

**AGENDA
REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, MARCH 10, 2014
7:00 P.M. – CITY HALL**

A. CALL TO ORDER

1. Pledge of Allegiance
2. Approval of Additions to the Agenda (Council Action-Motion)

B. CRITICAL ISSUES –

1. Land Use Ordinance Revision (Council Action-Motion)
 - a. Memo dated February 28, 2014 from Chris Pence Re: Land Use Ordinance Public Hearing Procedure
 - b. Planning and Zoning Commission Chapter 26 Proposed Changes dated February 28, 2014
 - c. Draft - Chapter 26 Ordinance Revisions
 - d. Green-Line Comments/Changes from DNR as of March 6, 2014
 - e. Public Comments Received Re: Chapter 26 Ordinance Revisions
 - f. Summary of Public Comments and Staff Responses
 - g. Ordinance Summary for Publication
 - h. Draft Minutes of February 28, 2014 Planning and Zoning Meeting
 - i. Letter dated March 6, 2014 from Minnesota Department of Natural Resources Re: Conditional State Approval of Floodplain Ordinance and Required Next Steps
2. Comprehensive Plan: Land Use Map Revision/Land Use District Definitions (Council Action-Motion)
 - a. Existing Zoning Map
 - b. Proposed Zoning Map
 - c. Proposed Definitions
3. Ordinance Amending Chapter 44, the Subdivision Ordinance to Coordinate with Changes to Chapter 26, the Zoning Ordinance (Council Action-Motion)

C. CONSENT CALENDAR – NOTICE TO THE PUBLIC – All items here listed are considered to be routine by the City Council and will be acted on by one motion. There will be no separate discussion on these items unless a Citizen or Councilmember so requests:

1. Regular Council Meeting Minutes of February 10, 2014
2. City – Month End Revenue Report dated February 2014
3. City – Month End Expenditures Report dated February 2014
4. February 2014 Budget to Actual Analysis
5. Pledged Collateral Report from Mike Lyonais
6. Police Report for Crosslake – February 2014
7. Police Report for Mission Township – February 2014
8. Fire Department Report – February 2014
9. North Ambulance Run Report – February 2014
10. EDA Meeting Minutes of February 5, 2014
11. Planning and Zoning Commission Meeting Minutes of January 24, 2014

12. Application from Whitefish Area Lions Club for Group Transient Merchant Permit to Conduct Flea Market at the Intersection of County Road 66 and Swann Drive
13. Staff Report dated March 5, 2014 from Jon Henke Re: Community Center Updates
14. January 2014 Wastewater Treatment Discharge Monitoring Report (Council Information)
15. Email dated March 6, 2014 from Rob Hall Re: CSAH 3 Cost Share Agreement
16. Invitation to Pre-Construction Meeting for CSAH 3 on April 1, 2014
17. City – County – Township Roadway Maintenance and Construction Coordinating Meeting Agenda for April 7, 2014
18. Memo dated March 6, 2014 from Crow Wing county Land Services Department Re: Timber Auction & Appointment Procedure for “Show Me the Timber”
19. Waste Partners Recycling Report for January and February 2014
20. \$100 Donation to Pine River-Backus High School Grad Blast
21. Bills for Approval
22. Crosslake Rolloff Recycling Report for February 2014

D. MAYOR’S REPORT

1. Resolution Supporting Legislation Allowing Cities to Designate Their City Website to Publish Public Notices (Council Action-Motion)

E. CITY ADMINISTRATOR’S REPORT

1. Addition to City of Crosslake Employee Handbook (Council Action-Motion)
 - a. Political Activity Policy
2. Memo dated March 4, 2014 from City Clerk Re: Complaint Form (Council Action-Motion)
3. Memo dated March 6, 2014 from City Clerk Re: Planning and Zoning Reimbursement Fees (Council Action-Motion)
4. Ordinance Amending Chapters 26 and 50 Regarding the Assessment of Unpaid Charges (Council Action-Motion)

F. COMMISSION REPORTS

1. PLANNING AND ZONING

- a. Chris Pence – February 2014 Permit Report

G. CITY ATTORNEY REPORT

H. OLD BUSINESS

I. NEW BUSINESS

J. PUBLIC FORUM

K. ADJOURN



To: City Council

From: Chris Pence, Zoning Administrator

Date: February 28, 2014

RE: Land Use Ordinance Public Hearing Procedure

The Planning & Zoning Commission met February 28th, 2014 and accepted, with 3 minor alterations, the changes to Chapter 26 Land Use Ordinance. In addition to changes in Chapter 26, there were changes reviewed and accepted to Chapter 44 (Subdivisions) and to the City's Comprehensive Plan Zoning District Definitions and Zoning Map. These changes are forwarded to you for your action.

Attached you will find the following documents:

- The revised Ordinance with the changes from the comment period in red and the changes from the 2/28/14 P&Z meeting in blue
- A summary of all the changes to the Ordinance by Article
- The comments received during the comment period
- A summary of the comments and staff responses
- The existing and proposed Land Use maps.
- Updated land use district definitions for the Comprehensive Plan

Staff recommendation is to approve the revisions to Chapter 26 and the Land Use map as submitted by the Planning and Zoning Commission.

February 28, 2014 Planning & Zoning Commission Chapter 26

PART I - ADMINISTRATION

		no change	no comment	accepted	no comment	DNR Comments
Article 1	General Provisions	no change	no comment	accepted	no comment	
Article 2	General Zoning Provisions	no change	no comment	accepted	no comment	
Article 3	Administration	26-71. 8 & 26-75. 4	no comment	accepted	no comment	
Article 4	Amendments to Chapter Text, Land Use District Boundaries, and Designation of Sensitive Shoreland Districts	no change	no comment	accepted	no comment	
Article 5	Nonconformities	26-137. 11 Staff Recommends adding to 26-138. 1 Expansions that meet setbacks and other provisions of this ordinance shall not require a variance.	no comment	accepted	no comment	
Article 6	Planning Commission/Board of Adjustment	no change	no comment	accepted	no comment	
Article 7	Conditional/Interim Use Permits	26-191	no comment	accepted	no comment	
Article 8	Variances/Appeals	26-226. 1. f & 26-227 Staff recommends Article 9 Park Dedication Fees: delete all of the language in this article and change to "Reserved"	no comment	accepted	no comment	
Article 9	Park Dedication Fees	no change	no comment	accepted	no comment	

PART II - LAND USE DISTRICTS

Article 10	Land Use Classification List	26-281 (Land Use TABLE)	accepted with change to Sec. 26-281 Manufacturing Furniture	no comment	
Article 11	Shoreland District Standards	26-308. 6, 26-311. 2, 26-313 & 26-314 Staff Recommendation Article 11, Sec 26-312 Pavior: Change 180 sq ft to 250 sq ft and allow up to 400 sq ft with an approved and implemented Stormwater Management Plan according to Article 20 of this ordinance.	accepted with changes to wording in Sec. 26-322 Temporary Structures in Shoreland District	no comment	
Article 12	Rural Residential District Standards	no change	accepted	no comment	
Article 13	Commercial District Standards	26-375. 2 & 26-380. 2	accepted	no comment	
Article 14	Floodplain Overlay District Standards	no change	accepted	26-418 (2)(c) and 26-422 (4)(5)	
Article 15	Streets, sidewalks, and rights of way	no change	accepted	no comment	
Article 16	Subdivisions of Land	no change	accepted	no comment	
Article 17	RESERVED	no change	accepted	no comment	
Article 18	RESERVED	no change	accepted	no comment	
Article 19	Shoreland Vegetation Buffer Standards	26-517. 2	accepted with request to define "firepit" in Article 43	no comment	
Article 20	Stormwater Management	26-549. 6 and 7 & 26-551	accepted	no comment	
Article 21	Dirt Moving	no change	accepted	no comment	
Article 22	Extractive Use	no change	accepted	no comment	
Article 23	Home Occupation/Home Business Standards	26-635. 8 - Also change letters to numbers.	accepted	no comment	
Article 24	Mobile Home and Mobile Home Park Standards	no change	accepted	no comment	
Article 25	Fence Standards	26-656. 6 & 26-659 Setback table	accepted	no comment	
Article 26	Parking and Off Street Loading Standards	no change	accepted	no comment	
Article 27	Residential Development Standards	no change	accepted	no comment	
Article 28	Commercial Landscaping, Screening and Lighting Standards	no change	accepted	no comment	
Article 29	Commercial and Residential Architectural Standards	Staff recommends Article 30, sec 26-762 (2): change to: "Boats, trailers and recreational vehicles..."	accepted	no comment	
Article 30	Outdoor Storage and Sales	no change	accepted	no comment	
Article 31	Subsurface Sewage Treatment Systems (SSTS)	26-798. 2. h	accepted	no comment	
Article 32	Resort Standards	no change	accepted	no comment	

