

CITY OF EMMONS
MINNESOTA

ZONING ORDINANCE # 71

Adopted by the Emmons Council on _____, 2003.
Effective date October 31, 2003

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THE CITY COUNCIL OF EMMONS, MINNESOTA, ORDAINS:

ARTICLE I
GENERAL PROVISIONS

Section 1.01 TITLE. This Ordinance shall be known and cited as the "Zoning Ordinance of the City of Emmons".

Section 1.02 PURPOSE. The purpose of this Ordinance is to promote the public health, morals, safety and general welfare of the inhabitants of the City of Emmons. To accomplish this end, this ordinance divides the City into districts and regulates the use of property therein.

Section 1.03 LEGAL AUTHORITY. The enactment of this ordinance is in pursuance of the authority granted by Minn. Stat. §462.357.

Section 1.04 COMPLIANCE. No structure located in the City shall be constructed or altered which does not comply with the regulations of this ordinance for the zoning use district in which it is or is to be located, nor shall any structure or premises be used for any purpose other than a use permitted in the district where located.

ARTICLE II DEFINITIONS

For the purposes of this ordinance, certain words and terms are herein defined:

Section 2.01 PRESENT TENSE, SINGULAR AND PLURAL. Words used in the present tense include the future tense; the singular number includes the plural and the plural includes the singular.

Section 2.02 SHALL/MAY. The word "shall" is mandatory and not merely directory. The word "may" is permissive.

Section 2.03 ACCESSORY BUILDING. A subordinate building or structure on the same lot, or part of the main building, occupied by or devoted exclusively to an accessory use.

Section 2.04 ACCESSORY USE. A use naturally and normally incidental to, subordinate to, and auxiliary to the principal permitted use of the premises.

Section 2.05 ALLEY. Any dedicated public way providing a secondary means of ingress and/or egress to land or structures thereon.

Section 2.06 BASEMENT. That portion of a building which is wholly or one-half or more below the average grade of the ground level adjoining the building is a basement, provided however, that if the height from the average grade level to the first tier of floor beams or joists is five (5) feet or more, such basement shall be considered a story.

Section 2.07 BUILDING. Any structure, either temporary or permanent, having a roof, and used or built for the shelter or enclosure of any person, animal, chattel or property of any kind.

Section 2.08 BUILDABLE AREA. That part of the lot not included within the open areas required by this ordinance.

Section 2.09 BUILDING-PRINCIPAL. A building in which is conducted the main or principal use of the lot on which said building is situated.

Section 2.10 BUILDING HEIGHT. The verticle distance measured from the average ground level adjoining the building to the highest point of the roof surface if a flat roof, to the deck line of mansard roofs, and to the mean level between eaves and ridge of gable, hip and gambrel roofs.

Section 2.11 BUILDING SETBACK LINE. The front line of the building or the legally established line which determines the location of the building with respect to the street line.

Section 2.12 CARPORT. A structure permanently attached to a dwelling having a roof supported by columns, but not otherwise enclosed.

Section 2.13 CONDITIONAL USE. A land use or development that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon finding that (1) certain conditions as detailed in this zoning ordinance exist; and (2) the use of development conforms to the land use plan of the City; and (3) the use is compatible with the existing neighborhood. A public hearing is required before issuance of a conditional use permit.

Section 2.14 DISTRICT ZONING. Any section of the incorporated area of the City of Emmons within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ordinance.

Section 2.15 DWELLING. A dwelling is any building or portion thereof which was constructed to be non-mobile and which is occupied wholly as a home, residence or sleeping place by one or more human beings either permanently or transiently. In case of mixed occupancy, where a building is occupied in part as a dwelling, it shall comply with the provisions of this ordinance relative to dwellings. Garage space, whether in an attached or detached garage, shall not be deemed a part of a dwelling.

(a) APARTMENT HOUSE. An apartment house is a dwelling for three (3) or more families, living independently of each other and doing their cooking upon the premises.

(b) BOARDING OR ROOMING HOUSE. A boarding or rooming house shall be construed to mean any dwelling occupied in any manner that certain rooms in excess of those used by members of the immediate family and occupied as a home or family unit, are leased or rented to persons outside of the family, without any attempt to provide therein cooking or kitchen accommodations.

(c) DWELLING, ONE FAMILY. A dwelling occupied by only one (1) family, and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for one (1) family only.

(d) DWELLING, MULTIPLE. A building used or intended to be used as a dwelling by three (3) or more families or an apartment house or terrace dwelling with each unit designed and arranged to provide separate cooking and sanitary facilities for each family.

(e) DWELLING, TWO FAMILY. A dwelling so designed and arranged to provide cooking and kitchen accommodations and sanitary facilities for occupancy by two (2) families.

Section 2.16 ERECTED. The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operation on the premises required for the building. Excavation, fill, drainage and the like, shall be considered a part of erection.

Section 2.17 ESSENTIAL SERVICES. The phrase "essential services" means the erection, construction, alteration or maintenance by public utilities or municipal departments or commissions, of underground or overhead gas, electrical, communication, water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, hydrants, towers, and other similar equipment and accessories in connection therewith (but not including buildings) reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions for the public health, safety or general welfare.

Section 2.18 FAMILY. A family is any number of persons living together in a room or rooms comprising a single housekeeping unit and related by blood, marriage, adoption or any unrelated person who resides therein as though a member of the family including domestic employees thereof. Any group of persons not so related, but inhabiting a single house shall, for the purpose of this ordinance, be considered to constitute one family for each five (5) persons, exclusive of domestic employees, contained in each such group.

Section 2.19 FARM. A farm shall be a parcel of land which is cultivated as a single contiguous unit. A farm, for purposes of this ordinance, does not include an area for raising or keeping animals.

Section 2.20 FARMYARD. That area of a farm immediately around a farm residence where accessory buildings are located and are being used in conjunction with general agricultural operations of a farm.

Section 2.21 FLOOR AREA, GROUND. The area within the exterior walls of the main building or structure as measured from the outside walls at the ground floor level, not including garages or enclosed or unenclosed porches and not including attached utility or accessory rooms having three or more exterior sides.

Section 2.22 GARAGE, PRIVATE. An accessory building designed or used for the storage of not more than three (3) licensed automobile, trucks or busses owned and used by the occupants of the building to which it is accessory.

Section 2.23 GARAGE, PUBLIC. Any premises used for the storage or care of motor vehicles, or place where any such vehicles are equipped for operation, repaired or kept for renumeration.

Section 2.24 GASOLINE SERVICE STATION. A building designed or used for the retail sale or supply of fuels, lubricants, and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of such

commodities on or in such vehicles, but not including special facilities for the painting, major repair or similar servicing thereof.

