



PUBLIC HEARING – ORDINANCE AMENDMENTS

**Agenda Item: 3.3**

**Background Information:**

**Section 17-3.2. DEFINITIONS**

- 268. **Warehousing.** The principle use is the storage of materials or equipment within an enclosed building.
- 269. **Warehousing, Commercial.** The rental or sale of warehousing space.

**Section 17-5.17 LAND USE MATRIX**

A- allowed w/o a permit, P - permitted, C- conditional use, I - interim use, AC - accessory use, E - excluded

<u>USE</u>	<u>OS</u>	<u>FM</u>	<u>AG</u>	<u>WR</u>	<u>SR</u>	<u>TR</u>	<u>RR</u>	<u>DMU</u>	<u>C</u>	<u>SC</u>	<u>R</u>	<u>UR</u>	<u>LI</u>	<u>P</u>	<u>PD</u>
Warehousing	E	AC	AC	E	AC	AC	AC	AC	AC	AC	AC	AC	P	AC	E
Warehousing, Commercial	E	E	C	E	E	E	E	E	E	E	E	E	E	E	E

**Section 17-3.2. DEFINITIONS**

- 100. **Fence.** A constructed barrier, including berms, intended to prevent escape or intrusion, or to mark a boundary, to shield or screen view, or to perform any similar function.
- 241. **Structure.** Any building, appurtenance including decks or other facility constructed, placed or erected by man except aerial or underground utility lines such as sewer, electric, telephone, telegraph, gas lines and except walks or steps on grade not more than 4 feet wide outside of the shore impact zone, stoops not exceeding 30 square feet, temporary furniture, planter, or decorative material and retaining walls consisting of wood or decorative block.

Fences have always been considered a structure and would require a permit in most zones. It was recently discovered that fences were allowed without a permit in Shoreline Residential and Shoreline Commercial zones.

**Section 17-3.2. DEFINITIONS**

- 116. **Grading.** The movement of dirt, by mechanical means, so as to alter the existing topography of a property.

Section 17-7.13 was not as clear as footnote #3 on the Matrix. Staff is suggesting that Section 17-7.13 be amended to include the additional language.

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**Planning Commission Direction:** The Planning can approve the Ordinance Amendments, deny the application, or table the request if additional information is needed.

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**Staff Recommendation:** We recommend a motion for the City Council to Amend the Ordinance.

**ORDINANCE NUMBER 22-\_\_\_, SECOND SERIES  
 AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE  
 REGARDING THE DEFINITIONS, LAND USE MATRIX AND GRADING  
 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 the Land Use Matrix and Grading.

**Amendment:** Chapter 17, Article 3.2 shall be amended as follows:

**Section 17-3.2     DEFINITIONS**

**Shore Impact Zone 1 (SIZ-1)** means land located between the ordinary high water level(OHWL) of public water and a line parallel to it at a setback of 50% of the required structure setback.

**Shore Impact Zone 2 (SIZ-2)** means land located between Shore Impact Zone 1 and the structure setback line.

**Amendment:** Chapter 17, Article 5.17 shall be amended as follows:

**Section 17-5.17 LAND USE MATRIX**

A- allowed w/o a permit, P - permitted, C- conditional use, I - interim use, AC - accessory use, E - excluded

<u>USE</u>	<u>OS</u>	<u>FM</u>	<u>AG</u>	<u>WR</u>	<u>SR</u>	<u>TR</u>	<u>RR</u>	<u>DMU</u>	<u>C</u>	<u>SC</u>	<u>R</u>	<u>UR</u>	<u>LI</u>	<u>P</u>	<u>PD</u>	
Fence	A	A	A	E	<del>A</del> P	<del>A</del> P	A	P	P	<del>A</del> P	A	P	A	A	P	
School	E	E	E	E	E	E	E	E	C	E	E	E	E	E	E	
Warehousing	E	<del>AC</del> P	<del>AC</del> P	E	<del>AC</del> E	<del>AC</del> E	<del>AC</del> E	<del>AC</del> E	<del>AC</del> E	<del>AC</del> E	<del>AC</del> E	<del>AC</del> E	<del>AC</del> E	P	<del>AC</del> P	E