B.1.6

Article 33	Signs	26-863.4, j and k Staff recommends Sec 26-863 (2) ADD: <u>two additional temporary signs for community events (not to exceed 30 sq ft total) which shall be removed no later than 10 after the event.</u> Sec 26-867 (3) a. remove "and not to exceed a cumulative total of 60 days per calendar year" Sec 26-867 (3) b. change "six square feet" to <u>"eight square feet"</u>	accepted	no comment
Article 34	Telecommunication and Other Tower Standards		accepted	no comment
Article 35	Animals in Residential Districts		accepted	no comment
Article 36	RESERVED	Article 35 & 26-921	accepted	no comment
Article 37	RESERVED		accepted	no comment
Article 38	RESERVED		accepted	no comment
Article 39	RESERVED		accepted	no comment
Article 40	RESERVED		accepted	no comment
Article 41	RESERVED		accepted	no comment
Article 42	Wind Energy Conversion Systems (WECS)	no change	accepted	no comment
Article 43	Definitions	Animal Unit, Buffer, Fence, Guest Auxiliary & Public Utility	accepted	no comment
Article 44	RESERVED		accepted	no comment
Article 45	RESERVED		accepted	no comment
Article 46	RESERVED		accepted	no comment
Article 47	RESERVED		accepted	no comment
Article 48	RESERVED		accepted	no comment
Article 49	RESERVED		accepted	no comment
Article 50	RESERVED		accepted	no comment
Article 51	RESERVED		accepted	no comment
Article 52	RESERVED		accepted	no comment
Article 53	RESERVED		accepted	no comment
Appendix A	Crosslake Public Waters Lakes and Rivers	no change	accepted	no comment
Appendix B	Shoreland Districts	no change	accepted	no comment
Appendix C	Crosslake Shoreland Rapid Assessment Model	no change	accepted	no comment

DRAFT FOR REVIEW

CODE OF ORDINANCES FOR THE CITY OF CROSSLAKE, MINNESOTA

CHAPTER 26

LAND USE

COMMENT PERIOD STARTS: DECEMBER 16, 2013

REDLINE VERSION FEBRUARY 10, 2014

BlueLine Version February 28, 2014

Greenline – DNR Comments March 5, 2014

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PART I ADMINISTRATION

ARTICLE 1 GENERAL PROVISIONS

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA, an
Ordinance amending Chapter 26 of the City of Crosslake, Minnesota (hereinafter "the City"), Code of
Ordinances regarding land use and zoning.

Sec. 26-1 Purpose

It is the purpose of this Chapter to protect, preserve, and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms, and open spaces of the City for future generations. Further, it is the goal of this Chapter to promote public health, safety, general welfare, and orderly development of the City by:

- (1) Regulating land use in accordance with the Crosslake Comprehensive Plan;
- (2) Promoting orderly development of the residential, commercial, recreational, and public areas of the City;
- (3) Dividing the City into land use districts;
- (4) Regulating the location, height, and bulk of structures;
- (5) Preserving the economic and natural environmental values of shorelands;
- (6) Regulating setbacks;
- (7) Regulating sizes of lots, yards, and other open spaces;
- (8) Preventing overcrowding of land and undue concentration of structures;
- (9) Encouraging compatible developments of different land use and the most appropriate use of land within the City;
- (10) Providing adequate access to air, direct sunlight, and convenience of access to property;
- (11) Providing standards of criteria for the management of the Floodplains within the city
- (12) Bringing all non-complying subsurface sewage treatment systems into compliance.

Sec. 26-2 Interpretation, Intent, and Scope

This Chapter shall be fairly read so as to give effect to the plain meaning of words and the definitions hereinafter set forth, to accomplish the purpose stated in Section 26-1 above, and to be in keeping with the constitutions of this State and of the United States. It is not the intent of this Chapter to repeal, abrogate, or impair any existing laws, rules, easements, covenants, or deed restrictions. However, where this Chapter imposes greater restrictions, the provisions of this Chapter shall prevail. This Chapter shall apply and be binding upon all of the incorporated areas of the City.

Sec. 26-3 Repeal of Existing Chapter

This ordinance repeals Chapter 26 of the City of Crosslake Code of Ordinances dated September 10, 2013 and all amendments thereto. All Ordinances, resolutions, or parts of Ordinances or resolutions of the City in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 26-4 Authority and Incorporation by Reference of Statutes, Rules, and References

This chapter is established pursuant to the authority granted by the Crosslake Comprehensive Plan, adopted August 11, 2008; and by Minnesota Statutes, in particular the Municipal Planning Act, Chapters 462.351 to 462.364; the Municipal Shoreland Act, Chapter. 103F.221; The Management of Floodplain Areas of Minnesota, Chapters 103F.101 to 103F.165; the regulation of individual sewage treatment systems, Chapters 115.55, 145A.07 and Minnesota Rules, Chs. 7080-7083; the installation of water supply wells, Minnesota Rules, Chapter 4725; and any amendments thereto. The Crow Wing County Local Comprehensive Water Management Plan is incorporated herein by reference. The "Minnesota Stormwater Manual", Minnesota Pollution Control Agency (2005), is incorporated herein by reference. The Minnesota Department of Natural Resources document entitled "Minnesota's Sensitive Lakeshore Identification Manual, A Conservation Strategy for Minnesota's Lakeshores" (January 2012, Version 3) is incorporated herein by reference. The "Best Management Practices for Minnesota for Agriculture and Water Quality", Minnesota Pollution Control Agency, is hereby adopted by reference for agriculture uses. The "Best Management Practices in Minnesota for Water Quality in Forest Management", Minnesota Department of Natural Resources, is hereby adopted by reference for timber management activities. Throughout this Chapter, wherever references are made to Minnesota statutes or rules, or Federal statutes and rules, such reference shall be interpreted to include any successor statutes or rules.

Sec. 26-5 Separability

If any article, subarticle, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Secs. 26-6—26-42. Reserved

ARTICLE 2 GENERAL ZONING PROVISIONS

Sec. 26-43 Land Use District Map

The incorporated areas of the City of Crosslake are hereby divided into land use districts as shown on the official land use district map, as amended under Article 4 of this Chapter, and filed in the Offices of the County Recorder and the City. The official land use district map may be in hard copy or electronic format. The map and all explanatory matter thereon are hereby made a part of this Chapter.

Sec. 26-44 Conformance with this Chapter

All land uses shall conform to the provisions of this Chapter as follows:

- (1) All new buildings or structures constructed, converted, enlarged, or moved shall conform to the provisions of this chapter.
- (2) The use of all buildings, structures, or lands for any purpose shall conform to the provisions of this chapter, except as provided in Article 5 of this Chapter.
- (3) All subsurface sewage treatment system installed, repaired, or modified shall conform to the provisions of this chapter.
- (4) All dirt moving, filling, grading and private road construction shall conform to the provisions of this Chapter.
- (5) No lot existing at the time of adoption of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Lots created after the effective date of this Chapter shall meet all minimum requirements established by this Chapter.

Sec. 26-45 Conflicting Regulations

- (1) For the purpose of determining land use district designation, where a parcel lies in two land use districts as outlined in Article 10 of this Chapter, the parcel shall be classified in the land use district which encompasses the larger percentage of the lot area.
- (2) Where a lot in the shoreland district lies in an area where two different lake or river classifications overlap, lot standards shall be determined as follows: In situations where shorelands with different lake classifications overlap due to close proximity of public waters, the lake classification of the public water receiving more than 50% of the water flow from the parcel based on topography shall be used to determine the appropriate shoreland regulations according to this Chapter.

Sec. 26-46 Contractor Responsibility

Each contractor shall ascertain that all work done on the property of another person must have the proper permit to do such work. Failure of any such contractor to comply herewith shall be considered a violation of this Chapter and subject to the enforcement provisions of Section 26-71.

Sec. 26-47 Applicant Responsibility

Actions taken pursuant to permits granted under this chapter are the sole responsibility of the property owner or his/her agents. The City assumes no liability for any adverse effects to the property owner, or to third parties, caused by any actions taken pursuant to permits granted under this Chapter.

Sec. 26-48 Accessibility for Buildings and Facilities

Buildings and facilities required to provide handicapped accessibility shall comply with standards pursuant to Minnesota Rules, Chapter 1341.