Section 2.25 GOVERNMENTAL AGENCIES AND OFFICIALS.

(a) BOARD OF ADJUSTMENTS AND APPEALS. The City Council shall serve as the Board of Adjustments and Appeals.

(b) ZONING ADMINISTRATOR. The Emmons City Clerk or the City Clerk's authorized representative.

Section 2.26 HOME OCCUPATION. An occupation which is customarily and traditionally conducted within a dwelling by its occupants and is clearly incidental and secondary to the principal use of the dwelling.

Section 2.27 JUNKYARD. A place where waste, discarded or salvaged materials are brought, sold, exchanged, stored, bailed, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, and used material yards, but not including pawn shops, antique shops, and places for the sale, purchase or storage of used furniture and household equipment (if the furniture and household equipment are kept in a building) or salvage material incidental to manufacturing operations.

Section 2.28 KENNEL. Any lot or premises on which three (3) or more dogs six months of age or older are kept, either permanently or temporarily.

Section 2.29 LOT. A lot is a piece or parcel of land occupied or to be occupied by a building, structure or use, or by other activity permitted thereon and including the open spaces required under this ordinance. A lot need not be a lot of existing record.

Section 2.30 LOT, CORNER. A corner lot is a lot of which at least two adjacent sides abut for their full length upon a street.

Section 2.31 LOT, COVERAGE. The part or percentage of the lot occupied by buildings including accessory buildings.

Section 2.32 LOT, DOUBLE FRONTAGE. A double frontage lot is a lot which extends from one street to another street.

Section 2.33 LOT, INTERIOR. An interior lot is a lot other than a corner lot.

Section 2.34 LOT LINE, FRONT. Each lot line abutting a street shall be considered a front lot line.

Section 2.35 LOT LINE, REAR. The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be that assumed line parallel to the front lot line, not less than ten (10) feet long, lying most distantly from the front lot line and wholly within the lot. With the exception of a double frontage lot, every lot shall have a rear lot line.

Section 2.36 LOT LINE, SIDE. A side lot line is any lot line not a front or rear lot line.

Section 2.37 LOT OF RECORD. A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Freeborn County, or a lot described by metes and bounds, the deed to which has been recorded in the office of the County Recorder of Freeborn County on the effective date of this ordinance.

Section 2.38 MANUFACTURED HOME. A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or, when erected on a site, is 320 or more square feet and which is built on a permanent chassis and is designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein, except that the term includes any structure which meets all of the requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the Department of Housing and Urban Development and complies with standards established under Minn. Stat. Chap. 327.

Section 2.39 OTHER DEFINITIONS. Certain chapters of this ordinance contain other definitions applicable particularly to such chapters. In case of any conflict between the definitions in this article and other definitions, the other definitions shall prevail in the chapters where applicable.

Section 2.40 PUBLIC UTILITY. Any person, firm corporation, municipal department or board, duly authorized to furnish and furnishing under governmental regulation to the public, electricity, gas, water, sewage disposal, communication or transportation facilities.

Section 2.41 STORY. That portion of a building included between the surface of any floor and the surface of the floor next above it, or the space between such a floor and the ceiling next above it. A basement shall be considered a story if its ceiling is over five (5) feet above the average established grade.

Section 2.42 STORY-HALF. A half story is an upper most story lying under a sloping roof, the usable floor area of which does not exceed seventy-five (75) percent of the floor area of the story immediately below it, and not used, or designed, arranged or intended to be used, in whole or in part, as an independent housekeeping unit or dwelling. A half story containing independent apartments or living quarters shall be deemed a full story.

Section 2.43 STREET. Any thoroughfare or way, other than a public alley, dedicated to the use of the public and open or not opened to public travel, whether designated as a

road, avenue, highway, boulevard, drive, lane, circle, place, court or any other similar designation, or a private street open to restricted travel and at least forty (40) feet in width.

Section 2.44 STRUCTURE ALTERATION. Any changes in the supporting members of a building such as bearing walls, columns, beams or girders or any substantial change in the roof and exterior walls.

Section 2.45 USE. The purpose for which land or building thereon are designed, arranged, or intended to be occupied or used, or for which they are occupied or maintained.

Section 2.46 YARD. A space not occupied by a building or buildings, open to the sky and on the same lot as the principal building.

Section 2.47 YARD, FRONT. A yard extending across the full width of the lot and lying between the front lot line and a line at a distance therefrom as specified by the regulations.

Section 2.48 YARD, REAR. A yard extending across the full width of the lot and lying between the rear lot line and a line at a distance therefrom as specified by these regulations.

Section 2.49 YARD, SIDE. A yard between the side lot line and a line at a distance therefrom as specified by the regulations.

ARTICLE III ZONING USE DISTRICTS

Section 3.01 ZONING USE DISTRICTS. For purposes of this ordinance, the City of Emmons is divided into the following use districts:

1. AG District - Agricultural District
2. R-1 District - Residential District
3. R-2 District - Multiple Family Residential District
4. C-1 District - General Commercial District
5. M District - Manufacturing District

The districts are shown on the accompanying map entitled "Zoning Map of Emmons, Minnesota", which map is hereby made a part of this ordinance.

Section 3.02 DISTRICT BOUNDARIES. Except where referenced otherwise, the district boundary lines follow the centerline of railroad right-of-way, streets, and alleys as they existed at the time of the adoption of this ordinance.

Section 3.03 BOUNDARY INTERPRETATION. Questions concerning district boundary lines shall be decided by the City Council.

Section 3.04 PROPERTY NOT INCLUDED - ANNEXATIONS. In every case where property has not been specifically included within a district, the same is hereby declared to be in the R-1 District. Territory annexed to or consolidated with the City subsequent to the effective date of this ordinance becomes part of the R-1 District, until placed wholly or partly in another district by amendment to this zoning ordinance as provided in this ordinance.

ARTICLE IV GENERAL REGULATIONS

The following general regulations in this article shall apply equally to all districts except where special provisions provide otherwise.

Section 4.01 COMPLIANCE REQUIRED. No land, building or structure or part thereof shall hereafter be erected, altered, constructed reconstructed, maintained, used or occupied except in conformity with the provisions of this ordinance.

Section 4.02 LOT AREA REQUIREMENTS. No lot area shall be so reduced or diminished so that the yards or other open spaces shall be smaller than prescribed herein, nor shall the number of dwelling units be increased in any manner except in conformity with the area regulations herein prescribed, nor shall the area of any lot be reduced below the minimum requirement herein established. However, where existing lots of record do not satisfy such requirements, the Board of Adjustments and Appeals may grant a variance from such requirements.

