mounted flat against the wall of the dwelling;
 5. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood;
 6. Only limited retail sales activity;

7. Maximum of one outside employee;
8. Adequate off-street parking based on number of employees and customers per day;
9. Parking area screened from offsite views;
10. No outside storage;
11. Shall not result in significant levels of noise, air or other pollution and meets the performance standards of ' 151.31;
12. Business hours restricted to no more than 8:00 a.m. to 9:00 p.m.; and
13. Outside parking of no more than one commercial type vehicle or vehicle identified for business purposes not to exceed one ton capacity which is used for both personal and business transportation. The vehicle is to be owned and registered by an occupant of the property and parked in a screened location.

(d) Private recreational facilities as a principal use:

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan, if any, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
2. Buildings set back 50 feet from all property lines;
3. No more than 70% of the site to be covered with impervious surface and the remainder to be suitably landscaped;
4. Signs shall be designed to be consistent with the principal use;
5. Adequate off-street parking based on number of employees and customers per day;
6. Parking area and waste management areas screened from offsite views;
7. No outside storage; and
8. Shall not result in significant levels of noise, air or other pollution and meets the performance standards of ' 151.31.

(e) Wind energy conversion systems (WECS):

1. Set back from the nearest property line a distance equal to the height of the tower plus one-half the diameter of the rotor;

2. Certified by a professional engineer as being of a design adequate for the atmospheric conditions of the area;
 3. Equipped with over-speed or similar controls designed to prevent disintegration of the rotor in high winds;
 4. Compliance with all building and electrical code requirements of the city, the noise regulations of the Minnesota Pollution Control Agency and the rules and regulations of the Federal Communications Commission and Federal Aviation Administration;
 5. If the WECS has not been operated for a period of one year or fails to meet the conditions of this chapter, the City Council may order it dismantled and the site restored to its original condition;
 6. If the owner or person responsible for the WECS does not maintain it or comply with all requirements of this chapter, the city may take such steps as are necessary to achieve compliance. The cost of such work, including administrative costs, shall be a lien against the property and may be collected as a special assessment. The city may sell salvaged and valuable materials at public auction on ten days' notice; and
 7. The WECS shall meet the performance standards of ' 151.31.
- (f) Hospitals or nursing homes:
1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan, if any, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
 2. Buildings set back 50 feet from all property lines;
 3. No more than 70% of the site to be covered with impervious surface and the remainder to be suitably landscaped;
 4. Signs shall be designed to be consistent with the principal use;
 5. Adequate off-street parking based on number of employees and customers per day;
 6. Parking area and waste management areas screened from off site views;
 7. No outside storage; and
 8. Shall not result in significant levels of noise, air or other pollution and meets the performance standards of ' 151.31.

Penalty, see ' 151.99

' 151.23 R-3 RESIDENTIAL BUSINESS DISTRICT.

(A) *Purpose.* To allow an appropriate mixture of multi-family residential and office or limited retail uses in areas which are provided with City water and sewer.

(B) *Permitted uses and structures.*

(1) Any permitted use in a Single-Family Residential District.

(2) Any permitted use in a Multi-Family Residential District.

(C) *Accessory uses.* Any accessory use permitted in Single-Family Residential District and the Multi-Family Residential District.

(D) *Conditional uses.* Within the R-3 District no structure or land shall be used for the following except by conditional use permit and in conformance with the standards specified in division (H) of this section.

(1) Any conditional use permitted in Single-Family Residential District or Multi-Family District.

(2) As required by M.S. ' 462.357, Subd. 8, a state licensed residential facility serving from 7 through 16 persons, or a licensed day care facility serving from 13 through 16 persons.

(3) Boarding House

(4) Retail stores and Restaurants seating 30 or less people.

(E) *Lot requirements and setbacks.* The following minimum requirements shall be observed in R-2 Districts, subject to additional requirements, exceptions and modifications set forth in this chapter:

(1) *Lot area.* 9,000 square feet for one and two-family dwellings and 3,000 square feet per dwelling unit for multiple-family dwellings.

(2) *Lot width.* 75 feet for one and two-family dwellings, and 100 feet for multiple family dwellings.

(3) *Setbacks.*

(a) *Front yards.* Not less than 30 feet.

(b) *Side yards.* 15 feet.

(c) *Side yards, corner lots.* 25 feet on side adjacent to street, but in no case less than the setback of an adjacent lot which has its front yard on the same street.

(d) *Rear yards.* 30 feet.

(4) *Detached accessory building setback requirements.* Not less than 5 feet from the rear lot line and not less than 4 feet from the side yard line in the rear yard. On corner lots, not less than 25 feet from adjacent lot which has its front yard on the same street.

(5) All lots shall front on and have ingress and egress by means a public right-of-way.

(F) *Parking.* Refer to " 151.35 through 151.39.

(G) Height limitations shall not apply to water towers, chimneys, flag poles, antennae, wind energy conversion systems, church spires, church belfries or church domes not containing habitable space and support towers permitted by ' 150.04.

(H) Conditional use permits standards for the R-3 Multiple-Family Residential District.

(1) *Purpose.* It is the intent of the city in establishing general and specific criteria for conditional uses that such uses are subject to careful evaluation to ensure that their location, size and design are consistent with the standards, purposes and procedures of this chapter and the comprehensive plan, if one exists. The Planning Commission, if one exists, may recommend and the City Council may impose conditions on such uses in order to affect the purpose of this chapter.

(2) *General standards.* No conditional use permit shall be granted unless the City Council determines that all of the following standards will be met:

(a) The use is consistent with the intent of this chapter;

(b) The use is consistent with the goals, policies and objectives of the comprehensive plan, if one exists;

(c) The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and

(d) The use does not have an undue adverse impact on the public health, safety or welfare.

(3) *Specific standards.* In addition to the standards specified in division (2) above, no conditional use permit shall be granted unless the City Council determines that all of the specific standards contained in this subdivision will be met.

(a) As required by M.S. ' 462.357, Subd. 8, a state licensed residential facility serving from 7 through 16 persons, or a licensed day care facility serving from 13 through 16 persons.