**Amendment:** Chapter 17, Section 7.1 shall be amended as follows:

<b>SIGNS</b>	<b>O S</b>	<b>F M</b>	<b>A G</b>	<b>W R</b>	<b>S R</b>	<b>T R</b>	<b>R R</b>	<b>DM U</b>	<b>C</b>	<b>S C</b>	<b>R</b>	<b>U R</b>	<b>LI</b>	<b>P</b>	<b>P D</b>
Dynamic Display	X	X	X	X	X	X	X	P	P	X	X	X	P	P	X
No Hunting Trespassing	A	A	A	X	A	A	A	A	A	A	A	A	A	A	A
Offsite	X	X	X	X	X	X	X	X	P	X	X	X	P	X	X
Onsite	X	AC	AC	X	AC	AC	AC	AC	A C	AC	A C	AC	A C	A C	€ <b>P</b>
Signs in Residential, Agriculture & Forestry Zones (4)	X	A	A	X	X	A	A	X	X	X	X	A	X	X	X
Street Identification	A	A	A	X	A	A	A	A	A	A	A	A	A	A	A
Temporary (Banners, streamers & portable) (2)	X	A	A	X	X	X	A	A	A	A	A	A	A	A	X
Temporary (Construction, Sale or Rental) (1)	A	A	A	X	A	A	A	A	A	A	A	A	A	A	A
Temporary (5)	X	X	X	X	X	I	I	I	I	I	I	I	I	I	I
Temporary (Political) (3)	X	A	A	X	A	A	A	A	A	A	A	A	A	A	X

A – Allowed without a Permit

C – Conditional Use Permit Required

I – Interim Use Permit Required

P – Permit Required

AC – Accessory Use

X – Prohibited Sign

(1) Temporary signs pertaining only to the construction, sale or rental of the premises are allowable provided they do not exceed 9 square feet in any zone and are removed within 30 days of the completion of construction, sale or rental.

(2) Each parcel shall be allowed, for up to 14 days during any 90 day period, temporary signs, including banners, streamers and portable signs for special events such as grand openings and promotions, provided no more than (4) temporary signs shall be on display at a given time for each parcel. Temporary Banners and signs must be relevant to current events and must not be in disrepair (maximum of 4).

(3) Temporary signs endorsing a political candidate, party or issue during an election season are allowed without a permit. The sign must be removed within 30 days after the election.

(4) Signs shall not be internally or externally lighted but may be reflective; no sign shall be larger than 6 square feet.

(5) Any sign which is erected or displayed for a specified period of time.

**Amendment:** Chapter 17, Section 7.13 shall be amended as follows:

**Section 17-7.13 GRADING**

1. **General.** The following activities must be authorized by permit, except for excavation for permitted structure, drives, sewer systems and parking areas:
  - A. Grading and filling in the shore or bluff impact zone,
  - B. Grading and filling of wetlands,
  - C. Grading in the bed of public waters,
  - D. Any alterations of the natural topography when the slope of the land is toward a public water or watercourse ~~involving the movement of more than 10 cubic yards of material in a bluff or shore impact zone or more than 50 cubic yards of material anywhere else within a shoreland area.~~ **as follows:**
    - i. **SIZ-1 (cumulative from natural state):**
      - a. Less than 10 CY requires a permit;
      - b. More than 10 CY, less than 50 CY, requires a CUP;
      - c. Greater than 50 CY, excluded.
    - ii. **SIZ-2:**
      - a. Less than 50 CY requires a permit;
      - b. More than 50 CY requires a CUP;
    - iii. **Outside Lake Setback:**
      - a. Less than 100 CY is allowed without permit;
      - b. 100 CY or more requires a CUP.
  - E. Any alteration outside of the shoreland area where the amount of grading exceeds 500 cubic yards.

**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.

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Tyler Gardner, Mayor

ATTEST:

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Richard Spiczka, City Administrator