Section 4.03 APPROVAL OF PLATS. No proposed plat of a new subdivision shall hereafter be approved unless the lots within such plat shall be equal to or exceed the minimum size and width as required for the district in which the property is located, and unless the plat fully conforms with the statutes of the State of Minnesota, and ordinances and regulations of the City of Emmons.

Section 4.04 ACCESSORY BUILDINGS, RESIDENTIAL DISTRICTS. An accessory building including car ports and breezeways attached to the principal building on a lot, shall be made structurally a part thereof and shall comply in all respects with the requirements of this ordinance applicable to the principal building. No accessory building in a residential district, whether attached or detached, shall have a wall or roof made out of tarp or fabric. Except as otherwise required by Minnesota law, all accessory buildings in a residential district, whether attached or detached, shall have wood framing.

* Section 4.05 ACCESSORY BUILDINGS DETACHED, RESIDENTIAL DISTRICTS. All detached accessory buildings shall be located in the side or rear yards. When located within ten (10) feet of the side or rear wall of the principal building they shall comply with all yard requirements applicable to the principal building in the district. Where accessory buildings are to be located more than ten (10) feet from a side or rear wall of the principal building they shall not be located closer than eight (8) feet from the side/or rear lot line.

A detached accessory building on a corner lot shall not project beyond the side yard set back requirement of the principal building.

Detached accessory buildings in Residential Districts shall not exceed one (1) story or sixteen (16) feet in height; shall not occupy more than ten (10%) percent of the lot area;

shall not be larger than 26' x 28'; shall not be closer to the front lot line than the principal building; shall be of wood construction; and shall be 8' or more from any property line.

Any detached accessory building in a residential district must be enclosed, without any side open to the elements. No lot in a residential district shall have more than one detached accessory building.

Section 4.06 BUILDINGS UNDER CONSTRUCTION. Any building or structure for which a building permit has been issued and the construction of the whole or a part of which has been started, prior to the effective date of this ordinance may be completed and used in accordance with the plans and application on which said building permit was granted.

Section 4.07 ESSENTIAL SERVICES. Essential services shall be permitted in all zone districts.

Section 4.08 FENCES AND OTHER VISION OBSTRUCTING OBJECTS. No fence, wall, structure or obstruction to vision shall be erected, established or maintained on a corner lot within a triangular area bounded by the lot lines and a line connecting points on each lot line forty (40) feet from the intersection of such lot lines. An object within this area not exceeding forty-two (42) inches in height as measured from the centerline elevation of the street shall not be considered as an obstruction to vision.

Section 4.09 FRONT YARD EXCEPTIONS. When the majority of residential, commercial or manufacturing buildings have been built in a block at the time of adoption of this ordinance, no building or structure hereafter erected or altered, shall project beyond the average set back line established by existing structures, provided no building will be required to set back more than forty (40) feet in the residential or commercial zones and seventy-five (75) feet in the manufacturing zone.

Section 4.10 HOME OCCUPATIONS. In all zoning districts where home occupations are authorized, the following regulations governing said home occupations shall be complied with:

- (a) Said use shall not occupy an area of more than twenty-five (25) percent of the total area of the dwelling.
- (b) No such home occupation shall require substantial interior or exterior alterations of the dwelling.
- (c) Said use shall not create odor, dust, noise, electrical disturbances, glare of vibrations noticeable outside of the dwelling.
- (d) There shall be no outside storage of material or equipment or display of merchandise.

(e) No sign shall be allowed other than one (1) unilluminated name plate measuring not more than one (1) by one and one-half (1 1/2) feet in area attached near the building entrance.

(f) There shall be no sale of goods other than those that are produced at the site.

(g) The occupation is to be conducted solely by permanent occupants of the dwelling in which it is located except that one (1) accessory personnel if necessary to the occupation may be employed.

Section 4.11 STRUCTURES, NOT INCLUDED IN HEIGHT OF BUILDING.

Chimneys, cooling towers, elevator bulk head, fire towers, grain elevators, silos, stacks, tanks, water towers, pumping towers, radio or television towers, monuments, cupolas, steeples and mechanical appurtenances pertaining to and necessary to the permitted use of the district in which they are located, shall not be included in calculating the height of the principal structure.

Section 4.12 LOT, DOUBLE FRONTAGE. Double frontage lots shall maintain a yard on both streets conforming to the requirements for front yards on those streets.

Section 4.13 LOT CORNER. Corner lots shall maintain a yard on both streets conforming to the requirements for front yards on those streets.

Section 4.14 NON-CONFORMING USES. Any lawful use or occupation of land or premises, existing at the time of the adoption of this ordinance, may be continued, including through repair and maintenance, but if the non-conformity or occupancy is discontinued for a period of more than one year or a non-conforming use is destroyed by fire or other peril to the extent greater than 50% of its market value, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.

Section 4.15 NON-CONFORMING USE, CHANGE. A non-conforming use cannot be changed to a comparable non con-forming use. Whenever a non-conforming use has been changed to a conforming use, or to a use permitted in a district of greater restrictions, it shall not thereafter be changed to a non-conforming use of a less restricted district.

Section 4.16 NON-CONFORMING USE, ZONE CHANGE. The foregoing provisions relative to non-conforming uses shall apply to uses which hereafter become non-conforming due to classification or reclassification of districts under this ordinance.

Section 4.17 TEMPORARY DWELLING. It shall not be lawful for any person to erect or occupy a temporary dwelling on any lot or parcel of land in the City of Emmons, except that travel trailers and motor home coaches can be used for such purpose for a period of not over four (4) weeks. Residing in basement or foundation structures before the completion of the total structure shall not be permitted.

ARTICLE V
AG AGRICULTURAL DISTRICTS

Section 5.01 USES PERMITTED.

- (a) one and two family dwellings
- (b) general crop farming.
- (c) truck gardens and nurseries
- (d) public, parochial, private and nursery schools, churches and community buildings.
- (e) accessory buildings or structures and uses customarily incidental to any of the above listed uses when located on the same property.

Section 5.02 USES REQUIRING CONDITIONAL USE PERMITS.

- (a) office of a veterinary and animal clinics
- (b) public utility buildings such as substations, transformer stations and regulator stations without service or storage yards.
- (c) one (1) temporary building for the sale of produce raised on the property , located not less than twenty (20) feet from the street or highway right-of-way line and provided that space for patron parking twenty (20) feet from said street or highway right-of-way line is provided.
- (d) public and private parks, campgrounds, gun clubs, museums, and related commercial uses.
- (e) cemeteries.
- (f) kennels provided no cage or pen housing such animals is located nearer than two hundred (200) feet to any lot line.
- (g) commercial radio and television towers and transmitters.
- (h) sanitary land fills and dumps.
- (i) commercial outdoor recreation areas.
- (j) extraction of gravel and minerals.