1. Located only on a collector or arterial roadway as designated in the comprehensive plan, if one exists, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
 2. Buildings set back 50 feet from all property lines and parking lots set back 15 feet from streets and non-residential property and 25 feet from residential property;
 3. Pick-up and drop-off areas located outside of parking setback area;
 4. Outdoor recreational areas to be set back 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;
 5. One parking space provided for each six attendees based upon the licensed capacity of the center; and
 6. Meets the performance standards of ' 151.31.
- (b) Storage sheds or greenhouses in excess of 500 square feet of gross floor area or 12 feet in height or occupying more than 30% of the side or rear yard in which they are located:
1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;
 2. Not to be used for commercial activities;
 3. Structure to be architecturally consistent with the principal structure;
 4. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties;
 5. Minimum lot size of four acres;
 6. Must be located in a side or rear yard.
- (c) Home occupations in a residence:
1. Such occupation shall be carried on in the-main building;
 2. Not more than 25% of the floor space of the-residence is used for this purpose;
 3. No articles for sale be displayed so as to be visible from the street;
 4. The conduct of the home occupation shall result in no change in the outside appearance of the building or land, or other visible evidence of the conduct of the

home occupation, other than one sign, not exceeding one square foot in area, non-illuminated and mounted flat against the wall of the dwelling;

5. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood;
 6. Only limited retail sales activity;
 7. Maximum of one outside employee;
 8. Adequate off-street parking based on number of employees and customers per day;
 9. Parking area screened from offsite views;
 10. No outside storage;
 11. Shall not result in significant levels of noise, air or other pollution and meets the performance standards of ' 151.31;
 12. Business hours restricted to no more than 8:00 a.m. to 9:00 p.m.; and
 13. Outside parking of no more than one commercial type vehicle or vehicle identified for business purposes not to exceed one ton capacity which is used for both personal and business transportation. The vehicle is to be owned and registered by an occupant of the property and parked in a screened location.
- (d) Private recreational facilities as a principal use:
1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan, if any, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
 2. Buildings set back 50 feet from all property lines;
 3. No more than 70% of the site to be covered with impervious surface and the remainder to be suitably landscaped;
 4. Signs shall be designed to be consistent with the principal use;
 5. Adequate off-street parking based on number of employees and customers per day;
 6. Parking area and waste management areas screened from offsite views;
 7. No outside storage; and
 8. Shall not result in significant levels of noise, air or other pollution and meets the performance standards of ' 151.31.

(e) Wind energy conversion systems (WECS):

1. Set back from the nearest property line a distance equal to the height of the tower plus one-half the diameter of the rotor;
2. Certified by a professional engineer as being of a design adequate for the atmospheric conditions of the area;
3. Equipped with over-speed or similar controls designed to prevent disintegration of the rotor in high winds;
4. Compliance with all building and electrical code requirements of the city, the noise regulations of the Minnesota Pollution Control Agency and the rules and regulations of the Federal Communications Commission and Federal Aviation Administration;
5. If the WECS has not been operated for a period of one year or fails to meet the conditions of this chapter, the City Council may order it dismantled and the site restored to its original condition;
6. If the owner or person responsible for the WECS does not maintain it or comply with all requirements of this chapter, the city may take such steps as are necessary to achieve compliance. The cost of such work, including administrative costs, shall be a lien against the property and may be collected as a special assessment. The city may sell salvaged and valuable materials at public auction on ten days' notice; and
7. The WECS shall meet the performance standards of ' 151.31.

(f) Hospitals or nursing homes:

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan, if any, or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
2. Buildings set back 50 feet from all property lines;
3. No more than 70% of the site to be covered with impervious surface and the remainder to be suitably landscaped;
4. Signs shall be designed to be consistent with the principal use;
5. Adequate off-street parking based on number of employees and customers per day;

6. Parking area and waste management areas screened from off site views;
7. No outside storage; and
8. Shall not result in significant levels of noise, air or other pollution and meets the performance standards of ' 151.31.

Penalty, see ' 151.99

' 151.24 M-1 MANUFACTURED HOME PARKS.

- (A) *General.* Manufactured home parks that are licensed by the State Department of Health are conditional uses in any zoning district that allows the construction or placement of a building used or intended to be used by two or more families. All manufactured home parks shall, in addition to any requirements imposed by rule of the State Department of Health or law, meet the following performance standards and any other conditions placed on them by the conditional use permit.
- (B) *Permitted uses and structures.*
- (1) Manufactured homes.
 - (2) Essential services such as water, sewer, telephone and electric utilities.
- (C) *Accessory uses.*
- (1) Recreational vehicles and equipment.
 - (2) Recreational facilities, gardens, commons and open space which are operated for the enjoyment and convenience of the residents of the principal use and their guests, such as tennis courts and swimming pools.
 - (3) Building for storage of maintenance equipment incidental to the principal use.
 - (4) Solar panels and equipment.
- (D) *Conditional use.* Customary home occupations as set forth in ' 151.21(D).
- (E) *Lot requirements and setbacks.* The following minimum requirements shall be observed in a manufactured home park, subject to additional requirements, exceptions and modifications set forth in this chapter:
- (1) *Lot area.* Each individual manufactured home site shall contain at least 5,000 square feet for exclusive use of the occupant.
 - (2) *Lot width.* Each individual manufactured home site shall have a lot width of at least 50 feet.

(3) *Setbacks for each individual manufactured home site.*

(a) *Front yards.* Not less than 15 feet.

(b) *Side yards.* 5 feet.

(c) *Rear yards.* 8 feet.

(4) *Detached accessory building setback requirements.* Not less than 5 feet from the rear lot line and not less than 4 feet from the side yard lines in the rear yard.

(F) *Parking.* Refer to " 151.35 through 151.39.

Penalty, see ' 151.99

' 151.25 M-2 MANUFACTURED HOMES.

The city authorizes the placement of manufactured homes in residential districts within the city if such manufactured homes comply with the following conditions:

(A) Manufactured homes shall comply with all zoning regulations for the district in which they are located.

(B) A building permit and any other required permits shall be obtained for manufactured homes.

(C) All such manufactured homes shall be built in compliance with any Minnesota Statutes regulating manufactured homes.

(D) Connection to city utilities, if available, shall be required.

Penalty, see ' 151.99

' 151.26 C-1 DOWNTOWN COMMERCIAL DISTRICT.

(A) *Purpose.* The purpose of the C-1 Central Business District is in recognition of the existing downtown business and commercial development and the need for its future expansion, rehabilitation and redevelopment.

(B) Permitted uses and structures.

(1) Business and commercial establishments including:

(a) Retail establishments, including grocery, hardware, drug, clothing, variety and furniture stores; eating and drinking places, auto dealers, automobile service stations, farm implement dealerships, farm supply stores, seasonal evergreen sales and meat locker shops.

- (b) Personal services, including laundries, beauty shops, barber shops, funeral homes, shoe repair shops, printing and publishing shops and photographic studios.
 - (c) Professional services, including medical and dental clinics and attorney's offices.
 - (d) Repair services, including automobile, jewelry, radio and television repair shops, appliance repair shops, farm and implement repair shops, plumbing contractor's shop and electrical contractor's shop.
 - (e) Entertainment and amusement services, including motion picture theatres, recreation halls and bowling alleys.
 - (f) Lodging services provided by a hotel, motel, inn, hostel, or lodge.
 - (g) Vacation dwelling units as defined by this Chapter, such as Vacation Rentals by Owner (VRBO) and Airbnb, provided they are located above the first-floor level.
 - (h) Finance, insurance, real estate and tax services.
- (2) Public and semi-public buildings, including post office, fire hall and city hall.
 - (3) Private clubs.
 - (4) Apartments, provided they are located above the first-floor level.
 - (5) Automobile parking lots.
 - (6) Essential services, such as sewer, water, telephone and electric utility facilities.
 - (7) Churches and places of religious assembly.
- (C) *Accessory uses.* Uses incidental to the foregoing principal uses, such as off-street parking and loading and unloading areas, signs, indoor storage of merchandise and wholesaling and manufacturing, when incidental to a permitted use, solar panels, satellite dishes and antennas.
- (D) *Conditional uses.* Within the C-1 District no structure or land shall be used for the following except by conditional use permit and in conformance with the standards specified in division (I) of this section.
- (1) One and two-family dwellings and multiple-family dwellings, including manufactured homes meeting the standards as set forth in ' 151.24, and manufactured home parks licensed by the state.
 - (2) Nonresidential licensed day care facilities.