Secs. 26-48—26-66. Reserved

ARTICLE 3 ADMINISTRATION

Sec. 26-67 Administration

The Administrator shall issue all approved permits and certificates under this chapter, either as authorized or as directed by the Planning Commission/Board of Adjustment. The Administrator shall interpret this Chapter, subject to appeal. The Administrator may delegate responsibilities as appropriate.

Sec. 26-68 Application for a Permit

- (1) **Scope of work subject to permitting.** Prior to engaging in any land use activity regulated under the provision of this Chapter, the owner of the property shall make application for the necessary permit or permits required by this Chapter. A permit or fee is not required for inside or outside residential maintenance provided the exterior dimensions of the structure remain the same.
- (2) **Issuing authority/Applicant responsibility.** A permit shall be issued by the Department only when the applicant has met all applicable requirements of this Chapter. An authorized agent of the owner may make application for the permit or permits. Conditional uses, variances, or permits will be processed by the City pursuant to procedures established within this Chapter. The accuracy and completeness of all permit applications and accompanying documents are solely the responsibility of the applicant. No permit application will be approved for property on which there are unresolved violations, unless the permit will resolve the violation.
- (3) **Other Permits.** The granting of any permit or variance under provisions of this Chapter shall in no way affect the landowner's responsibility to obtain the approval required under any federal or state statute, Chapter, or legislation of any state agency or state subdivision thereof. Approval may be expressly given in conjunction with other permit(s) applied for, but no approval shall be implied from the granting of any City permits nor from the necessity to apply for a permit described in this Chapter.
- (4) **Application information requirements.** The application for any permit, including public hearing requests, required under this Chapter shall include:
 - a) The legal description of the property.
 - b) Property identification number.
 - c) Current and proposed land use.
 - d) A description of the type and scope of construction, use, development, or alteration proposed.
 - e) A sketch plan showing the location of public waters, wetlands, existing and proposed structures, road rights of way, driveways, parking spaces, water and sanitary facilities, and utility lines.
 - f) Topographic features including but not limited to wetlands, bluffs, ordinary high water level designations, or steep slopes.
 - g) Additional information as may be required by the City in order to determine compliance with this Chapter and other ordinances.
- (5) **Certificate of Survey.** The Administrator may require a certificate of survey with any permit application required by this Chapter, including variance, land use reclassification, and conditional use permit applications, upon a determination by the Administrator that such a survey will assist in achieving the purposes of this Chapter.
- (6) **Site suitability / Sewage treatment.** The application shall also include a compliance inspection or field evaluation conducted by a State-licensed inspector indicating the condition of any existing subsurface sewage treatment systems or the site's suitability for a compliant sewage treatment system.
- (7) **Compliance with State Well Code.** Water supply wells installed in conjunction with permitted land uses shall comply with the standards established in Minnesota Rules, Chapter 4725.
- (8) **Fee.** The application shall be accompanied by a remittance, payable to the City of Crosslake. A current Fee Schedule is on file in the City Hall as approved by the City Council.
- (9) **Permits for activities in Floodplain.** Land use permits for activities within any Floodplain zone shall meet the standards in Article 14 of this Chapter relating to Floodplain Management.
- (10) **Checklist.** An application check list shall be available from the Department.

Sec. 26-69 Permit Card

The Department shall issue a permit card upon approval of a permit. Such permit card shall be continuously posted in a conspicuous location on the premises concerned, from the time the authorized work is commenced until it is completed.

Sec. 26-70 Expiration of Permits

All permits are valid for a period of two years from the date of approval, unless otherwise specified. Permits are transferrable to future landowners provided the two year time limit is not exceeded.

Sec. 26-71 Enforcement

- (1) **Responsibility for enforcement.** The Crosslake City Attorney, the Crosslake City Police Department, and the Administrator shall have a duty to enforce this Chapter.
- (2) **Civil and criminal enforcement.** Any violations of the provisions of this Chapter or failure to comply with any of its requirements by a landowner or authorized agent, including violations of or failure to comply with the conditions and safeguards established in connection with the granting of a structure, land use, or shoreland alteration permit, or contained within variances or conditional uses, shall constitute a misdemeanor and shall be processed pursuant to Minnesota Statutes, Chapter 412.861. The provisions of this Chapter may be enforced through criminal prosecution, civil remedy, or both. Utilization of a civil remedy shall not prevent a criminal prosecution for the same violation. A criminal prosecution for a violation shall not be a bar to a civil remedy.
- (3) **Permit does not protect permit holder.** Violations of this Chapter can occur regardless of whether or not a permit is required for a regulated activity pursuant to Sec 26-68. of this Chapter.
- (4) **Separate offenses.** Each day that a violation of this Chapter continues shall constitute a separate offense.
- (5) **Citations.** The Administrator shall have the power to enforce this Chapter by issuing citations for criminal violations of this Chapter upon the owner of a property and/or their authorized agent.
- (6) **Cease and desist order.** The Administrator, or duly authorized representative, may issue cease and desist orders to halt the progress of any property modification, based upon probable cause that a violation of this Chapter has been committed. When any work has been stopped by a cease and desist order, it shall not be resumed until the reason for the work stoppage has been completely satisfied and the cease and desist order lifted.
- (7) **Injunctive relief allowed.** The Crosslake City Attorney, in cooperation with the Department, may sue for injunctive relief on any violation, including restoration of the premises to its existing condition prior to the violation.
- (8) **Administrative fee for enforcement.** The Department may charge an administrative fee, according to a schedule established by the City Council, to compensate for staff time and other expenses incurred during the investigation and prosecution of violations **that are found to have merit.**
- (9) **After the fact applications and fees.** Any person making application for a permit after the commencement of work requiring a permit may be charged an administrative fee. In the event the application for a permit is denied or the activity permitted does not include all of the work commenced prior to approval of said permit, the Planning Commission/Board of Adjustment or the Department may require restoration of the subject property to its condition before such work commenced, including removal of structures or improvements not approved.
- (10) **Certificate of Survey.** The Administrator or duly authorized representative may require a certificate of survey when it is determined that said survey will or may assist with the resolution of a violation.

Sec. 26-72 Performance Security

Upon approval of a conditional use, variance, or other permit application, the Planning Commission/Board of Adjustment, City Council, or the Administrator may, if reasonably necessary to achieve the purposes of this Chapter, require a surety bond, cash escrow, or cash deposit prior to issuing a land use permit or initiation of work on a proposed improvement or development. Said security shall be irrevocable and shall guarantee conformance and compliance with the conditions of the permit, conditional use, or variance. The amount of the security may be set at up to 150% of the estimated cost of compliance with the conditions including but not limited to vegetation establishment, stormwater plan implementation, soil stabilization, water quality protection, or pollution control measures.

Sec. 26-73 Right of Inspection

An applicant for any permit under this Chapter does thereby give the Administrator and/or his/her agent right of access to the premises concerned for inspection, and enforcement of this Chapter. Additionally, the Administrator and/or his/her agent are authorized to enter upon lands within the incorporated area of the City for the purpose of carrying out the duties and functions imposed under this Chapter, and/or make investigations of any violations of this Chapter and/or cause proceedings to be instituted when warranted.

Sec. 26-74 General Review Proceedings

Timeline for review. Pursuant to MN Statutes, Chapter 15.99, the Administrator, Planning Commission/Board of Adjustment or City Council must approve or deny a completed application within 60 days of a written request relating to zoning, septic system, expansions, permit, license or other approval action. Failure of the Administrator, Planning Commission/Board of Adjustment or City Council to deny a request within 60 days shall constitute approval of the request. If the Administrator, Planning Commission/Board of Adjustment, or City Council denies the request, it must state in writing the reasons for denial at the time that it denies the request.

- (1) **Completed application.** The timeline for review in this section begins upon the receipt of a completed application by the City. An application shall be deemed complete when a written request containing all information required by this Chapter is submitted to the City. If the City receives a written request that does not contain all required information, the 60 day limit shall not start if the City sends written notice within 15 business days of receipt of the request telling the applicant what information is missing.
- (2) **Extension of time line for review by multiple agencies.** The time limit in this section is automatically extended if:
 - a) A completed application submitted to a State agency requires prior approval of a Federal agency.
 - b) A completed application submitted to a city, county, town, school district, metropolitan, or regional entity, or other political subdivision requires prior approval of a State or Federal agency.
 - c) In cases described in this paragraph, the deadline for action by the City is extended for 60 days after the required approval is granted.
- (3) **City extension of time line.** The Administrator may extend the time line before the end of the initial 60 day period described in this section by providing written notice of the extension to the applicant. The notice must state the reasons for the extension and its anticipated length, which may not exceed 60 days unless approved by the applicant.
- (4) **Extension of time line by applicant.** The applicant may, in writing, waive the 60 day time deadline.