(k) golf courses and driving ranges.

(l) accessory buildings or structures and uses customarily incidental to any of the above listed uses when located on the same property.

Section 5.03 EXCEPTIONS ALLOWED. Accessory buildings shall be exempt from all other provisions of this ordinance provided they comply with setback and yard requirements of the AG (Agricultural) Districts.

Section 5.04 BUILDING HEIGHT. In Ag districts, no residential building, hereafter erected or altered shall exceed thirty-five (35) feet or two and one-half (2 1/2) stories in height whichever is less. Provided, however, public or semipublic buildings, churches, or schools may be erected to a height of fifty-five (55) feet when set back from all lot lines not less than one (1) foot, in addition to required dimensions, for each foot such building exceeds thirty-five (35) feet in height.

Section 5.05 LOT AREA, LOT WIDTH AND YARD REQUIREMENTS. The following standards shall be a minimum in an Agricultural District:

Lot Area 5 acres

Lot Width 200' abutting the public right of way and at least 200' at the building line.

Front Yard Structures shall be at least 50' from the public right of way

Side Yard Structures shall be at least a number of feet equal to 10% of the front lot line from the side lot line

Rear Yard Structures shall be at least 20' from the rear lot line

Corner Lots The yards abutting a street shall be considered the same as a front yard and shall meet the set back requirements for front yards

ARTICLE VI
R-1 RESIDENTIAL DISTRICTS

Section 6.01 USES PERMITTED.

- (a) one family dwellings
- (b) two family dwellings
- (c) home occupation
- (d) public parks and playgrounds
- (e) temporary buildings or structures for uses customarily incidental to any of the above listed uses when located on the same property.

Section 6.02 USES REQUIRING CONDITIONAL USE PERMITS.

- (a) public, private and nursery schools, churches, community buildings, day care centers and rest homes.
- (b) truck gardens and nurseries, tourist campsite, and cemeteries.
- (c) public utility buildings such as substations, transformer stations and regulator stations without service or storage yards.
- (d) accessory buildings or structures and uses customarily incidental to any of the uses listed in this section when located on the same property.

Section 6.03 BUILDING HEIGHT. In R-1 Districts no residential building, hereafter erected or altered, shall exceed thirty-five (35) feet or two and one-half (2 1/2) stories in height. Provided, however, public and semi-public buildings, churches, or schools may be erected to a height of fifty-five (55) feet when set back from all lot lines not less than one (1) foot, in addition to required yard dimensions, for each foot such building exceeds thirty-five (35) feet in height.

Section 6.04 LOT AREA, LOT WIDTH AND YARD REQUIREMENTS. The following standard shall be a minimum in a R-1 District:

<u>Lot Area</u>	12,000 square feet
<u>Lot Width</u>	100' abutting the public right of way and 100' at the building line
<u>Front Yard</u>	Structures shall be at least 40' from the public right of way

Side Yard

Structures shall be at least a number of feet equal to 10% of the front lot line from the side lot line but in no case less than 8' from the side lot line

Lot Coverage

Structures shall not exceed 25% of the lot area

Rear Yard

Structures shall be at least 10' from the rear lot line

Corner Lots

The yards abutting a street shall be considered the same as front yards and shall meet the set back requirements for front yards

ARTICLE VII
R-2 RESIDENTIAL DISTRICTS

Section 7.01 USES PERMITTED

- (a) One family dwellings
- (b) Two family dwellings
- (c) apartment houses in groups of not more than sixteen (16) house-keeping units in any building.
- (d) public parks and playgrounds.
- (e) accessory buildings or structures and uses customarily incidental to the principal uses when located on the same property.

Section 7.02 USES REQUIRING CONDITIONAL USE PERMITS.

- (a) boarding and rooming houses
- (b) manufactured home parks
- (c) public utility buildings such as substations, transformer and regulator stations without service or storage yards.
- (d) public, private and nursery schools, churches, community buildings, daycare centers.
- (e) accessory buildings or structures and uses customarily incidental to any of the uses listed in this section when located on the same property.

Section 7.03 BUILDING HEIGHT. Buildings hereafter erected or altered shall not exceed thirty-five (35) feet or two and one half (2 1/2) stories in height.

Section 7.04 MANUFACTURED HOME PARK REQUIREMENTS. Special requirements for manufactured home parks are stated in the article "Manufactured Home Parks".

Section 7.05 LOT AREA, LOT WIDTH AND YARD REQUIREMENTS. The following standards shall be a minimum in R-2 Districts:

<u>Lot Area</u>	12,000 square feet for 1, 2, and 3 family dwellings; 15,000 square feet for dwellings for 4 or more families; 16,000 square feet for other permitted uses
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<u>Lot Width</u>	100' abutting the public right of way and 100' at the building line
<u>Front Yard</u>	Structures shall be at least 40' from the public right of way
<u>Side Yard</u>	Structures shall be at least the number of feet equal to 10% of the front lot line from the side lot line and in no case less than 8 feet from the side lot line
<u>Lot Coverage</u>	It shall not exceed 40%
<u>Rear Yard</u>	Structures shall be at least 10' from the rear lot line
<u>Corner Lots</u>	In the case of corner lots, side yards abutting the street shall be the same as front yards and shall meet the set back requirements indicated for front yards

ARTICLE VIII
C-1 GENERAL COMMERCIAL DISTRICTS

Section 8.01 USES PERMITTED.

- (a) business services including banks, offices and post offices.
- (b) clothing services including laundries, laundromats, dress-making, millinery and tailor shops, shoe repair shops.
- (c) automobile, truck and boat sales and service establishments including equipment sales, gasoline service stations and commercial garages.
- (d) food services including grocery stores, restaurants, bars and bakeries.
- (e) personal services including barber and beauty shops.
- (f) retail services including appliance stores, drug stores, hardware stores, lumberyards, apparel shops, liquor stores and show rooms for articles to be sold at retail.
- (g) public utility buildings and transformer stations without storage yards.
- (h) medical, dental, eye and animal clinics.
- (i) bowling alleys.
- (j) public buildings.
- (k) any commercial establishment or professional service or commercial service not specifically stated or implied elsewhere in this ordinance.
- (l) residence when included as an integral part of the principal building to be occupied by the owner or the owner's employee.
- (m) buildings and uses customarily necessary to any of the above uses. Such uses shall not be detrimental either by reason of odor, smoke, noise, dust or vibration to the surrounding neighborhood.

Section 8.02 USES REQUIRING CONDITIONAL USE PERMITS.

- (a) machinery sales and service establishments including open air display areas for the sale of such products.

(b) new and used car sales lots

(c) grain storage and handling facilities, fertilizer sales and related sales of agricultural products.