- (3) Outdoor storage incidental to a principal use.
 - (4) Drive-thru or drive-up window accessory to a principal use.
 - (5) Sidewalk cafes and outdoor eating or dining areas accessory to a principal use.
- (E) *Lot requirements and setbacks.* The following minimum requirements shall be observed in C-1 Districts, subject to additional requirements, exceptions and modifications set forth in this chapter:
- (1) *Lot area.* None.
 - (2) *Lot width.* None.
 - (3) *Setbacks.*
 - (a) *Front yards.* No infill development shall be closer to the front lot line than adjacent commercial uses.
 - (b) *Side yards.* None.
 - (c) *Rear yards.* 10 feet.
 - (4) All lots shall front on and have ingress and egress by means of a public right-of-way.
- (F) *Building requirements; height.* No structure shall exceed 3 stories or 45 feet, whichever is less.
- (G) *Parking.* Refer to " 151.35 through 151.39.
- (H) *Height limitations.* Height limitations shall not apply to water towers, chimneys, flag poles, antennae, wind energy conversion systems, church spires, church belfries or church domes not containing habitable space and support towers permitted by ' 150.04.
- (I) Conditional use permit standards for the C-1 Central Business District.
- (1) *Purpose.* It is the intent of the city in establishing general and specific criteria for conditional uses that such uses be subject to careful evaluation to ensure that their location, size and design are consistent with the standards, purposes and procedures of this chapter and the comprehensive plan, if one exists. The Planning Commission, if one exists, may recommend and the City Council may impose conditions on such uses in order to effect the purpose of this chapter.
 - (2) *General standards.* No conditional use permit shall be granted unless the City Council determines that all of the following standards will be met:
 - (a) The use is consistent with the intent of this chapter;

- (b) The use is consistent with the goals, policies and objectives of the comprehensive plan, if one exists;
- (c) The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
- (d) The use does not have an undue adverse impact on the public health, safety or welfare.
- (e) The use meets meet the performance standards of ' 151.31.

(3) *Specific standards.* In addition to the standards specified in division (2) above, no conditional use permit shall be granted unless the City Council determines that all of the specific standards contained in this division (I) will be met.

- (a) One and two family dwellings and multiple-family dwellings, including manufactured homes meeting the standards set forth in ' 151.24 and manufactured home parks licensed by the state.
 - 1. Building and site design shall provide a quality residential environment which is compatible with the permitted use;
 - 2. At least two off-street parking spaces must be provided for the each residential unit, with such parking to be in a garage, carport or on a paved area specifically intended for that purpose;
 - 3. The dwelling unit must be in compliance with all applicable building, housing, electrical, plumbing, heating and related city codes;
 - 4. The use will be permitted only where the dwelling unit will not have an undue adverse impact on adjacent properties and where there will not be a substantial alteration of the neighborhood character;
 - 5. The city may require buffering or screening if needed.

(b) Nonresidential licensed daycare facilities.

- 1. Shall have loading and drop-off points designed to avoid interfering with traffic and pedestrian movements and designed to promote the safety of children entering the center;
- 2. Outdoor play areas shall be fenced and located and designed in a manner which mitigates visual and noise impacts on adjoining residential areas (if any);
- 3. One parking space for each six attendees based on the licensed capacity of the center shall be provided; and

4. Shall obtain all applicable state, county and city licenses.

(c) Outdoor storage incidental to a principal use.

1. Outdoor storage shall not be located within 100 feet of any residential parcel;
2. Outdoor storage shall be screened by suitable materials, such as a fencing or natural landscaping features (trees, shrubbery, berms), as determined by Council. The screen must be, at minimum, equal to the height of the tallest item stored on the site;
3. Outdoor storage must be located in a rear or side yard;
4. Shall be kept in a neat and orderly fashion;
5. Shall not contain any unlicensed or inoperable motor vehicles; and
6. Shall not be operated in a manner as to constitute a nuisance or harborage of rodents or other wild animals.

(d) Drive-thru or drive-up windows accessory to a principal use.

1. Drive-up windows and stacking areas shall not be located adjacent to any residential parcel;
2. Stacking areas shall provide for a minimum of six cars per aisle;
3. Public address system shall not be audible from any residential parcel;
4. Drive-up windows and stacking areas shall be screened with suitable materials from adjacent parcels; and
5. Drive-up windows shall be designed to avoid interfering with traffic and pedestrian movements.

(e) Sidewalk cafes and outdoor eating or dining areas accessory to a principal use.

1. Shall be located in a controlled or cordoned-area with at least one opening to an acceptable pedestrian walk. When a liquor license is involved, an enclosure is required and the enclosure shall not be interrupted; access shall be only through the principal building;
2. Shall not be permitted within 200 feet of any residential parcel and shall be separated from residential parcels by the principal structure or other method of screening acceptable to the city;

3. Shall be located and designed so as not to interfere with pedestrian and vehicular circulation;
4. Shall not be located to obstruct parking spaces;
5. Shall be located adjacent to an entrance to the principal use;
6. Shall be equipped with refuse containers and periodically patrolled for litter pick-up; and
7. Shall not have speakers or audio equipment which is audible from adjacent parcels.

Penalty, see ' 151.99

' 151.27 C-2 HIGHWAY COMMERCIAL DISTRICT.

- (A) *Purpose.* The purpose of the C-2 Commercial District is to provide for commercial development outside of the C-1 Central Business District.
- (B) *Permitted uses and structures.* All uses of a commercial nature, including retail, light industrial, wholesale, service, office, financial, recreational, professional, lodging, and sexually oriented businesses in compliance with Chapters 119 and 153, including all uses permitted in the C-1 Central Business District, and those other commercial uses as are not considered industrial as listed in ' 151.27.
- (C) *Accessory uses.* Those accessory uses permitted in the C-1 Central Business District.
- (D) *Conditional uses.* Within the C-2 district no structure or land shall be used for the following except by conditional use permit and in conformance with the standards specified in section (I) of this ordinance: All conditional uses permitted in the C-1 District.
- (E) *Lot requirements and setbacks.* The following minimum requirements shall be observed in C-2 Districts, subject to additional requirements, exceptions and modifications set forth in this chapter:
 - (1) *Lot area.* 10,000 square feet.
 - (2) *Lot width.* 100 feet.
 - (3) *Setbacks.*
 - (a) *Front yards.* None.
 - (b) *Side yards.* None.
 - (c) *Rear yards.* 15 feet.