Sec. 26-75 Fees

- (1) **Schedule of fees.** The schedule of fees for all land use and zoning-related activities and permits shall be posted in the City Hall and may be altered or amended only by resolution of the City Council.
- (2) **Collection of fees.** The Department shall collect all required fees in full in conjunction with any application.

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- (3) **Administrative fees.** When work has commenced before approval of a permit, a variance, a conditional use, or other approval requiring a public hearing, the applicant may be charged an administrative fee in conjunction with a late application according to the schedule established by the City Council.
- (4) **Fee refunds.** In the event the application is made for a permit or a petition is filed and the applicable fees shall have been paid in full, and subsequent action denies the permit or petition, the fees paid may be refunded by the Department. Any fees paid in error ~~will~~ **may** be refunded by the Department.

Sec. 26-76 Environmental Review

- (1) **Environmental review:** An environmental review may be required for projects that could result in significant environmental impacts. The Minnesota Environmental Policy Act of 1973 and Minnesota Rules Chapter 4410 allow for the preparation of Environmental Impact Statements (EIS) and Environmental Assessment Worksheets (EAW) for mandatory development thresholds or discretionary environmental reviews or alternative urban area wide reviews (AUAR) ordered by the responsible government unit (RGU). The RGU is the designated review authority.
 - a) Approval before consideration of application. Once the environmental review process is determined to be necessary, no permits or other final approvals shall be granted until the environmental review process has been completed. No permit shall be issued unless and until all issues identified in the EAW/EIS/AUAR have been addressed.
 - b) Payment for cost of review. The City shall prepare or cause to have prepared, at the developer's expense, any mandated or discretionary EAW or EIS for the project.
- (2) **Development Review Team.** In order to address environmental and infrastructure concerns, reduce surveying and platting costs, avoid unnecessary EAW's, and offer expertise to applicants, developers, and planning officials, the Development Review Team (DRT) shall conduct a pre-project review of all conditional use, variance, land use reclassification, and development proposals.
 - a) The DRT shall adopt policies and rules of business governing its timely review and reporting on conditional use, variance, land use reclassification, and development proposals.
- (3) The City Council shall make all final EAW/EIS decisions.

Sec. 26-77 General Public Hearing Notice Requirements

All public hearings shall be conducted pursuant to Minnesota Statutes, Chapter 462.357 and 462.359, and the adopted Planning Commission/Board of Adjustment rules of business.

Secs. 26-78—26-104. Reserved.

ARTICLE 4 AMENDMENTS TO CHAPTER TEXT, LAND USE DISTRICT BOUNDARIES, AND DESIGNATION OF SENSITIVE SHORELAND DISTRICTS

Sec. 26-105 Initiation of Amendments

- (1) **Initiation of amendments.** An amendment to this Chapter or to the official land use district map may be initiated by the City Council, the Planning Commission/Board of Adjustment, the Administrator, or any landowner within the City upon individual application therefore.
- (2) **Fee waived.** Action to amend this Chapter or the official land use district map, when initiated by the City Council, the Planning Commission/Board of Adjustment, or the Administrator, shall not require the payment of any fee otherwise required under this Chapter.

Sec. 26-106 Application and Hearing

- (1) **Application.** Applications for ordinance Chapter text or land use district reclassification amendments shall be made to the Department.
- (2) **Hearing.** The Planning Commission/Board of Adjustment shall hold at least one public hearing on the proposed Chapter text amendment or land use district classification change conducted pursuant to Minnesota Statutes, Chapter 462.357 and the adopted Planning Commission/Board of Adjustment rules of business.
- (3) **Consideration of ordinance Chapter text amendments.** Amendments may be offered when the Chapter is under consideration. If amendments are made, the sections of the Chapter amended shall be read as amended before the question of its passage is taken. After review and taking public comment, the Planning Commission/ Board of Adjustment shall vote to approve, deny, or amend the ordinance Chapter or ordinance Chapter amendment(s) and forward their recommendations to the City Council. Approval of the Chapter shall constitute the singular recommendation of the Planning Commission/Board of Adjustment to the City Council on the Chapter.
- (4) **Criteria for consideration of land use district reclassification.** In reviewing a land use district reclassification application, the Planning Commission/ Board of Adjustment shall find that:
 - a) The reclassification is in accord with the comprehensive plan;
 - b) The reclassification is warranted due to changed land use circumstances or a need for additional property in the proposed land use district;
 - c) The subject property is suitable for development in general conformance with land use standards under the proposed land use district classification;
 - d) The reclassification will not be detrimental to uses or property in the immediate vicinity of the subject property, and;
 - e) The reclassification promotes the health, safety, and general welfare of the public.

Sec. 26-107 Designation of Sensitive Shoreland Districts (SS)

- (1) The City Council may assign SS district classification to the shoreland district adjacent to a bay of a lake, or to a clearly defined portion of the shoreline of a lake. The area considered for such classification must have a DNR Sensitive Lakeshore Survey Report based on the classification criteria and procedures set forth in the latest version of the Minnesota Department of Natural Resources document entitled "Minnesota's Sensitive Lakeshore Identification Manual, A Conservation Strategy for Minnesota's Lakeshores".
- (2) The reclassification of a shoreland district and/or water-oriented commercial district to a SS District may be initiated by:

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- a) Verification from the Minnesota Department of Natural Resources, Division of Ecological and Water Resources that area(s) proposed to be reclassified are consistent with the classification criteria and procedures set forth in Section 26-107, (1) above.
- b) A duly approved motion by the Planning Commission/Board of Adjustment sent to the City Council for approval, along with substantiating data from the Department.
- (3) Processing requests
 - a) The Department shall examine the official land use district maps to assure that the area(s) proposed for reclassification corresponds to existing parcel lines and that no parcel is subjected to multiple districts. District and class boundaries shall be adjusted to best protect sensitive areas.
 - b) Within 30 days of completion of the verification process, the Planning Commission/Board of Adjustment shall set a date for a public hearing.
 - c) The public hearing shall be conducted pursuant to the adopted Planning Commission/Board of Adjustment rules of business.
- (4) Planning Commission/Board of Adjustment Review. The Planning Commission/Board of Adjustment shall consider the following data and criteria when reviewing a SS district classification application:
 - a) The data listed in the DNR Sensitive Lakeshore Survey Report for the bay(s) or shoreline segment(s).
 - b) The potential benefits of reclassification for the enhancement of water quality, conservation of economic and natural environmental values of shorelands, and wise use of water and related land resources.;
 - c) The public hearing testimony;
 - d) The density and characteristics of existing development in the bay(s) or shoreline segment(s);
 - e) Consistency with the policies and provisions of the Comprehensive Plan and the requirements of all City ordinance Chapters;
 - f) Other factors specific to the application that impact upon public health, safety, and welfare.
- (5) The Planning Commission/Board of Adjustment shall hear the application according to its adopted rules of business and shall:
 - a) Affirm the application to establish the SS district(s), or;
 - b) Modify the district(s) for reclassification, or;
 - c) Deny the application to establish the SS district(s) and
 - d) Document the findings of fact for any decision.
- (6) The Planning Commission/Board of Adjustment, if affirming and forwarding reclassification, shall:
 - a) Notify the Commissioner of the Minnesota Department of Natural Resources of the recommendation for reclassification
 - b) Recommend to the City Council that they approve changes in the official land use district map to reflect such reclassification.

Sec. 26-108 City Council Action

- (1) **Text amendment actions.** Following their public hearing, the City Council shall publish its decision to approve or deny the text amendments within 15 days. The enactment of any changes shall take effect no sooner than 30 days after the date of their approval. A copy of any approved text amendment in a shoreland district shall be sent to the Commissioner of the Dept. of Natural Resources within 10 days of final action.
- (2) **Land use district amendment actions.** The City Council may adopt the land use district amendment or any part thereof in such form as it deems advisable. After adoption, a copy of the official map, or sections thereof with a copy of the adopting ordinance attached shall be recorded with the County Recorder pursuant to Minnesota Statutes, Chapter 462.359, Subd. 2. Paper and/or electronic copies shall be available in the offices of the Department. A copy of any approved map amendment in a shoreland district shall be sent to the Commissioner of the Dept. of Natural Resources within 10 days of final action.

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Secs. 26-109—26-135. Reserved.