(d) motels

(e) other commercial uses determined by the City Council to be of the same general character as the principal uses listed above and found not to be detrimental to the general public health and welfare.

Section 8.03 BUILDING HEIGHT. No building or structure hereafter erected or altered shall exceed thirty-five (35) feet or two (2) stories in height.

Section 8.04 LOT AREA, LOT WIDTH AND YARD REQUIREMENTS. The following requirements shall be a minimum in a C-1 District 1:

Lot Area 5,000 square feet.

Lot Width 50 feet abutting the public right of way and at least 50 feet at the building line.

Front Yard No requirement.

Rear Yard Structures shall be at least 25' from the rear lot line. Where alleys exist, the measurement may include one-half of the width of the alley.

Side Yard Structures shall be at least 10' from the side lot line except in the central business district and except that no building shall be located within 30' of any abutting agricultural, R-1 or R-2 District.

ARTICLE IX
MANUFACTURING DISTRICTS

Section 9.01 USES PERMITTED

- (a) building materials storage yards, lumber yards, and grain elevators.
- (b) contractors or farm equipment sales or rental storage yards.
- (c) any wholesale business including processing, warehousing, and storage buildings, including cold storage.
- (d) public utility service buildings and yards, electrical transformer stations, sub-stations and gas regulator stations.
- (e) woodworking shops, sign manufacturing shops, machine shops.
- (f) carting, expressing and hauling companies and their related storage buildings.
- (g) stone and monument works and display areas.
- (h) tool and die manufacturer, sheet metal shops, welding shops.
- (i) automobile and truck service, painting, and repair.

Uses permitted in c, d, e, f, g, h, and i above shall be conducted wholly within a building except that the display area under (a), (b) and (g) is exempt.

Section 9.02 USES REQUIRING CONDITIONAL USE PERMITS.

- (a) fuel storage.
- (b) cement and concrete works.
- (c) auto wrecking and junk yards.
- (d) other manufacturing or industrial uses determined by the City Council to be of the same general character as the principal uses previously listed and found not to be detrimental to the general public health and welfare.
- (e) uses customarily necessary to the uses previously listed and found not to be detrimental to the general public health and welfare.

Section 9.03 USES PROHIBITED

- (a) dwelling units of any type
- (b) schools, clinics and other institutions for human care, except where incidental to a permitted principal use.

Section 9.04 STORAGE OF MATERIALS. Requirements for the storage of materials shall be as follows:

- (a) the open storage of lumber, coal or other combustible material shall not be less than twenty-five (25) feet from an interior lot line.
- (b) open storage of junk, wrecked vehicles to be dismantled, or other waste products shall be enclosed by an eight (8) foot solid wall or fence.
- (c) waste materials incidental to the principal operation shall be kept in neatly stored containers screened from public view and shall be removed and emptied periodically so as no wastes shall be piled on open ground.

Section 9.05 BUILDING HEIGHT. No building or structure hereafter erected or altered shall exceed forty (40) feet in height except that such height limitations shall not apply to grain elevators and associated grain handling and storage equipment.

Section 9.06 LOT AREA, LOT WIDTH AND YARD REQUIREMENTS. The following shall be minimum requirements in all manufacturing districts:

<u>Lot Area</u>	10,000 square feet.
<u>Lot Width</u>	200' abutting the public right of way and at least 100' at the building line.
<u>Front Yard</u>	Structures shall be at least 75' from the public right of way.
<u>Rear Yard</u>	Structures shall be at least 50' from the rear lot line.
<u>Side Yard</u>	Structures shall be at least 20' from the side lot line.

Section 9.07 ACCESSORY BUILDINGS AND USES. Accessory buildings such as buildings for guard shelters, gate houses and transformer buildings may be located in the front or side yard when a minimum of twenty-five (25) foot setback is provided from the property line.

Section 9.08 OFF-STREET PARKING AND UNLOADING-LOADING FACILITIES. All off-street parking and loading-unloading spaces shall be located on property contiguous to the land on which the principal use is located.

ARTICLE X MANUFACTURED HOME PARKS

Section 10.01 GENERAL REQUIREMENTS. The sanitary regulations prescribed by the State Board of Health or other authority having jurisdiction and the regulations of the State Building Code shall be complied with in addition to the regulations set forth in this article.

Section 10.02 SIZE. Any manufactured home park established after the effective date of this ordinance shall contain not less than ten (10) mobile home lots.

Section 10.03 ACCESS. Each manufactured home park shall abut upon a public street.

Section 10.04 ENTRANCE. No vehicular entrance to or exit from any manufactured home park shall be located within two hundred (200) feet along streets from any school, public playground or church, except where such property is in another block or another street which the premises in question do not abut.

Section 10.05 PARK SETBACK. Manufactured home parks shall be set back twenty-five (25) feet from front and rear property lines and twelve (12) feet from side property lines.

Section 10.06 BUILDING HEIGHT. No building or structure hereafter erected or altered in a manufactured home park shall exceed twenty-five (25) feet or one and one-half (1 1/2) stories in height.

Section 10.07 INTERIOR REQUIREMENTS. The following requirements shall apply to the interior of the manufactured home park.

(a) Interior Streets. The minimum roadway width of interior one-way streets with parking permitted on one side shall be twenty-one (21) feet. The minimum roadway width of two-way streets with parking permitted on one side shall be thirty (30) feet. The minimum width of two-way streets without parking shall be twenty (20) feet. Such streets shall be paved according to City specification for residential streets, maintained in good condition and lighted at night.

(b) Lot Area. The minimum lot area per manufactured home site shall be four thousand three hundred (4,300) square feet.

(c) Utilities. Each manufactured home shall be equipped with one electric outlet and hookups for municipal water and sewer. Fire hydrants shall be located in accordance with generally accepted practices as determined by the City fire chief.

(d) Distance Between Manufactured Homes. The minimum distance between neighboring manufactured homes shall be twenty (20) feet.

(e) Setback from Interior Streets. No manufactured home shall be located closer than ten (10) feet to the traveled portion of an interior street.

(f) Off Street Parking. Paved off-street parking shall be provided with the ratio of two (2) spaces for each manufactured home lot.

Section 10.08 REQUIRED IMPROVEMENTS. In order that a manufactured home park may be harmonious within itself and also with the surrounding area, the following improvements shall be required:

(a) Adequate provisions for the control of surface drainage, approved by the City Engineer must be incorporated on the site.

(b) All areas not used for access, parking, circulation, buildings and service shall be completely and permanently landscaped and the entire area maintained in good condition.