- (4) All lots shall front on and have ingress and egress by means of a public right-of-way.
- (F) Building requirements; height. No structure shall exceed three stories or 45 feet, whichever is less.
- (G) *Parking*. Refer to " 151.35 through 151.39.
- (H) Height limitations shall not apply to water towers, chimneys, flag poles, antennae, wind energy conversion systems, church spires, church belfries or church domes not containing habitable space and support towers permitted by ' 150.04.
- (I) Conditional use permit standards for the C-2 Central Business District.
- (1) *Purpose*. It is the intent of the city in establishing general and specific criteria for conditional uses that such uses be subject to careful evaluation to ensure that their location, size and design are consistent with the standards, purposes and procedures of this chapter and the comprehensive plan, if one exists. The Planning Commission, if one exists, may recommend and the City Council may impose conditions on such uses in order to effect the purpose of this chapter.
- (2) *General standards*. No conditional use permit shall be granted unless the City Council determines that all of the following standards will be met:
- (a) The use is consistent with the intent of this chapter;
- (b) The use is consistent with the goals, policies and objectives of the comprehensive plan, if one exists;
- (c) The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;
- (d) The use does not have an undue adverse impact on the public health, safety or welfare; and
- (e) The use meets the performance standards of ' 151.31.
- (3) *Specific standards*. In addition to the standards specified in division (2) above, no conditional use permit shall be granted unless the City Council determines that all of the specific standards contained in this subdivision will be met.
- (a) One and two family dwellings and multiple family dwellings, including manufactured homes meeting the standards set forth in ' 151.24 and manufactured home parks licensed by the state.
1. Building and site design shall provide a quality residential environment which is compatible with the permitted use;

2. At least two off-street parking spaces must be provided for the each residential unit, with such parking to be in a garage, carport or on a paved area specifically intended for that purpose;
3. The dwelling unit must be in compliance with all applicable building, housing, electrical, plumbing, heating and related city codes;
4. The use will be permitted only where the dwelling unit will not have an undue adverse impact on adjacent properties and where there will not be a substantial alteration of the neighborhood character; and
5. The city may require buffering or screening if needed.

(b) Nonresidential licensed daycare facilities.

1. Shall have loading and drop-off points designed to avoid interfering with traffic and pedestrian movements and designed to promote the safety of children entering the center;
2. Outdoor play areas shall be fenced and located and designed in a manner which mitigates visual and noise impacts on adjoining residential areas (if any);
3. One parking space for each six attendees based on the licensed capacity of the center shall be provided; and
4. Shall obtain all applicable state, county and city licenses.

(c) Outdoor storage incidental to a principal use.

1. Outdoor storage shall not be located within 100 feet of any residential parcel;
2. Outdoor storage shall be screened by suitable materials, such as a fencings or natural landscaping features (trees, shrubbery, berms), as determined by Council. The screen must be, at minimum, equal to the height of the tallest item stored on the site;
3. Outdoor storage must be located in a rear or side yard;
4. Shall be kept in a neat and orderly fashion;
5. Shall not contain any unlicensed or inoperable motor vehicles; and
6. Shall not be operated in a manner as to constitute a nuisance or harborage of rodents or other wild animals.

(d) Drive-thru or drive-up windows accessory to a principal use.

1. Drive-up windows and stacking areas shall not be located adjacent to any residential parcel;
 2. Stacking areas shall provide for a minimum of six cars per aisle;
 3. Public address system shall not be audible from any residential parcel;
 4. Drive-up windows and stacking areas shall be screened with suitable materials from adjacent parcels; and
 5. Drive-up windows shall be designed to avoid interfering with traffic and pedestrian movements.
- (e) Sidewalk cafes and outdoor eating or dining areas accessory to a principal use.
1. Shall be located in a controlled or cordoned area with at least one opening to an acceptable pedestrian walk. When a liquor license is involved, an enclosure is required and the enclosure shall not be interrupted; access shall be only through the principal building;
 2. Shall not be permitted within 200 feet of any residential parcel and shall be separated from residential parcels by the principal structure or other method of screening acceptable to the city;
 3. Shall be located and designed so as not to interfere with pedestrian and vehicular circulation;
 4. Shall not be located to obstruct parking spaces;
 5. Shall be located adjacent to an entrance to the principal use;
 6. Shall be equipped with refuse containers and periodically patrolled for litter pick-up; and
 7. Shall not have speakers or audio equipment which is audible from adjacent parcels.

' 151.28 INDUSTRIAL.

(A) *Purpose.* The purpose of the I Industrial District is to provide for industrial development outside of the other districts authorized by this chapter. Development within the district shall be regulated through the performance standards outlined in ' 151.31 of this chapter to promote sensitive site design and to mitigate external site impacts.

(B) *Permitted uses and structures.* Within the I District no structure or land may be used except for the following uses occurring within an enclosed building:

- (1) Warehouse
- (2) Storage
- (3) Manufacturing
- (4) Processing
- (5) Office
- (6) Wholesale
- (7) Research
- (8) Government buildings
- (9) Other such industrial uses which in the determination of the City Council and as formally documented will be compatible and will not be detrimental to uses allowed in this or contiguous districts.

(C) Accessory structures and uses. Within the I District the following accessory uses are permitted provided they are subordinate to and associated with a permitted use:

- (1) Living quarters for security personnel, provided they are located within the principal structure;
- (2) Overnight outside storage of vehicles, provided the vehicles are associated with the business and are screened from view from residential properties or public views;
- (3) Outside storage, including fuel storage, provided it is screened from general public view;
- (4) Retail or service uses not exceeding 25% of the gross floor area of the principal structure;
- (5) Other uses customarily associated with but subordinate to a permitted use, as determined by the city.
- (6) Solar panels and equipment, satellite dishes and-antennas.

(D) *Conditional uses.* Within the I District no land or structure may be used for the following except by conditional use permit and in conformance with the performance standards contained in ' 151.31 of this ordinance:

- (1) Retail, or service uses occupying between 25% and 50% of the gross area of the principal structure.

