



## AGENDA ITEM # 6.3

### REPORT TO CITY COUNCIL

**Report Prepared by: Dawn Bittner**

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**Date:** March 5, 2020

**Subject:** Ordinance Amendment regarding lighting in the Public Zone

**Report:** The City found the downward directional, solar light, did not adequately light the American Flag in the new flag display. Hard-wiring a light at the top of the flagpole was more expensive than up-lighting the flag. We have prepared the attached Ordinance Amendment for your consideration. The red text is the proposed language to be added.

The Planning Commission recommends (5 – 1) the City Council amend the City Code as proposed.

**Council Action Requested:**

- A. Council motion amending Chapter 17 of the City Code regarding lighting in the Public Zone;
- B. Council motion authorizing summary publication. (4/5 vote required)

**ORDINANCE NUMBER 20-\_\_\_, SECOND SERIES  
AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE  
REGARDING LIGHTING IN THE PUBLIC ZONE  
CITY OF PEQUOT LAKES  
COUNTY OF CROW WING  
STATE OF MINNESOTA**

The City Council of the City of Pequot Lakes does ordain as follows:

**Purpose and Intent:** The purpose and intent of this ordinance is to amend Chapter 17 of the Pequot Lakes City Code regarding lighting in the Public Zone.

**Amendment:** Chapter 17, Article 5.15 shall be amended as follows:

**Section 17-5.15 PUBLIC (P)**

1. **Purpose and Intent:** To establish and maintain a land use district for existing public use of land or for land properly suited for public facilities, parks and open spaces and other locations for public or semipublic use.
2. **Compatibility:** Public zones are compatible with and can be established adjacent to every other zoning classification, and any property that meets the purpose and intent of this zoning classification may be zoned Public.
3. **Lot, Use, and Density Requirements:**

Lot width– feet, minimum	25
Buildable lot area – square feet, minimum	2,250
Setback, right of way, City road- feet, minimum	1
Setback, right of way, County or State road, feet, minimum	10
Setback, side yard – feet, minimum	0
Setback, rear – feet, minimum	10
Setback, sign – feet, minimum	1
Setback, parking from building or lot line – feet, minimum	0
Setback, wetland – feet, minimum	30
Impervious Coverage with storm sewer available	90%
Impervious Coverage without storm sewer available	50%
Building height – feet, maximum	25
Flag Pole height – feet, maximum	30
Building above highest groundwater level – feet, minimum	3

4. **Performance Standards:** The following performance standards apply to all development in this zone:

- A. General. All proposed development in the Public zone shall be reviewed by the Planning Commission, which will make recommendations to the City Council.
- B. Compatibility of Use. Use shall be compatible with the surrounding neighborhood. Uses shall not present noise, odor, light, or any other nuisances.
- C. Parking. To reduce the visual impacts and amount of surface parking, parking structure, shared parking, surface parking located behind or to the side of a building shall be encouraged whenever possible. Additionally, suitable trees and shrubs shall be planted between parking lots and all adjacent sidewalks, roads, lots, and buildings.
- D. Screening. All sites shall be landscaped to provide 50% screening of structures to adjacent residential parcels and 10% screening from the road or any non-residential parcel, to be established within 3 years. Percentages shall be determined by the amount of structure that can be seen during leaf-on conditions.
- E. Lighting. ~~Lighting shall be downward directional and shall be compatible with the surrounding development. Signs approved with lights must be turned off at the close of business each day.~~ All building entrances, pathways and other pedestrian areas shall be lit with pedestrian-scale lighting including wall mounted, sidewalk lamps, bollards, or landscape up-lighting.
- F. Fences. Fences not exceeding 96 inches in height may be constructed. Under no circumstances shall a fence be constructed closer than 10 feet from the surface of a public road and in all cases not within the public right-of-way. Materials shall consist of usual fencing materials with posts and fence of metal, wood, concrete, brick, or smooth wire. Barbed or electrified wire is prohibited, except where specific approval has been given by the Planning Commission.
- G. Vegetation Removal, Intensive. The submittal requirements and procedures contained in Section 5.4 "Forest Management (FM), Subparts 4b and 4c shall be met and followed.

**Effective Date:** This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

**Repeal:** This ordinance shall repeal all ordinances inconsistent herewith.

Passed by the Pequot Lakes City Council this \_\_\_ day of March, 2020.

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**James Tayloe**  
**Mayor**

**ATTEST:**

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**Nancy Malecha**  
**City Administrator**

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AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE  
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The following is the official summary of Ordinance No. 20-\_\_\_, Second Series, approved by the City Council of the City of Pequot Lakes, on the 5<sup>th</sup> day of March, 2020.

The purpose and intent of this ordinance is to amend Chapter 17 of the City Code regarding lighting in the Public zone.

A printed copy of this ordinance is available for inspection by any person at City Hall.

Passed by the Pequot Lakes City Council this 5<sup>th</sup> day of March, 2020.

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James Tayloe  
Mayor

ATTEST:

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Nancy Malecha  
City Administrator