(c) Skirting for manufactured homes is required and shall be in accordance with the decor of the manufactured home and in good repair. Each manufactured home shall be parked upon a jack or block approved by the manufactured home park operator. No manufactured home shall have its wheels removed except for repairs, be placed on walls or any other temporary or permanent foundation not a part of the approved plan for the manufactured home park and no other building or structure shall be attached to it or located on the same lot other than one (1) utility cabinet which shall be no larger than one hundred (100) square feet and which shall be approved by the Zoning Administrator. This shall not prevent the use of an awning of aluminum, canvas or fiberglass which space may be enclosed by mesh screen and which shall not be larger than one hundred (100) square feet in floor area.

(d) Manufactured Home Anchorage: Each manufactured home and other structures located in a manufactured home park shall be securely anchored to the ground in such a manner as to withstand wind pressures specified for such manufactured homes or tiedown anchorage sufficient to withstand a free field wind velocity of 80 miles per hour.

Section 10.09 COMMERCIAL OPERATION. No commercial operation shall be conducted within the park other than those necessary in the operation thereof. A common laundering facility is an allowed use. Commercial sales lots for mobile homes are prohibited.

Section 10.10 PARKING PROHIBITED. The parking or storage of a recreational camping vehicle in an accessory private garage building or in a rear yard in any district shall be permitted provided no permanent living quarters shall be maintained or any business conducted in such vehicle while so parked or stored.

Section 10.11 PERMIT REQUIRED. It shall be unlawful for any person to establish, maintain or operate a manufactured home park or the facilities therein unless such person shall first procure a permit from the City of Emmons. Compliance with the provisions of this ordinance is necessary to obtain said permit. An application for a manufactured home park permit shall be filed with the Zoning Administrator and shall contain the following:

- (a) name and address of applicant;
- (b) location and legal description of the park;
- (c) a plan showing complete compliance with this ordinance - said plan shall be certified by a registered engineer and shall contain the following information:

- (1) a plan of the park showing its relationship to surrounding area - the plan shall show locations of entrances and exits.

- (2) a site plan showing the unit parking spaces, roads and open spaces and the location of all permanent buildings located within the manufactured home park.

- (3) plans for the installation and location of all utilities to serve the occupants.

- (4) topographic information to adequately show surface drainage patterns.

- (5) such other information as may be requested by the Zoning Administrator to enable the Zoning Administrator to determine if the proposed park will comply with all legal requirements.

Section 10.12 TRANSFER OF PERMIT. A request for transfer of the permit shall be treated in the same manner as an original application for a permit.

Section 10.13 ADDITIONAL REQUIREMENTS. In addition to the foregoing, the City Council may impose such other conditions, requirements or limitations concerning the design, development and operation of such manufactured home park as it may deem necessary for the protection of adjacent properties and the public interest.

ARTICLE XI SITE PLAN

Section 11.01 SITE PLAN REQUIRED.

(a) All planned buildings and/or structures or uses of land, whether they be new, substantially changed, converted or reconstructed must secure approval of a site plan from the Zoning Administrator.

(b) No building shall commence or building permit shall be issued prior to approval of the site plan.

Section 11.02 BASIC INFORMATION REQUIRED. A site plan shall contain such of the following basic information as is pertinent to the proposed use of the land:

- (1) name and address of the developer
- (2) name and address of the property owner.
- (3) signature, registration number and address of the professional engineer, surveyor or architect who assisted in the development of the site plan.
- (4) survey information including distances with angles or bearings and north points.
- (5) plan scale not exceeding one inch equaling 50 feet.
- (6) zoning classification of the land and names of adjoining land owners and zoning classification of adjacent lands.
- (7) small key (Location) map
- (8) existing and proposed contours or spot grades at no more than two-foot intervals if requested by Zoning Administrator
- (9) existing and proposed street entrances and widths.
- (10) location dimensions and area of existing buildings not to be razed.
- (11) proposed buildings with location dimensions, building area and height.
- (12) distance on all sides between buildings and property lines and between buildings.
- (13) building use

(14) area of land in square feet

(15) drainage design for roof areas, parking lots and driveways, showing area for or method of disposal of surface runoff waters if requested by the Zoning Administrator.

(16) location and use of all buildings on adjacent lands that are within 50 feet of the property line of the property in question.

(17) limits and location of proposed or existing street cartways, curbs, sidewalks, easements and right-of-way.

(18) location, size and elevation of proposed or existing sanitary sewerage facilities, storm sewers, catch basins, and drywells if requested by the Zoning Administrator.

(19) location and approximate diameter of proposed or existing trees and other woody stemmed plantings together with the common names of the plantings if requested by the Zoning Administrator.

(20) limits and location of plantings or physical structures designed for screening if requested by the Zoning Administrator.

(21) limits and location of parking lots, driveways, parking bays, outside storage; garbage areas; loading and unloading areas and surfacing and screening thereof if requested by the Zoning Administrator.

Section 11.03 PROCEDURE.

(1) Seven copies of the site plan shall be filed with the Zoning Administrator.

(2) The Zoning Administrator shall review an application and recommend modification if necessary. Within sixty days from the time the site plan is filed, the Zoning Administrator shall give a written approval or disapproval.

(3) A disapproval of the site plan may be appealed to the Board of Adjustments and Appeals.

Section 11.04 COMPLIANCE REQUIRED.

(1) It shall be the duty of the Zoning Administrator to insure that the approved site plan is followed by the owner or developer.

(2) No departure from the approved site plan shall be permitted without the express written permission of the City Council.

(3) The land area of a site developed pursuant to an approved site plan shall not thereafter be reduced in size, and no substantial change shall thereafter be made in the site plan or structures thereon without the express written permission of the Zoning Administrator; the procedure for review and approval or disapproval shall be the same as for the initial application.

ARTICLE XII
Board of Appeals and Adjustments

Section 12.01 POWERS AND DUTIES. The Board of Appeals and Adjustments has the following powers with respect to this zoning ordinance:

(1) To hear and decide appeals where it is alleged that there is an error in an order, requirement, decision, or determination made by an Administrative Officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of the circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this ordinance. "Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by this ordinance, the plight of the land owner is due to circumstances unique to the property not created by the land owner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undo hardship if reasonable use for the property exists under the terms of this ordinance. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in Minn. Stat. §216C.06, Subd. 2, when in harmony with this ordinance. The Board of Appeals and Adjustments may not permit as a variance any use that is not permitted under this ordinance for property in the zone where the affected person's land is located. The board may permit as a variance the temporary use of a one family dwelling in a two family dwelling. The board may impose conditions in the granting of variances to insure compliance and to protect adjacent properties.