- (2) Wind energy conversion systems or windmills.
- (E) District standards. No building or land in the I District shall be used except in conformance with the following:
- (1) *Building height*. Maximum of 45 feet or three stories, whichever is less;
 - (2) *Front yard setback*. Minimum of 35 feet from local and neighborhood collector streets as identified in the comprehensive plan, if any, or the zoning map if no comprehensive plan is in existence; or a minimum of 50 feet from railroad lines and from major collector or arterial roadways as designated in the comprehensive plan if any, or the zoning map if no comprehensive plan is in existence;
 - (3) *Side and rear yard setbacks*. Minimum setbacks shall be in accordance with the following when measured from land designated accordingly in the comprehensive plan if any, or the zoning map if no comprehensive plan is in existence:
 - (a) 70 feet from R-1 and R-2 residential uses;
 - (b) 30 feet from C-1 and C-2 commercial business uses; and
 - (c) 20 feet from I District uses.
 - (4) *Lot coverage*. Maximum lot coverage shall be 85% and shall be calculated to include building footprints; parking areas; driveways; loading, storage and trash areas and other areas covered by any impervious surface;
 - (5) *Access*: from a collector or arterial roadway as designated in the comprehensive plan, if any, or a street specifically designed to accommodate industrial traffic;
 - (6) Trash enclosures or accessory buildings not to exceed 600 square feet in size shall be located behind the front building line of the principal building and not in any required set back;
 - (7) Parking shall be regulated pursuant to " 151.35 through 151.39; and
 - (8) Performance standards shall be regulated pursuant to ' 151.31.
- (F) Conditional use permit standards for the Industrial District.
- (1) *Purpose*. It is the intent of the city in establishing general and specific criteria for conditional uses that such uses be subject to careful evaluation to ensure that their location, size and design are consistent with the standards, purposes and procedures of this chapter and the comprehensive plan. The Planning Commission, if any, may recommend and the City Council may impose conditions on such uses in order to ensure compliance or to affect the purpose of this chapter.

(2) *General standards.* No conditional use permit shall be granted unless the City Council determines that all of the following standards will be met:

- (a) The use is consistent with the intent of this chapter;
- (b) The use is consistent with the goals, policies and objectives of the comprehensive plan, if any;
- (c) The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;
- (d) The use is in compliance with the performance standards specified in ' 151.31, of this chapter; and
- (e) The use does not have an undue adverse impact on the public health, safety or welfare.

(3) In addition to the standards specified in division (2), no conditional use permit shall be granted unless the City Council determines that each of the following specific standards will be met.

(a) Retail or service uses occupying between 25% and 50% of the gross area of the principal structure:

- 1. Shall be no exterior modifications to the building;
- 2. Shall have no outside storage or display and no accessory structures for retail sales purposes; and
- 3. Shall have sufficient parking to accommodate the additional retail traffic.

(b) Wind energy conversion systems or windmills.

- 1. Set back from the nearest property line a distance equal to the height of the tower plus one-half the diameter of the rotor;
- 2. Certified by a professional engineer as being of a design adequate for the atmospheric conditions of the area;
- 3. Equipped with over-speed or similar controls designed to prevent disintegration of the rotor in high winds;
- 4. Compliance with all building and electrical code requirements of the city, the noise regulations of the Minnesota Pollution Control Agency and the rules and regulations of the Federal Communications Commission and Federal Aviation Administration;

5. If the WECS has not been operated for a period of one year or fails to meet the conditions of this chapter, the City Council may order it dismantled and the site restored to its original condition; and
6. If the owner or person responsible for the WECS does not maintain it or comply with all requirements of this chapter, the city may take such steps as are necessary to achieve compliance. The cost of such work, including administrative costs, shall be a lien against the property and may be collected as a special assessment. The city may sell salvaged and valuable materials at public auction on ten days' notice.

' 151.29 RURAL RESIDENTIAL AND AGRICULTURAL DISTRICT.

- (A) *Purpose.* The purpose of the Rural Residential and Agriculture District is to allow suitable areas of the city to be retained and utilized in open space and/or agricultural uses.
- (B) *Permitted uses.* The following are permitted uses in the Rural Residential and Agriculture District:
- (1) Agriculture, including farm dwellings and agricultural related buildings and structures subject to state pollution control standards, but not including commercial feedlots or other commercial operations.
 - (2) One-family dwelling units.
 - (3) Public, government owned parks, playgrounds, wild life areas and game refuges, athletic fields and other public recreational uses.
 - (4) Churches and places of religious assembly, public and private schools and government-owned buildings and facilities.
 - (5) Manufactured homes which meet the standards set forth in ' 151.24.
 - (6) As required by M.S. ' 462.357, Subd. 7, as it may be amended from time to time, a state licensed residential facility serving six or fewer persons, a licensed day care facility serving 12 or fewer persons, and a group family day care facility licensed under Minn. Rules, parts 9502.0315 to 9502.0445, as it may be amended from time to time, to serve 14 or fewer children shall be considered a permitted single-family residential use of property for the purposes of zoning, except that a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use.
- (C) *Accessory uses.* The following are permitted accessory uses in the Rural Residential and Agriculture District:

- (1) Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.
 - (2) Boat houses, piers and docks serving a single-family residence.
 - (3) Private garages, screen porches, play equipment, solar panel equipment, satellite dishes and antennae.
 - (4) The renting of rooms by a resident family for lodging purposes only, and for not more than two rooms in a one-family dwelling.
- (D) Conditional uses. Within the Rural Residential and Agriculture District no structure or land shall be used for the following except by conditional use permit and in conformance with the standards specified in division (I) of this chapter.
- (1) Bed and breakfast inns.
 - (2) Wind energy conversion systems or windmills.
 - (3) Home occupations.
- (E) *Lot requirements and setbacks.* The following minimum requirements shall be observed in the Rural Residential and Agriculture District, subject to additional requirements, exceptions and modifications set forth in this chapter:
- (1) *Lot area.* A minimum of two and one-half acres of upland area, upland being land above the 100-year flood elevation or non-wetland.
 - (2) *Lot width.* A minimum of 200 feet.
 - (3) *Lot depth.* A minimum of 300 feet.
 - (4) *Setbacks.*
 - (a) *Front yard.* A minimum of 40 feet.
 - (b) *Side yards.* A minimum of 10 feet.
 - (c) *Side yards, corner lots.* A minimum of 30 feet on side adjacent to street, but in no case less than the setback of an adjacent lot which has its front yard on the same street.
 - (d) *Rear yard.* A minimum of 30 feet.
 - (e) *Rear yard, corner lots.* A minimum of 15 on side adjacent to street, but in no case less than the setback of an adjacent lot which has its rear yard on the same street.

- (5) *Detached accessory building setback requirements.* Not less than five feet from rear yard line and not less than four feet from the side yard lines in the rear yard. On corner lots not less than 25 feet from the adjacent street, but in no case less than the setback of an adjacent lot which has its front yard on the same street.
- (6) *Access.* All lots shall front on and have ingress and egress by means of a public right-of-way.
- (F) *Building requirements; height.* No structure shall exceed two stories or 35 feet, whichever is less.
- (G) *Parking.* Refer to " 151.35 through 151.39.
- (H) Height limitations shall not apply to water towers, chimneys, flag poles, antennae, wind energy conversion systems, church spires, church belfries or church domes not containing habitable space and support towers permitted by ' 150.04.
- (I) Conditional use permit standards for the Rural Residential and Agriculture Single-Family Residential District.
- (1) *Purpose.* It is the intent of the city in establishing general and specific criteria for conditional uses that such uses be subject to careful evaluation to ensure that their location, size and design are consistent with the standards, purposes and procedures of this chapter and the comprehensive plan, if one exists. The Planning Commission, if one exists, may recommend and the City Council may impose conditions on such uses in order to affect the purpose of this chapter.
- (2) *General standards.* No conditional use permit shall be granted unless the City Council determines that all of the following standards will be met:
- (a) The use is consistent with the intent of this chapter;
 - (b) The use is consistent with the goals, policies and objectives of the comprehensive plan, if one exists;
 - (c) The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
 - (d) The use does not have an undue adverse impact on the public health, safety or welfare.
- (3) *Specific standards.* In addition to the standards specified in division (2), no conditional use permit shall be granted unless the City Council determines that all of the specific standards contained in this division will be met.
- (a) Home occupations.