ARTICLE 5 NONCONFORMITIES

Sec. 26-136 Purpose

It is the purpose of this Article to provide for the regulation of non-conforming lots, buildings, structures and uses and to specify those requirements, circumstances, and conditions under which non-conforming buildings, structures and uses may continue.

Sec. 26-137 Existing Nonconforming Uses and Lots of Record

- (1) Except as otherwise provided by law, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:

 - a) The nonconformity or occupancy is discontinued for a period of more than one year; or,
 - b) Any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged. In this case, a municipality may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.
- (2) Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. A municipality may, by ordinance, permit an expansion or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety. This subdivision does not prohibit a municipality from enforcing an ordinance that applies to adult uses as defined in Article 43 of this Chapter and regulated under Chapter 6, Article IV of the Code of Ordinances of the City of Crosslake.
- (3) Notwithstanding paragraph (1), the City shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in floodplain areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway.
- (4) Paragraphs (4) to (10) apply to shoreland lots of record in the office of the county recorder on February 6, 1992, the date of adoption of local shoreland controls, which do not meet the requirements for lot size or lot width. The City shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas according to paragraphs (4) to (10).
- (5) A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that:

 - a) All structure and septic system setback distance requirements can be met;
 - b) A Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed or the lot is connected to a public sewer; and
 - c) The impervious surface coverage does not exceed 25 percent of the lot.

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- (6) In a group of two or more contiguous lots of record under a common ownership, an individual lot must not be considered as a separate parcel of land for the purpose of sale or development, unless it meets the following requirements:
- a) The lot must be at least 66 percent of the dimensional standard for lot width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120;
 - b) The lot must be connected to a public sewer, if available, or must be suitable for the installation of a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, and this Chapter;
 - c) Impervious surface coverage must not exceed 25 percent of each lot; and
 - d) Development of the lot must be consistent with the Crosslake Comprehensive Plan.
- (7) A lot subject to paragraph (6) not meeting the requirements of paragraph (6) must be combined with the one or more contiguous lots so they equal one or more conforming lots as much as possible.
- (8) Notwithstanding paragraph (6), contiguous nonconforming lots of record in shoreland areas under a common ownership must be able to be sold or purchased individually if each lot contained a habitable residential dwelling at the time the lots came under common ownership and the lots are suitable for, or served by, a sewage treatment system consistent with the requirements of Minnesota Statutes, Chapter 155.55 and Minnesota Rules, Chapter 7080, or connected to a public sewer.
- (9) In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.
- (10) A portion of a conforming lot may be separated from an existing parcel as long as the remainder of the existing parcel meets the lot size and sewage treatment requirements of the land use district for a new lot and the newly created parcel is combined with an adjacent parcel.
- (11) A nonconforming commercial use existing at the time of the adoption of this chapter and complying with City standards in effect at the time it was approved, shall remain a legal nonconforming use and may be continued unless the commercial use is:
- a) Changed to a different use;
 - b) Expanded by 25% of the current building size;
 - c) Discontinued for a period of ~~one~~ five years.

If any of the conditions in (11) a) through c) of this Section exist, any subsequent commercial use at the same location shall meet all the pertinent standards of this Chapter including but not limited to Articles 20, 26, 28, and 29.

Sec. 26-138 Existing Nonconforming Structures

A nonconforming structure existing at the time of the adoption of this chapter and complying with City standards in effect at the time it was approved, shall remain a legal nonconforming structure and may be continued subject to the following provisions:

- (1) **Maintenance and replacement.** Existing nonconforming structures may be continued, including through repair, replacement, restoration, maintenance, or improvement but not including expansion. [Expansions that meet setbacks and other provisions of this ordinance shall not require a variance.](#)
- (2) **Conforming Sewer System.** Dwellings are connected to a conforming sewage treatment system compliant with Minnesota Rules, Chapter 7080 and Article 31 of this Chapter or the lot is connected to a public sewer.

New structures shall meet all pertinent standards of this Chapter.

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Secs. 26-139—26-161. Reserved

ARTICLE 6 PLANNING COMMISSION/BOARD OF ADJUSTMENT

Sec. 26-162 Planning Commission/Board of Adjustment Duties

- (1) Acting in its capacity as the Planning Commission, the Planning Commission/Board of Adjustment is hereby designated by the City Council to:
 - a) Review all plats, conservation developments, land use district map amendments, and amendments to the land use Chapter text, and make recommendations to the City Council.
 - b) Review and make final decisions regarding all conditional use permit applications.
 - c) Exercise all powers and perform all duties granted to the Planning Commission/Board of Adjustment under Minnesota Statutes, Chapter 462.354.
 - d) Adopt and annually review rules of business necessary to the conduct of its affairs.
- (2) Acting in its capacity as the Board of Adjustment, the Planning Commission/Board of Adjustment is hereby designated by the City Council to:
 - a) Review and make final decisions regarding all variance applications.
 - b) Hear appeals of all administrative orders, requirements, administrative decisions, or determinations
 - c) Adopt and annually review rules of business necessary to the conduct of its affairs.

Sec. 26-163 Membership

The Planning Commission/Board of Adjustment shall consist of not less than five members nor more than seven members.

Sec. 26-164 Officers/Duties

- (1) Officers of the Planning Commission/Board of Adjustment shall be a Chairperson, Vice-Chairperson and other officers as needed.
- (2) Officers shall be elected by the Planning Commission/Board of Adjustment at the first regular meeting held in February.
- (3) In the event of a resignation of an Officer, the Planning Commission/Board of Adjustment shall fill the vacancy.
- (4) The Chairperson shall preside at all meetings.
- (5) The Vice-Chairperson shall assume the responsibilities of the Chairperson when he/she is unable to serve.

Sec. 26-165 Meetings

Meetings shall be scheduled and conducted according to the established Planning Commission/ Board of Adjustment rules of business.

Secs. 26-166—26-184 Reserved.

ARTICLE 7 CONDITIONAL/INTERIM USE PERMITS

Sec. 26-185 Conditional Use Permit

Land uses shown as Conditional Uses in the Land Use Tables in Article 10.3, shall be allowed only after a Conditional Use Permit application has been made to and approved by the Planning Commission/Board of Adjustment. An Application for a conditional use permit shall be filed with the Department including:

- a. A certificate of survey signed by a Registered Land Surveyor licensed in the State of Minnesota, unless the Administrator determines otherwise. A negative determination, signed by the Administrator, shall be made in writing and forwarded to the applicant and the Planning Commission/Board of Adjustment setting forth the facts upon which the determination was made. Required certificates of survey shall indicate information pertinent to the application which may include the following:
 - a) Graphic scale;
 - b) North point;
 - c) Bearing/coordinate system;
 - d) Date of Preparation;
 - e) Legal description of subject parcel boundary and resulting parcels;
 - f) Property boundary with sufficient survey and mathematical data to locate and retrace the boundary;
 - g) Location of right of ways, public roads and easements of record;
 - h) Structure setbacks including all pertinent dimensions;
 - i) Area of parcel(s) in square feet and acres;
 - j) Total area of riparian parcel and area above ordinary high water elevation level;
 - k) Buildable area of parcel(s);
 - l) Building envelope;
 - m) Location, square footage and height of all existing and proposed structures/additions;
 - n) Location of all wells (existing and proposed) and septic systems;
 - o) Location and size of all existing and proposed driveways, roads and easements;
 - p) Nonconforming structure setbacks including all pertinent dimensions;
 - q) Bluff or steep slopes including all pertinent dimensions and setbacks;
 - r) Shoreline and ordinary high water elevation line, if riparian;
 - s) Location of delineated wetlands;
 - t) Impervious coverage calculation
- b. Grading and storm water plans utilizing the current certificate of survey as a base for the subject property depicting the following:
 - a) Existing contours at two (2) foot intervals.
 - b) Drainage plan, including the configuration of drainage areas and calculations.
 - c) Surface water ponding and treatment areas.
 - d) Erosion control measures.
- c. After determining that the application is complete, the Administrator, shall forward the application and supporting documentation to the Planning Commission/Board of Adjustment for consideration at their next meeting.

Sec. 26-186 Public Hearing

The Planning Commission/Board of Adjustment shall hold at least one public hearing on an application for a conditional use permit pursuant to Minnesota Statutes, Chapter 462.357, subd. 3 and its adopted rules of business.

Sec. 26-187 Delayed Action

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In considering the application for a Conditional Use, the Planning Commission/Board of Adjustment may adjourn the hearing to a future time and defer action or consideration until further information desired from the applicant is submitted. The applicant shall be formally notified of the information needed or reason for tabling the item. The provisions for action on an application shall be in compliance with Minnesota Statutes, Chapter 15.99 and Section 26-74 of this Chapter.