Section 12.02 PROCEDURE. Within sixty (60) days of filing a written request for a variance or an appeal from an administrative order or determination, the board shall determine whether to grant the variance or appeal. If the board makes no decision within said sixty period the application for the variance or appeal will be deemed approved pursuant to the provisions of Minn. Stat. §15.99. Before determining whether to approve any variance or appeal, the board shall hold a public hearing thereon, and shall hear such persons as wish to be heard, either in person or by agent or attorney. Notice of such hearing shall be published in the city's official newspaper at least ten (10) days prior to the date of hearing. In addition, notice of such hearing shall be mailed not less than ten (10) days before the date of hearing to the person or persons who filed the appeal or request and in the case of a request for variance to each owner of property situated wholly or partly within three hundred fifty (350) feet of the property to which the variance relates.

A map containing the names and addresses of the property owners within 350 feet of the property whereon the variances requested shall be submitted with and made a part of the application for variance.

ARTICLE XIII ADMINISTRATION

Section 13.01 ENFORCEMENT. The provisions of this ordinance shall be administered by the Zoning Administrator .

Section 13.02 COMPLIANCE REQUIRED. The Zoning Administrator shall examine site plans to determine whether the proposed construction, alteration, repair, enlargement, and proposed use shall comply with the provisions of this ordinance and shall endorse thereon the date of the administrator's approval.

If it shall be determined that for any reason the site plan will not be approved, the Zoning Administrator shall notify the applicant in writing stating the reason for refusing to grant the approval within 60 days of the filing of the site plan with the Zoning Administrator.

Section 13.03 PROCEDURES FOR CONDITIONAL USE PERMITS. The following procedures shall be followed in requesting a conditional use:

- (a) The applicant for a conditional use permit shall file this application with the Zoning Administrator on forms provided by the City and when the application is filed pay a fee determined by the City Council. The application shall contain the legal description of the property for which the permit is sought.
- (b) The applicant shall submit at the time of application a map showing the names and addresses of all property owners and occupants within three hundred fifty (350) feet of the property in question.
- (c) In support of determining the issuance of the conditional use permit, and before setting the date for public hearing, the City Council may require preliminary architectural drawings or sketches on all buildings or group of buildings showing front, side and rear elevations of the proposed building, structure or other improvements at their proposed location on the lot and as the same will appear after the work has been completed.
- (d) The City Council shall set the date for public hearing for its next regular meeting after compliance with the above specified provisions and shall within sixty (60) days from the date of the filing of the application with the Zoning Administrator make its decision concerning the permit.
- (e) No conditional use permit shall be granted or denied until a public hearing has been held thereon by the City Council. A notice of the time, place, and purpose of the hearing shall be published in the city's official newspaper at least 10 days prior to the date of the hearing. A similar notice shall be mailed at least 10 days before the date of the hearing, to the applicant, to each owner of the affected property, and the owner of each property situated wholly or partly within 350' of the property for which the conditional use permit is sought. For the purpose of giving mailed notice,

the person responsible for mailing the notice may use any appropriate records to determine the names and addresses of owners.

(f) The applicant or his representative shall appear before the City Council and answer any questions concerning the proposed conditional use.

(g) The City Council shall consider possible adverse affects of the proposed conditional use and what additional requirements may be necessary to prevent such adverse affects

Section 13.04 **CONDITIONAL USE PERMIT REVIEW CRITERIA.** The City Council, in considering an application for a conditional use permit, shall prepare its report and make findings on the following criteria:

(a) that the establishment, maintenance or operation will not be detrimental to or endanger the public health, safety, or general welfare and is not contrary to established standards, regulations or ordinances of other governmental agencies.

(b) that each structure or improvement is so designed and constructed that it is not unsightly, undesirable or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the city and the use district wherein proposed.

(c) that the use will not be substantially injurious to the permitted uses, not unduly restrict the enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values within the area.

(d) that the establishment of the use will not impede the orderly and normal development and improvement of the surrounding property for uses permitted in the zoning district.

(e) that adequate water supply and sewage disposal facilities are provided and in accordance with applicable standards.

(f) that adequate access roads, on site parking, on site loading and unloading berths and drainage have been or will be provided and that the use will not result in traffic congestion.

(g) that adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion on public roads.

(h) that the use will conform to all applicable regulations of the district wherein proposed.

(i) that the use will not have a material adverse affect on the environment.

(j) that the use will not create excessive additional public expense.

Section 13.05 GRANTING A CONDITIONAL USE PERMIT. The City Council may approve the conditional use permit if the applicant makes a showing that the standards and criteria in this ordinance will be satisfied. The City Council may impose conditions upon granting a conditional use permit to insure compliance with this ordinance and to protect adjacent properties in the best interest of the city as a whole.

Section 13.06 FILING OF PERMIT. If the City Council grants a conditional use permit, a certified copy shall be filed with the county recorder or registrar of titles. The conditional use permit shall include a legal description of the property.

Section 13.07 REVOCATION OF A CONDITIONAL USE PERMIT. The City Council may revoke a conditional use permit if any of the conditions of the permit are violated.

ARTICLE XIV CHANGES AND AMENDMENTS

Section 14.01 PROCEDURE FOR AMENDING. An amendment to this ordinance may be initiated by the council or by a petition of not less than 50% the owner's of property within 350' of the proposed change. If a petition is submitted to the council, the council shall decide within 60 days of the date the petition is submitted to the Zoning Administrator whether to grant the petition and amend this ordinance.

Section 14.02 PUBLIC HEARING. This ordinance shall not be amended until a public hearing on the proposed amendment has been held by the City Council. A notice of the time, place and purpose of the hearing shall be published in the city's official newspaper at least 10 days prior to the day of the hearing. When an amendment involves changes in district boundaries affecting an area of 5 acres or less, a similar notice shall be mailed at least 10 days before the hearing to each owner of affected property and property situated wholly or partially within 350' of the property to which the amendment relates. For the purpose of giving mailed notice, the personal responsible for mailing the notice may use any appropriate records to determine the name and address of the owners.

Section 14.03 VOTE REQUIRED FOR AMENDMENT. The City Council may amend the Zoning Ordinance by a majority vote of all the council members. However, an amendment of this Zoning Ordinance which changes all or part of the existing classification of a Zoning Ordinance from residential to commercial or manufacturing shall require a 2/3rds majority vote of all members of the council.

Section 14.04 PETITIONS PREVIOUSLY DENIED. A period of not less than one (1) year is required between presentation of the same petitions for a change or amendment applying to a specific piece or property where a prior petition was denied unless there has been a substantial change of facts.

Section 14.05 FEES. A fee to be determined by resolution of the City Council shall be paid with each petition presented for a change or amendment to the Zoning Ordinance. Said fee shall assist in covering the cost of advertising and printing and shall be paid to the Zoning Administrator.

ARTICLE XV VIOLATION AND PENALTIES

Section 15.01 VIOLATIONS. In the event of a violation, or threatened violation, of this ordinance, in addition to other remedies, the City Council may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violation, or threatened violations, and it is the duty of the City Attorney to institute such actions.