1. Such occupation shall be carried on in the main building;
2. Not more than 25% of the floor space of the residence is used for this purpose;
3. No articles for sale be displayed so as to be visible from the street;
4. The conduct of the home occupation shall result in no change in the outside appearance of the building or land, or other visible evidence of the conduct of the home occupation, other than one sign, not exceeding one square foot in area, non-illuminated and mounted flat against the wall of the dwelling.
5. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood.
6. Only limited retail sales activity;
7. Maximum of one outside employee;
8. Adequate off-street parking based on number of employees and customers per day;
9. Parking area screened from offsite views;
10. No outside storage;
11. Shall not result in significant levels of noise, air or other pollution;
12. Business hours restricted to no more than 8:00 a.m. to 9:00 p.m.; and
13. Outside parking of no more than one commercial type vehicle or vehicle identified for business purposes not to exceed one ton capacity which is used for both personal and business transportation. The vehicle is to be owned and registered by an occupant of the property and parked in a screened location.

(b) Wind energy conversion systems (WECS).

1. Set back from the nearest property line a distance equal to the height of the tower plus one-half the diameter of the rotor;
2. Certified by a professional engineer as being of a design adequate for the atmospheric conditions of the area;
3. Equipped with over-speed or similar controls designed to prevent disintegration of the rotor in high winds;
4. Compliance with all building and electrical code requirements of the city, the noise regulations of the Minnesota Pollution Control Agency and the rules and

regulations of the Federal Communications Commission and Federal Aviation Administration;

5. If the WECS has not been operated for a period of one year or fails to meet the conditions of this chapter, the City Council may order it dismantled and the site restored to its original condition;
 6. If the owner or person responsible for the WECS does not maintain it or comply with all requirements of this chapter, the city may take such steps as are necessary to achieve compliance. The cost of such work, including administrative costs, shall be a lien against the property and may be collected as a special assessment. The city may sell salvaged and valuable materials at public auction on ten days' notice; and
 7. The WECS shall meet the performance standards of ' 151.31.
- (c) Bed and breakfast inns.

1. The conduct of the bed and breakfast inn shall result in no change in the outside appearance of the building or land, or other visible evidence of the conduct of the bed and breakfast inn, other than one sign, not exceeding one square foot in area, non-illuminated and mounted flat against the wall of the dwelling.
2. No traffic shall be generated by such bed and-breakfast inn in greater volume than would normally be expected in a residential neighborhood.

' 151.30 FLOODPLAIN DISTRICT

SECTION 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE

1.1 Statutory Authorization: The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462 delegated the responsibility to local government units to adopt regulations designed to minimize flood losses. Therefore, the City Council of Lanesboro, Minnesota, does ordain as follows.

1.2 Purpose:

1.21 This ordinance regulates development in the flood hazard areas of the City of Lanesboro. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.

1.22 National Flood Insurance Program Compliance. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of

CHAPTER 120: LODGING BUSINESSES

Section

General Provisions

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GENERAL PROVISIONS

The City Council of the City of Lanesboro ordains:

‘120.01 AUTHORIZATION, INTENT AND PURPOSE

(A) This chapter is enacted pursuant to the authority granted by the Municipal Planning Act, M.S. “462.351 et seq. The intent of this chapter is to ensure public health, safety, and general welfare in accordance with the adopted development goals, plans and policies as stated hereto. This plan for the city is to ensure that the land uses in the city and businesses providing lodging services are in the best interest of the city; to improve the quality of the physical environment of the city; to protect and maintain property values, and to preserve and develop economic base of the city.

‘120.02 TITLE.

This chapter shall be known as the Lodging Businesses Ordinance except as referred to herein, where it shall be known as this Ordinance or this chapter.

‘120.03 INTERPRETATIONS OF TERMS.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the same meaning as they have in common usage unless such meaning is clearly contrary to the intent of this chapter and so as to give this chapter the most reasonable application. For the purposes of this chapter, the words must and shall are mandatory and may is permissive. For the purpose of this chapter, the terms in ‘120.04 have the meanings given to them.

‘120.04 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

ADMINISTRATOR. The City Administrator/Clerk or other person designated by the City Council to administer and enforce the provisions of this chapter.

BED AND BREAKFAST. A guest accommodation offered in a private residence where the owner or host lives on the premises; there the number of guest rooms available does not exceed 6; where breakfast but no other meal or liquor can be served by the host. Said residence must be 75 years or older, as measured as of January 1, 1996, before, it will qualify to be operated as a bed and breakfast. Also, no more than 12 licenses for a bed and breakfast establishment shall be issued and be active at any one time.

HOSTEL. A building which operates as an establishment that provides food and lodging for a specific group of people, such as students, workers, or travelers.

HOTEL, MOTEL, INN, or LODGE. A building which provides a common entrance, lobby, halls and stairway in which people are, for compensation, lodged with or without meals.

VACATION DWELLING UNIT. A dwelling unit offered for trade or sale, whether for money or exchange of goods or services, for periods of 1 to 29 nights.

‘120.05 COMPLIANCE WITH ORDINANCE.

(A) No lodging establishment shall hereafter be used or occupied except in conformity with the regulations of this Lodging Businesses Ordinance, the Zoning Land Use Ordinance, and any other applicable chapter of the municipal ordinance code.

(B) The provisions of this chapter shall be minimum requirements. Where the conditions imposed by any provision of this chapter differ from those required by any statute or other ordinance of the city, the regulations which are more restrictive or which impose the higher standard shall prevail.

Penalty, see ‘151.99

‘120.06 SEVERABILITY.

Every section or subdivision of this chapter is declared separable from every other section or subdivision. If any section or subdivision is held to be invalid by competent authority, no other section or subdivision shall be invalidated by such action or decision.

LICENSING REQUIREMENTS

‘120.10 CLASSIFICATION OF LICENSES

It is unlawful for any person to operate a lodging business without the appropriate license from the City and also a license from the Minnesota Department of Health as appropriate. Application to the City must be made on the appropriate form provided by the City. The license issued by the City shall expire annually on March 31. The City Council shall establish a fee for the license by ordinance. A copy of the state license shall be provided to the City as part of the application process.

‘120.11 BED AND BREAKFAST LICENSURE

(A) *State license required.* No person shall conduct lodging business within city limits without first having obtained the appropriate license from the State as required by M.S. Ch. 157 as it may be amended from time to time.

(B) *City license required.* No person shall conduct lodging business within city limits without first having obtained the appropriate license from the city.