Sec. 26-188 Determination

In considering an application, the Planning Commission/Board of Adjustment shall determine and make findings for approval or denial on:

- (1) The impact of the proposed use on the health, safety, and general welfare of the occupants in the surrounding neighborhood;
- (2) The ability of the proposed use to meet the standards of this Chapter.
- (3) The ability of the proposed use to meet goals and policies adopted within the Crosslake Comprehensive Plan;
- (4) The effect of the proposed use on property values and future development of the land in the surrounding neighborhood;
- (5) The effect of the proposed use on public utility, public services, roads and schools;
- (6) The effects of the proposed use on the environment including its impact on groundwater, surface water and air quality;
- (7) The adequacy of water supply, public sewer or subsurface sewage treatment system facilities, erosion control and stormwater management are provided pursuant to applicable standards;

Sec. 26-189 Conditions May Apply

The Planning Commission/Board of Adjustment, in approving any such application, may impose additional conditions to the granting of the permit that shall fulfill the purposes of this Chapter. Such conditions may include, but are not limited to, the following:

- (1) Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted.
- (2) Special provisions for the location, use of structures, sewage treatment systems, water craft launching and docking areas, and vehicle parking areas.
- (3) Performance security as prescribed in Section 26-72 of this Chapter.
- (4) Provisions to insure that the conditional use will not be detrimental to the use and enjoyment of the environment or of other properties.
- (5) Buffers between potentially conflicting uses or along shorelines.
- (6) Designated length of time in which work must be completed.

Sec. 26-190 Special Review Criteria for Floodplain Conditional Use Permits

In reviewing Conditional Use applications in Floodplain areas, the Planning Commission/Board of Adjustment shall consider all relevant factors specified in other sections of these standards, and:

- (1) The danger to life and property due to increased flood heights or velocities caused by encroachments.
- (2) The danger that materials may be swept onto other lands or downstream to the injury of others or they may block bridges, culverts or other hydraulic structures.
- (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- (5) The importance of the services provided by the proposed facility to the community.
- (6) The requirements of the facility for a waterfront location.
- (7) The availability of alternative locations not subject to flooding for the proposed use.

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- (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- (9) The relationship of the proposed use to the comprehensive plan and Floodplain management program for the City.
- (10) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (11) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
- (12) Such other factors which are relevant to the purposes of these standards.

Sec. 26-191 Conditional Use Permit Decision

After reviewing the application, considering all pertinent facts, and hearing testimony at the public hearing, the Planning Commission/Board of Adjustment shall determine if the conditional use requested be approved, denied, or modified. The Planning Commission/Board of Adjustment shall prepare written findings of fact to support its decision. A copy of the decision and findings of fact shall be forwarded to the applicant. If the conditional use is approved by the Planning Commission/Board of Adjustment, the Department shall cause a copy of the conditional use to be recorded with the land records for the subject property in the Office of the County Recorder. A copy of the final decision granting a conditional use within a shoreland area shall be sent to the Commissioner of the Department of Natural Resources within 10 days of final action.

Sec. 26-192 Status of Conditional Use Permit

Any use permitted under the terms of a conditional use permit shall be established and conducted in conformity with the terms and conditions designated in connection with the approval of the permit and all other applicable provisions of this Chapter. A conditional use permit shall remain in effect so long as the conditions agreed upon are observed. Nothing in this Article shall prevent the City Council from enacting this Chapter or any other Chapter or Ordinance to change the status of a conditional use.

Sec. 26-193 Amendments to Conditional Use Permits

Amendments to approved conditional use permits or requests for changes in conditions attached to conditional use permits shall be referred to the Planning Commission/Board of Adjustment and processed in the same manner as new conditional use permits.

Sec. 26-194 Appeals of Planning Commission/Board of Adjustment Decision on Conditional Use Permits

Acting in its capacity as the Planning Commission, all Planning Commission/Board of Adjustment decisions under this Chapter regarding conditional use permits are final. Any aggrieved person or department, board, or commission, County, or Department of the State of Minnesota may appeal such Planning Commission/Board of Adjustment decision by writ of certiorari to the Minnesota Court of Appeals.

Sec. 26-195 Revocation of Conditional Use Permit

The Planning Commission/Board of Adjustment, subsequent to a public hearing, may revoke a conditional use permit if any conditions imposed as part of granting the conditional use permit request, are violated.

Sec. 26-196 Interim Use Permits

- (1) Applications for interim uses as designated in the land use tables in Section 26-281 shall be processed in the same manner as conditional uses under this Article with the exception that the Planning Commission/Board of Adjustment shall make a recommendation to the City Council. The City Council shall take final action on the interim use application.

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- (2) The Planning Commission/Board of Adjustment may recommend approval of an interim use of property to the City Council if:
- a) the use conforms to the land use district regulations;
 - b) the date or event that will terminate the use can be identified with certainty;
 - c) permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
 - d) the user agrees to any conditions that the governing body deems appropriate for permission of the use.
- (3) Any interim use may be terminated by a change in zoning regulations.

Secs. 26-197—26-221. Reserved

ARTICLE 8 VARIANCES/APPEALS

Sec. 26-222 Applications

Application for variances shall be filed with the Department. The Department shall forward to the Planning Commission/Board of Adjustment:

- (1) A copy of the application and additional information determined by the Administrator to be pertinent to the application; and,
- (2) A Certificate of Survey shall be required showing:
 - a) Property boundary with dimensions shown including square footage of parcel;
 - b) Buildable area;
 - c) Location, size and height dimensions of all existing and proposed structures/additions;
 - d) Location of all wells (existing and proposed) and septic systems;
 - e) Location and size of all existing and proposed driveways, roads and easements;
 - f) Nonconforming structure setbacks including all pertinent dimensions;
 - g) Two foot contours;
 - h) Existing and proposed impervious surface calculations;
 - i) Bluff or steep slopes;
 - j) Ordinary high water elevation;
 - k) Delineated Wetlands;
 - l) Stormwater Management Plan according to Article 20 of this Chapter;
 - m) No-Maintenance Shoreline Buffer according to Article 19 of this Chapter;
- (3) The Administrator shall have the discretion to determine whether an application may be forwarded to the Planning Commission/Board of Adjustment without an accompanying Certificate of Survey. A determination by the Administrator that a Certificate of Survey is not necessary shall be made in writing on a form approved by the City Council for this purpose. The form shall specifically set forth the facts upon which the determination was made, and a copy of said form, signed by the Administrator, shall be forwarded to the City Council and to the Planning Commission/Board of Adjustment.

Sec. 26-223 Public Hearing

Acting in its capacity as the Board of Adjustment, the Planning Commission/Board of Adjustment shall hold at least one public hearing on an application for a variance pursuant to Minnesota Statutes, Chapter 462.357, subd. 3 and its adopted rules of business. The Planning Commission/Board of Adjustment may hold additional public hearings when it determines that such hearings will be in the public interest.

Sec. 26-224 Delayed Action

In considering the application for a Variance, the Planning Commission/Board of Adjustment may adjourn the hearing to a future time and defer action or consideration until further information desired from the applicant is submitted. The applicant shall be notified in writing of the information needed or reason for tabling the item. The provisions for action on an application shall be in compliance with Minnesota Statutes, Chapter 15.99 and Section 26-74 of this Chapter.

Sec. 26-225 Variance Criteria

- (1) Variances shall only be permitted in accordance with Minnesota Statutes, Chapter 462.357 subd. 6.
- (2) No variance shall be granted that would allow any use that is prohibited in the land use district in which the subject property is located.
- (3) In considering a variance request, the Planning Commission/Board of Adjustment must determine that practical difficulties exist according to the following factors:
 - a) Is the variance request in harmony with the purposes and intent of this Chapter?
 - b) Is the variance consistent with the Crosslake Comprehensive Plan?

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- c) Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
- d) Is the need for a variance due to circumstances unique to the property and not created by the property owner?
- e) Will the issuance of a variance maintain the essential character of the locality?
- f) Does the need for a variance involve more than economic considerations?
- (4) Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, Chapter 216C.06, subd. 14, when in harmony with the Chapter.
- (5) The Planning Commission/Board of Adjustment may permit as a variance the temporary use of a one family dwelling as a two family dwelling.