Section 15.02 PENALTIES. Any person, firm, corporation or entity who violates any of the provisions of this ordinance, shall be guilty of a misdemeanor.

Each day that a violation is committed, or permitted to exist, shall constitute a separate offense. The imposition of any fine or sentence shall not exempt the offender from compliance with the requirements of this ordinance, and the City may pursue, by appropriate actions or proceedings, any or all additional other remedies.

ARTICLE XVI
VALIDITY

Section 16.01 This ordinance and the various parts, sentences, paragraphs, sections and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjusted to be unconstitutional or invalid for any reason by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance.

Passed by the City Council of Emmons, Minnesota, this 8th day of September, 2003.



Mayor

ATTEST:



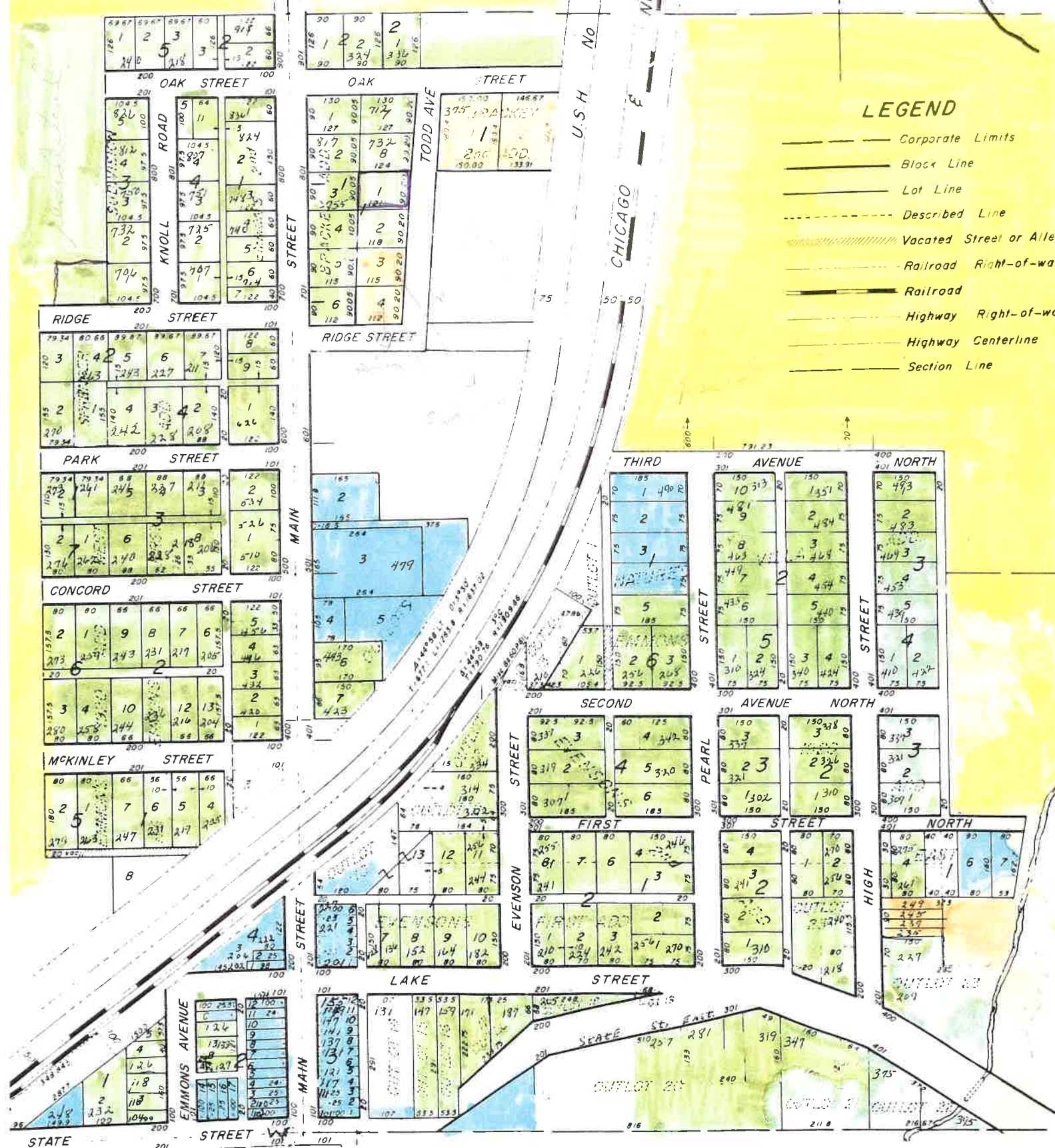
Clerk

Yellow AGRICULTURAL
 Blue GENERAL COMMERCIAL
 Green RESIDENTIAL
 Orange MULTIPLE FAMILY

GATEWAY

LEGEND

- Corporate Limits
- Block Line
- Lot Line
- Described Line
- Vacated Street or Alley
- Railroad Right-of-way
- Railroad
- Highway Right-of-way
- Highway Centerline
- Section Line



CITY OF EMMONS

**AFFIDAVIT
OF PUBLICATION**
State of Minnesota
SS.
COUNTY OF FREEBORN

Christine Moser, being duly sworn on oath says that she is the publisher or authorized agent and employee of the publisher of the newspaper known as The Albert Lea Tribune, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed legal which is attached was cut from the columns of said newspaper, and was printed and published on:

October 31, 2003
and printed below is a copy of the lowercase alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: *Ch Moser*
PUBLISHER/AUTHORIZED AGENT

Subscribed and sworn to before me this 31st day of October, 2003

BY: *Lisa K. Foley*
Notary Public



ORDINANCE NO. 70

**ZONING ORDINANCE FOR THE
CITY OF EMMONS**

The Emmons City Council on September 9, 2003, passed a zoning ordinance for the City of Emmons. This ordinance divides the city into five (5) types of zoning districts: agricultural districts; residential districts; multiple family residential districts; general commercial districts; and manufacturing districts. A zoning map, which is part of this ordinance, shows where these districts are located within the city. The zoning ordinance provides regulation for the use of land and buildings in each district. The ordinance regulates such things as location, height, width, and number of stories, of buildings and structures. The zoning ordinance also regulates such things as the percentage of a lot which can be occupied, the size of yards and open spaces, the permissible use of buildings, and many other items relating to land and buildings within the city.

This is a summary of the ordinance. A printed copy of the entire zoning ordinance is available for inspection by any person during regular office hours at the office of the city clerk.

/s/Barb Sveen
City Clerk

Published in the Albert Lea Tribune
on the 31st day of October, 2003.

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