(C) *Application.* Application to operate a bed and breakfast lodging business shall be made before the applicant begins conducting business operations in the city. Application for a license shall be made on a form approved by the City Council and available from the office of the City Administrator/Clerk. All applications shall be signed by the applicant. All applications shall include the following information:

1. Applicant's full legal name.
2. Applicant's address.
3. Applicant contact information.
4. Property owner's full legal name.
5. Property owner's address.

6. Property parcel ID number.
 7. Description of existing property use.
 8. Proposed use of property.
 9. Current zoning of property.
 10. Legal description of property.
 11. The number of rooms to be rented.
- (D) *Fee.* All applications for licensure under this chapter shall be accompanied by the fee established in the Ordinance Establishing Fees and Charges, adopted pursuant to '30.11, as it may be amended from time to time.
- (E) *Procedure.* Upon receipt of the application and payment of the license fee, the City Administrator/Clerk must determine if the application is complete. An application is determined to be complete only if all required information is provided. If the City Administrator/Clerk determines the application is incomplete, the City Administrator/Clerk must inform the applicant of the required necessary information that is missing. If the application is complete, the City Administrator/Clerk will verify the information provided on the application and recommend approval or denial of the application to the City Council. If the City Council denies the application, the applicant will be notified in writing of the decision, the reason for denial, and of the applicant's right to appeal the denial by requesting, within 20 days of receiving notice of rejection, a public hearing before the City Council. The City Council shall hear the appeal within 20 days of the date of the request for a public hearing.
- (F) *Duration.* An annual license granted from the City under this chapter shall be valid annually from April 1 through March 31 of the following year.

'120.12 HOTEL AND MOTEL LICENSURE

- (A) *State license required.* No person shall conduct lodging business within city limits without first having obtained the appropriate license from the State as required by M.S. Ch. 157 as it may be amended from time to time.
- (B) *City license required.* No person shall conduct lodging business within city limits without first having obtained the appropriate license from the city.
- (C) *Application.* Application to operate a hotel or motel lodging business shall be made before the applicant begins conducting business operations in the city. Application for a license shall be made on a form approved by the City Council and available from the office of the City Administrator/Clerk. All applications shall be signed by the applicant. All applications shall include the following information:
1. Applicant's full legal name.
 2. Applicant's address.
 3. Applicant's contact information.
 4. Property owner's full legal name.
 5. Property owner's address.
 6. Current zoning of property.
 7. Legal description of property.
 8. The number of rooms to be rented.

- (D) *Fee.* All applications for licensure under this chapter shall be accompanied by the fee established in the Ordinance Establishing Fees and Charges, adopted pursuant to '30.11, as it may be amended from time to time.
- (E) *Procedure.* Upon receipt of the application and payment of the license fee, the City Administrator/Clerk must determine if the application is complete. An application is determined to be complete only if all required information is provided. If the City Administrator/Clerk determines the application is incomplete, the City Administrator/Clerk must inform the applicant of the required necessary information that is missing. If the application is complete, the City Administrator/Clerk will verify the information provided on the application and recommend approval or denial of the application to the City Council. If the City Council denies the application, the applicant will be notified in writing of the decision, the reason for denial, and of the applicant's right to appeal the denial by requesting, within 20 days of receiving notice of rejection, a public hearing before the City Council. The City Council shall hear the appeal within 20 days of the date of the request for a public hearing.
- (F) *Duration.* An annual license granted from the City under this chapter shall be valid annually from April 1 through March 31 of the following year.

120.13 VACATION DWELLING UNIT LICENSURE

- (A) *State license required.* No person shall conduct lodging business within city limits without first having obtained the appropriate license from the State as required by M.S. Ch. 157 as it may be amended from time to time.
- (B) *City license required.* No person shall conduct lodging business within city limits without first having obtained the appropriate license from the city.
- (C) *Application.* Application to operate a vacation dwelling unit business, ~~inclusive of~~ including, but not limited to, Vacation Rental by Owner (VRBO) and Airbnb, shall be made before the applicant begins conducting business operations in the city. Application for a license shall be made on a form approved by the City Council and available from the office of the City Administrator/Clerk. All applications shall be signed by the applicant. All applications shall include the following information:
1. Applicant's full legal name.
 2. Applicant's address.
 3. Applicant contact information.
 4. Property owner's full legal name.
 5. Property owner's address.
 6. Property parcel ID number.
 7. Property manager's full name.
 8. Property manager's address.
 9. Property manager's contact information.
 10. Current zoning of property.
 11. Legal description of property.
 12. The number of rooms to be rented.
- (D) *Procedure.* Upon receipt of the application and payment of the license fee, the City Administrator/Clerk must determine if the application is complete. An application is determined to be complete only if all required information is provided. If the City Administrator/Clerk determines the application is incomplete, the City

Administrator/Clerk must inform the applicant of the required necessary information that is missing. If the application is complete, the City Administrator/Clerk will verify the information provided on the application and recommend approval or denial of the application to the City Council. If the City Council denies the application, the applicant will be notified in writing of the decision, the reason for denial, and of the applicant's right to appeal the denial by requesting, within 20 days of receiving notice of rejection, a public hearing before the City Council. The City Council shall hear the appeal within 20 days of the date of the request for a public hearing.

- (E) Duration. An annual license granted from the City under this chapter shall be valid annually from April 1 through March 31 of the following year.

‘120.14 LICENSE INELIGIBILITY

- (A) The failure of the applicant to obtain and show proof of having obtained any required state license.
- (B) The failure of the applicant to truthfully provide any of the information requested by the city as a part of the application, or the failure to sign the application, or the failure to pay the required fee at the time of application.
- (C) The conviction of the applicant within the past five years from the date of application for any violation of any federal or state statute or regulation, or of any local ordinance, which adversely reflects on the person's ability to conduct the business for which the license is being sought in a professional, honest, and legal manner. Those violations shall include but not be limited to burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person.
- (D) The revocation within the past five years of any license issued to the applicant for the purpose of lodging.
- (E) The applicant is found to have a bad business reputation. Evidence of a bad business reputation shall include, but not be limited to, the existence of more than three complaints against the applicant with the Better Business Bureau, the Office of the Minnesota Attorney General, or other state attorney general's office, or other similar business or consumer rights office or agency, within the preceding 12 months, or three complaints filed against the applicant within the preceding five years.

‘120.15 LICENSE SUSPENSION AND REVOCATION

- (A) *Generally*. Any license issued under this section may be suspended or revoked at the discretion of the City Council for violation of any of the following:

1. Subsequent knowledge by the city of fraud, misrepresentation or incorrect statements provided by the applicant on the application form.
2. Fraud, misrepresentation or false statements made during the course of the licensed activity.
3. Subsequent conviction of any offense for which granting of a license could have been denied under ‘120.14.
4. Violations of any other provisions under this chapter.