Sec. 26-226 Conditions May Apply

- (1) If the variance criteria in Section 26-225 have been met, the Planning Commission/Board of Adjustment, in approving any such application, may require additional conditions and mitigating requirements to protect the public health, safety, or the environment, as may be reasonable under all circumstances concerned therewith, to be imposed as a condition for granting of the permit that shall fulfill the purposes of this Chapter. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. Such conditions may include, but are not limited to, the following:
 - a) Mitigation actions to off-set environmental consequences of variance approval according to Articles 19 and 20;
 - b) Increased setbacks from the ordinary high water level;
 - c) Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted according to Article 19;
 - d) Special provisions for the location, design, size and use of allowed structures, sewage treatment systems, and vehicle parking areas;
 - e) Performance security as prescribed in Section 26-72 of this Chapter.
 - f) Extension of the time frame upon which the variance must be substantially completed.
- (2) The Department may conduct follow up inspections as necessary to insure that the conditions established by the Board of Adjustment are met.
- (3) Failure to comply with variance conditions as imposed by the Planning Commission/Board of Adjustment is a violation of this Chapter punishable under Section 26-71.

Sec. 26-227 Variance Decision

After reviewing the application, considering all pertinent facts, and hearing testimony at the public hearing, the Planning Commission/Board of Adjustment may approve, deny, or modify the variance request. The Planning Commission/Board of Adjustment shall prepare written findings of fact to support its decision. A copy of the decision and findings of fact shall be forwarded to the applicant. If the variance is approved, the Administrator shall cause a copy of the variance to be recorded with the land records for the subject property in the Office of the County Recorder. Variances must be substantially completed within two years of receiving approval. A copy of the final decision granting a variance within a shoreland area shall be sent to the Commissioner of the Department of Natural Resources within 10 days of final action.

Sec. 26-228 Appeals of Administrative Actions to the Planning Commission/Board of Adjustment

- (1) Acting in its capacity as the Board of Adjustment, the Planning Commission/Board of Adjustment shall hear all appeals of final administrative orders, requirements, decisions, or determinations. Appeals to the Planning Commission/Board of Adjustment shall be filed with the Department within 30 days of the date the order, action, or determination was made. The appeal shall be filed in writing specifying the

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grounds thereof, together with a fee according to the most recent City Council approved fee schedule. The Administrator shall notify the Planning Commission/Board of Adjustment of the appeal within 5 working days. The Administrator shall, within 30 days of such notice call a properly noticed public hearing to hear such appeal. The appellant may appear in person at the hearing and/or be represented by an agent or attorney.

- (2) **Determination of appeal.** The Planning Commission/Board of Adjustment shall review the information submitted by the appellant, a report from the Administrator, and the provisions of this Chapter, and affirm the original decision unless the Planning Commission/Board of Adjustment determines that:
- a) The decision was arbitrary and capricious, or;
 - b) The decision did not comply with the standards in this Chapter.
- (3) The Planning Commission/Board of Adjustment shall decide the matter appealed within 30 days after the date of the hearing. The Planning Commission/Board of Adjustment may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination appealed, and to that end shall have all the powers of the officer whose decision was appealed, and may direct the issuance of a permit. The reasons for the Planning Commission/Board of Adjustment decision shall be stated in writing and provided to the appellant and the City Council.

Sec. 26-229 Appeals of Planning Commission/Board of Adjustment Decisions

Pursuant to Minnesota Statutes, Chapter 462.361, all decisions by the Planning Commission/Board of Adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision, or determination shall be final, except that any aggrieved person or persons, or any department, board, or commission of the jurisdiction or of the State shall have the right to appeal within 30 days after receipt of notice of the decision, to District Court on questions of law and fact.

Secs. 26-230—26-250 Reserved

ARTICLE 9 RESERVED Park Dedication Fees

Sec. 26-251 Purpose and Intent

- ~~(1) The city council recognizes it is essential to the health, safety, and welfare of the residents of the city that the character and quality of the environment be considered to be of major importance in the planning and development of the city. In this regard, the manner in which land is developed or redeveloped and used is of high priority. The preservation of land for park, playground, trail, and public open space purposes as it relates to the use, development, and redevelopment of land for residential, commercial, and industrial purposes is essential to maintaining a healthful and desirable environment for all citizens of the city. The city council wishes to provide these amenities for today's citizens and be mindful of future citizens.~~
- ~~(2) There has been much growth, putting increased pressure on existing park facilities and infrastructure. It is the intent and purpose of this division to address the need for:~~
- ~~a. The preservation of open space and the natural environment; and~~
 - ~~b. The preservation, improvement, acquisition and development of trails, parks, and recreational land and facilities through the use of park dedication.~~
- ~~(3) In accordance with the provisions of M.S.A. § 462.358, or amendments thereto, the subdivider shall dedicate to the public, lands for the purpose of open spaces, trails, parks, and recreational land and facilities or cash in lieu of land/or a combination thereof; highway rights-of-way; street rights-of-way; utility easements; drainage easements; wetland easements; and similar lands required for perpetual access and public improvements. Said dedications shall be determined by the city council.~~

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Secs. 26-252 Park Dedication

- ~~(1) The developer of a subdivision shall dedicate ten percent of his/her buildable land to the public for park purposes, or at the option of the city council, shall pay the city an amount equal to \$1,500.00 per lot for a commercial or industrial-zoned subdivision and \$1,500.00 per residential unit created in a residentially-zoned subdivision, or a combination of land dedication and payment of cash in lieu of land according to the formula set forth in this Code. This subsection shall apply to all land subdivisions, including land subdivided by metes and bounds description. It shall not apply to:~~
- ~~a. Lot combinations which do not increase the number of developable lots or residential units;~~
 - ~~b. Adjustment of a lot line by relocation of a common boundary which does not increase the number of developable lots or residential units;~~
 - ~~d. Cemetery lots;~~
 - ~~e. Parcels resulting by a court order;~~
 - ~~f. A single residential parcel of land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width;~~
 - ~~g. A single commercial, office, or industrial parcel of land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width.~~
 - ~~h. The city council may determine the location and configuration of any land dedicated, taking into consideration the suitability of the land for its intended purpose and future needs of the community for park, playground, trail, or open space property. Other factors to be considered include the site size, shape, topography, drainage, geology, tree cover, rare species, and other significant wildlife habitats, access, and location.~~
 - ~~i. The park and recreation commission and the planning and zoning commission shall give recommendations to the city council regarding land dedication, cash in lieu of land, or a combination thereof.~~
 - ~~j. The city council must reasonably determine that it will need to acquire that portion of land for the purposes stated in this section as a result of approval of the subdivision.~~
 - ~~k. The city must not deny the approval of a subdivision based solely on an inadequate supply of parks, open spaces, trails, or recreational facilities within the city.~~
 - ~~l. Previously subdivided property from which a park dedication has been received, being re-subdivided with the same number of lots/units, is exempt from park dedication requirements. If, as a result of re-subdividing the property, the number of lots/units is increased, then the park dedication or per-lot/unit cash fee must apply only to the net increase of lots/units.~~
 - ~~m. The city council, at its discretion, may waive or reduce the requirements of this section only when the subdivision includes a city-assisted development and the requirements would create a financial hardship for the project.~~
 - ~~n. Land dedication. Prior to the dedication of the required property, the subdivider shall provide the city with an acceptable title opinion or title insurance policy addressed to the city, which insures the title and the city's proposed interest in the property. In any dedication of required land, the subdivider must transfer good and marketable title to the city, free and clear of any mortgages, liens, encumbrances or assessments, except easements or minor imperfections of title acceptable to the city. If this land is not formally dedicated to the city with the final plat, the subdivider shall record all deeds for conveyance of the property to the city at the same time as the recording of the final plat or other appropriate subdivision documents.~~

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~~(2) At the city's option, the following properties shall not be accepted for purposes of the owner's compliance with this section:~~

- ~~a. Land dedicated or obtained as easements for stormwater retention, drainage, roadway and other utility purposes;~~
- ~~b. Land which is unusable or of limited use such as bluffs and steep slopes; and~~
- ~~c. Land that is protected public water, delineated wetlands, and flood plain area.~~
- ~~d. Land area subject to park dedication requirements shall be determined using the following steps:~~
 - ~~i. Step 1. The buildable land area shall be determined by a certificate of survey or a preliminary plat prepared by a registered land surveyor.~~
 - ~~ii. Step 2. The buildable land area shall be multiplied by ten percent to determine the total area subject to park dedication.~~
 - ~~iii. Step 3. The city council shall determine the location and configuration of the land area to be dedicated for park dedication purposes. That decision may be based in whole or in part upon the comprehensive plan, the comprehensive park and recreation plan, capital improvement plan, city facilities assessment study, and recommendations of the developer, property owner, park and recreation commission, and planning and zoning commission, and the proximity of the proposed land dedication to the adjacent private properties yet to be developed and the adjacent publicly owned property, in order to consolidate public spaces and recreational opportunities. Other factors to be considered include the site size, shape, topography, drainage, geology, tree cover, rare species, and other significant wildlife habitats, access, and location. This shall ensure the orderly, economic, and safe development of land to preserve open spaces and facilitate the adequate provision for and access to trails, parks, playgrounds, and other public recreational services and facilities.~~

