



**AGENDA ITEM # 6.5**

**REPORT TO CITY COUNCIL**

**Report Prepared by: Jenny Peterson, Deputy Clerk**

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**Date:** June 5, 2023

**Subject:** Ordinance Amendment – Commercial Zone

**Report:** Please see attached Report.

**Council Action Requested:** Motion to approve Ordinance Amendment 23-02.

Motion to approve summary publication as presented for Ordinance Amendment 23-02. (4/5 vote required)

**ORDINANCE NUMBER 23-02, SECOND SERIES  
AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE  
REGARDING IMPERVIOUS COVERAGE IN THE COMMERCIAL 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 impervious coverage in the Commercial Zone.

**Amendment:** Chapter 17, Article 5.10 shall be amended as follows:

**Section 17-5.10 COMMERCIAL (C)**

1. **Purpose and Intent:** To provide a zoning classification for commercial uses oriented around the automobile. Parcels are larger than in the Downtown Mixed-Use zone in order to provide on-site parking, on-site stormwater facilities as well as on-site water supply and sewage treatment where municipal utilities are not immediately available.
2. **Compatibility:** The Commercial zone should be established as a transition zone between the Downtown Mixed-Use zone or the Light Industrial Zone and the surrounding residential zones. The zone may not be established in an area where it is completely surrounded by residential zones.
3. **Lot, Use and Density Requirements.**

Lot width– feet, minimum	50
Buildable lot area (sewered) – square feet, minimum	10,000
Buildable lot area (unsewered) – square feet, minimum	20,000
Setback, right of way, City road- feet, minimum	30
Setback, right of way, County or State road, feet, minimum	30
Setback, between buildings – feet, minimum	10
Setback, side next to residential district – feet, minimum	30
Setback, side yard – feet, minimum	10
Setback, rear – feet, minimum	10
Setback, parking from lot line – feet, minimum	10
Setback, sign – feet, minimum	1
Setback, wetland – feet, minimum	30
Setback, unplatted cemetery or archeological site	50
Impervious surface – percent, maximum	<del>25%</del> 50%
Building height – feet, maximum	25
Flag Pole Height – feet, maximum	60

Building above highest groundwater level – feet, minimum	3
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4. Performance Standards. The following performance standards apply to all development in this zone:

- A. Impervious Coverage. Impervious coverage may be increased by up to ~~25~~10%, not to exceed ~~50~~60% of the property, ~~through a conditional use permit~~ if the following is provided and approved by the City:
  - (1) A storm water retention plan showing containment of the 10-year, 24-hour storm event on the parcel.
  - (2) Direct runoff of stormwater to adjacent properties and wetlands shall be eliminated through the use of berms, infiltration ponds, swales, filtration strips or other permanent means.

**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 \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Tyler Gardner  
Mayor

ATTEST:

\_\_\_\_\_  
Richard Spiczka  
City Administrator

**ORDINANCE NUMBER 23-02, SECOND SERIES  
AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE  
REGARDING IMPERVIOUS COVERAGE IN THE COMMERCIAL ZONE  
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**Section 17-5.10 COMMERCIAL (C)**

1. **Purpose and Intent:** To provide a zoning classification for commercial uses oriented around the automobile. Parcels are larger than in the Downtown Mixed-Use zone in order to provide on-site parking, on-site stormwater facilities as well as on-site water supply and sewage treatment where municipal utilities are not immediately available.
  
2. **Compatibility:** The Commercial zone should be established as a transition zone between the Downtown Mixed-Use zone or the Light Industrial Zone and the surrounding residential zones. The zone may not be established in an area where it is completely surrounded by residential zones.
  
3. **Lot, Use and Density Requirements.**

Lot width– feet, minimum	50
Buildable lot area (sewered) – square feet, minimum	10,000
Buildable lot area (unsewered) – square feet, minimum	20,000
Setback, right of way, City road- feet, minimum	30
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Setback, parking from lot line – feet, minimum	10
Setback, sign – feet, minimum	1
Setback, wetland – feet, minimum	30
Setback, unplatted cemetery or archeological site	50
Impervious surface – percent, maximum	50%
Building height – feet, maximum	25
Flag Pole Height – feet, maximum	60

Building above highest groundwater level – feet, minimum	3
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4. Performance Standards. The following performance standards apply to all development in this zone:

A. Impervious Coverage. Impervious coverage may be increased by up to 10%, not to exceed 60% of the property if the following is provided and approved by the City:

- (1) A storm water retention plan showing containment of the 10-year, 24-hour storm event on the parcel.
- (2) Direct runoff of stormwater to adjacent properties and wetlands shall be eliminated through the use of berms, infiltration ponds, swales, filtration strips or other permanent means.

**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 \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Tyler Gardner  
Mayor

ATTEST:

\_\_\_\_\_  
Richard Spiczka  
City Administrator

**ORDINANCE NUMBER 23-02, SECOND SERIES  
AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE  
REGARDING COMMERCIAL IMPERVIOUS SURFACE COVERAGE  
CITY OF PEQUOT LAKES  
COUNTY OF CROW WING  
STATE OF MINNESOTA**

The following is the official summary of Ordinance No. 23-02, Second Series, approved by the City Council of the City of Pequot Lakes, on the 5<sup>th</sup> day of June, 2023.

The purpose and intent of this ordinance is to amend Chapter 17 of the City Code regarding impervious surface coverage requirements in the Commercial Zone. The amended increases the maximum amount of impervious surface coverage allowed in the "Commercial" Zone from 25% to 50% and allows an additional 10% coverage with submittal of a stormwater management plan.

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 June, 2023.

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Tyler Gardner  
Mayor

ATTEST:

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Richard Spiczka  
City Administrator