- (B) *Multiple persons under one license*. The suspension or revocation of any license issued

for the purpose of authorizing multiple persons to conduct lodging business on behalf of the licensee shall serve as a suspension or revocation of each authorized person's authority to conduct business on behalf of the licensee whose license is suspended or revoked.

- (C) *Notice.* Prior to revoking or suspending any license issued under this chapter, the city shall provide the license holder with written notice of the alleged violations and inform the licensee of his or her right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the license application, or if no residential address is listed, to the business address provided on the license application.
- (D) *Public hearing.* Upon receiving the notice provided in subdivision (C) of this section, the licensee shall have the right to request a public hearing. If no request for a hearing is received by the City Administrator/Clerk within ten regular business days following the service of the notice, the city may proceed with the suspension or revocation. For the purpose of mailed notices, service shall be considered complete as of the date the notice is placed in the mail. If a public hearing is requested within the stated time frame, a hearing shall be scheduled within 20 days from the date of the request. Within three regular business days of the hearing, the City Council shall notify the licensee of its decision.
- (E) *Emergency.* If, in the discretion of the City Council, imminent harm to the health or safety of the public may occur because of the actions of a ~~peddler or transient merchant~~ lodging business licensed under this chapter, the City Council may immediately suspend the person's license and provide notice of the right to hold a subsequent public hearing as prescribed in subdivision (C) of this section.
- (F) *Appeals.* Any person whose license is suspended or revoked under this section shall have the right to appeal that decision in district court.
Penalty, see '120.20

'120.16 LICENSE TRANSFERABILITY

No license issued under this chapter shall be transferred to any person other than the person to whom the license was issued.

ADMINISTRATION AND ENFORCEMENT

120.20 ENFORCEMENT

- (A) The City Council may direct the Administrator/Clerk or other person appointed by the City Council to administer this chapter to send a notice of any violation. When so directed, a notice of a violation shall be mailed by the Administrator/Clerk or other person appointed by the City Council to administer this chapter to any person who, in the opinion of the Administrator/Clerk or other person appointed by the City Council to administer this chapter, is in violation of the provisions of the zoning code. The notice shall state the nature of the violation and the penalty for the violation. A person who is issued a notice of violation may appeal the issuance to the City Council.
- (B) If the person to whom the notice of violation is directed fails to comply with the applicable provisions of this code, that person shall be deemed to have violated provisions of M.S. 157.16 Subd. 2 and shall be subject to enforcement action as provided

in the Health Enforcement Consolidation Act. In addition, a penalty of \$120 shall be added to the total of the license fee for any hotel, motel, or lodging establishment operating without a license for a period of up to 30 days. A late fee of \$360 shall be added to the license fee for establishments operating more than 30 days without a license.

Effective Date. This Ordinance shall become effective upon publication.

Passed by the City of Lanesboro City Council this ____ day of _____, 2024.

Jason Resseman, Mayor

ATTEST:

Mitchell Walbridge, City Administrator/Clerk

‘ 30.111 CITY OF LANESBORO FEE SCHEDULE (June 6, 2022)

WHEREAS, all fees payable to the City, by reason of this Code, shall be governed by this Chapter; except that if any Code Chapter or State law provides for or requires the payment of a fee to the City and this Chapter makes no reference thereto, then such other Code Chapter or law shall govern; and

WHEREAS, all fees shall be due and payable in full at the time specified in the applicable Code Chapter or State law, and if no such time is provided, fees shall be due and payable upon demand of the City Administrator or other authorized City Officer.

NOW THEREFORE, the City Council of the City of Lanesboro, Minnesota, ordains fees for Services are listed below and shall be as follows:

Type of Fee	Fee Amount
Fire	
Hourly Rate	\$300.00
Open Burn Permit	\$5.00
Park	
Community Center	
Auditorium, Includes use of Kitchen	\$650.00
Non Profit, Includes use of Kitchen	\$250.00
Auditorium (Gym only – 8 hour maximum)	\$40.00/hour
Community Room	\$125.00
Non Profit	\$50.00
Chamber	\$75.00
Non Profit	\$50.00
Kitchen	\$75.00
Non Profit	\$50.00
Gazebo	\$50.00
Non Profit	\$25.00
Key Deposit	\$150.00
Security Deposit	\$150.00
Parks	
Gateway Park	\$50.00/day
Non-Profit	\$25.00/day
Park Shelter	\$75.00/day
Daily Tent Camping	\$25.00
Weekly Tent Camping	\$125.00
Nightly Camper/RV	\$40.00
Weekly Camper/RV	\$200.00
EDA	
Revolving Loan Fee Application	\$100.00
Planning & Zoning	
Variance	\$100.00 \$150.00
Conditional Use Application	\$100.00 \$150.00

Rezoning Application	\$250.00
Subdivision (5 or less)	\$500.00
Subdivision (Each over 5)	\$100.00
Lot Split Application	\$50.00
Preliminary Plat	\$500.00
Final Plat	\$500.00
Street Vacation	\$200.00
B & B Initial Application	\$100.00
Home Occupation Application	\$100.00
Sandwich Board Permit -Annual	\$25.00
Transient Merchant/Solicitor/Canvasser Application	\$25.00
Annual Property Owner owned Mobile Food Unit	\$25.00
Per Occurrence Visiting Mobile Food Unit	\$25.00
Annual Visiting Mobile Food Unit	\$75.00
Building Permits:	
Up to \$500	\$10.00
\$501 - \$3,000	\$20.00
\$3,001 - \$10,000	\$50.00
\$10,001 - \$30,000	\$100.00
Over \$30,000	\$200.00
Miscellaneous	
Repairs to Public Streets, Curbs, or Sidewalks due to installation and repairs	\$350.00 in addition to Market Rate per square foot
Golf Cart License – Annual	\$20.00
Chicken Permit - Annual	\$20.00
Lodging License – Annual	\$35.00
Animal License – Annual	\$5.00
Tobacco License – Annual	\$60.00
3.2 Off Sale – Annual	\$10.00
3.2 On-Sale – Annual	\$50.00
Wine License – Annual	\$250.00
On-Sale – Annual	\$1,350.00
Club on Sale – Annual	\$250.00
Off Sale – Annual	\$100.00
Sunday Sale – Annual	\$100.00
Temporary Liquor License	\$25.00
Copies (Black & White / Colored)	\$.10/page \$0.25/page
Fax	\$0.25/page
Notary Signature	\$1.00
Research Fees	\$20.00/hour
NSF Charge	\$20.00 \$30.00
Special Meeting	\$100.00

Areas not covered may require a fee payment which shall be determined at the discretion of the City Administrator. All fees and charges in effect as of the date of the adoption of the city code for the city shall remain in effect unless otherwise modified by the provisions of this ordinance.

' 30.12 APPLICATION OF STATE LAWS.

The provisions of the Government Data Practices Act, M.S. Ch. 13, the Opening Meeting Law, M.S. Ch. 13D, and the laws relating to Gifts to Local Officials, M.S. ' 471.895, as these laws may be amended from time to time, apply to the City Council and all boards and commissions of this city and their members.