~~(3) Cash in lieu of land~~

- ~~a. Cash contributions for all subdivisions must be paid before the city signs the final plat or deed. Cash contributions for all other types of residential, commercial, office or industrial developments, where park dedication applies, must be paid before the city signs the deed creating the new units, lots or parcels.~~
- ~~b. For purposes of redevelopment on developed land, the city may choose to accept a cash fee based on a flat fee of \$1,500.00 for each new unit/lot to be paid no later than the time of final approval or prior to releasing signed deeds or plat documents executed by city officials.~~
- ~~c. Cash payments received must be placed in a special fund to be used only as authorized by this Code and Minnesota law.~~
- ~~d. Cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park systems plans. Cash payments must not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands, or open space.~~
- ~~e. If cash in lieu of land is proposed for park dedication, then the following steps shall be taken to determine the required park dedication fee:~~
 - ~~i. Step 1. The number of new lots/units being created shall be determined.~~
 - ~~ii. Step 2. The number of new lots/units created shall be multiplied by a flat fee of \$1,500.00 for residential, commercial, or industrial developments.~~
 - ~~iii. Step 3. The result shall be the amount of cash in lieu of land to be paid for park dedication.~~

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~~f. Combination of land and cash in lieu of land. If a combination of land and cash in lieu of land is proposed for park dedication, then the following steps shall be taken to determine the required combination of land and cash in lieu of land for required park dedication:~~

- ~~i. Step 1. Calculate the acreage required to fully meet the land dedication requirement for the subdivision application.~~
- ~~ii. Step 2. Determine the amount of acreage to be dedicated from the subdivision as recommended by the planning and zoning commission or required by the city council.~~
- ~~iii. Step 3. Divide the acreage to be dedicated as determined in step 2 by the acreage of the full land dedication requirement derived in step 1 and express in percentage terms.~~
- ~~iv. Step 4. Subtract the quotient in percentage terms derived in step 3 from 100 percent.~~
- ~~v. Step 5. Multiply the product derived in step 4 times the per-lot/unit park dedication dollar amount required by the park dedication ordinance to arrive at the per-lot/unit park dedication dollar amount to be applied to the subdivision in question.~~
- ~~vi. Step 6. Multiply the per-lot/unit park dedication dollar amount arrived at in step 5 by the number of new lots/units in the subdivision in question.~~
- ~~vii. Step 7. The required park dedication shall be the land area to be dedicated in step 2 plus the cash in lieu of land result in step 6 that shall equal the total combined land and cash in lieu of land required for park dedication.~~

~~(4) Park Dedication Use~~

- ~~a. All dedications shall be included in the dedication portion of the plat, included in the development contract, or received by the city in warranty deed as a condition of the approval of the final plat or metes and bounds and other subdivision and prior to signing approval of the subdivision, without further restrictions or reservations except those provided in the chapter.~~

Secs. 26-251—26-278. Reserved

PART II LAND USE DISTRICTS

ARTICLE 10 LAND USE CLASSIFICATION LIST

Sec. 26-279 Listed Uses/Similar Uses

Many uses of land are listed in the land use classification list in Section 26-281 of this Article. For uses not included within the land use classification list, a landowner may make application to the Planning Commission/Board of Adjustment for a determination as to whether the proposed use is similar in nature to a listed use within a land use district. All uses that are not included in the land use classification list are prohibited unless determined to be similar in nature to a listed use through the process described in this paragraph.

Sec. 26-280 Land Use District Descriptions

This section describes the land use districts established in the City of Crosslake. The land use district boundaries are identified on the official land use district map.

- (1) **Shoreland District (SD)** The purpose of this district is to preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, protect drinking water sources, and provide for the wise use of water and related land resources. The primary use within this district is seasonal and year-round single family residential. Lot dimensions and density limitations are controlled by lake or river classifications. Compatible commercial or water-oriented commercial uses may be allowed as permitted or conditional uses.
- (2) **Rural Residential-5 (RR-5)**. The purpose of this district is to establish and maintain a low density residential district with 5 acre minimum lot sizes outside the shoreland zone, preserving the character of the city and providing a rural single family setting with limited agriculture/forestry uses. The primary use within this district is single family residential and agriculture/forestry. Compatible commercial uses may be allowed as conditional uses.
- (3) **Waterfront Commercial (WC)**. The purpose of this district is to accommodate commercial uses in the shoreland district where access to and use of a surface water feature is an integral part of the business. The primary uses in this district are marinas, resorts and restaurants with transient docking facilities.
- (4) **Limited Commercial District (LC)** The purpose of this district is to establish and provide a commercial environment with a limited mixture of commercial and office related development and services. A commercial district may be located within or outside the shoreland zone.
- (5) **Downtown Commercial District (DC)**. The purpose of this district is to establish and provide a commercial environment with a mixture of commercial and office related development and services and maintain a pedestrian-oriented commercial district consisting of retail, offices and professional services. A downtown commercial district may be located within or outside the shoreland zone.
- (6) **Commercial/Light Industrial District (C/LI)**. The purpose of this district is to establish and maintain a district for light industrial purposes with commercial activities which can provide the employment opportunities for the residents of the community, allow for the production and manufacture of goods and products, provide for the retail display and sale of the goods and products manufactured on the site with other related products or services, and provide professional contractor services and related office uses.
- (7) **Sensitive Shoreland (SS)**. The purpose of this district is to accommodate limited residential uses, agricultural uses, and forest management activities within the shoreland protection zone while conserving sensitive land areas on which more intensive development would adversely affect water quality, wetlands, lakes, shorelines, slopes, wildlife habitat, biological ecosystems, or scenic and natural values. Density is decreased and performance standards established in order to minimize disturbance of soils and vegetation in the shoreland district, to prevent damage from erosion, floods, siltation and water turbidity, to prevent the loss of vegetation, fish, wildlife and natural habitat, to protect the quality

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of ground and surface waters, and to conserve natural and scenic areas in the shoreland protection zone. This district can only be designated in shoreland areas determined to be sensitive by the City Council.

Sec. 26-281 Land Use Tables

The following table establishes the permitted, conditional, and allowed uses within the land use districts of the City. Any uses not listed in these tables are prohibited.

For the purposes of this table:

<u>"P"</u>	<u>means a use requiring a permit</u>
<u>"CU"</u>	<u>means a use requiring a conditional use permit</u>
<u>"I"</u>	<u>means an interim use</u>
<u>"A"</u>	<u>means a use that is allowed without a permit but may have performance standards</u>
<u>"SD"</u>	<u>means a shoreland district</u>
<u>"RR-5"</u>	<u>means a rural residential district—5 acre minimum lot size</u>
<u>"WC"</u>	<u>means a waterfront commercial district</u>
<u>"LC"</u>	<u>means a limited commercial district</u>
<u>"DC"</u>	<u>means a downtown commercial district</u>
<u>"C/LI"</u>	<u>means a commercial/light industrial district</u>
<u>"SS"</u>	<u>means a sensitive shoreland district</u>

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LAND USE TABLES	S D	RR 5	S S	L C	D C	W C	C/ LI
(1) Agricultural Uses							
Farm buildings (barns, silo, hay shed, etc.)	P	P	P	P			
Farmland: Crop growing and harvesting	A	A	A	A			
Farmland: Livestock, poultry use, including related buildings	<u>A</u>	A		A			
Forest land: growth, harvest		A	A	A		A	A
(2) Residential and Related Uses							
Single-family dwelling—24' or wider	P	P	P	P	P	P	CU
Two-family dwelling--duplex	CU	P	P	P	CU	P	CU
Multi-family dwelling	CU	CU		CU	CU	CU	
Deck or patio	P	P	P	P	P	P	P
Guest quarters	P	P	P	P		CU	
Group home, detention or correction home (including detoxification center, rehabilitation home, etc.)	CU	CU	CU	CU		CU	
Mobile home park		CU					
Mobile home development		CU					
Home: old age, nursing, maternity, children's, supportive care		CU		CU	CU		
Energy systems assoc. with a principal use (i.e. solar collectors and wind generators under 50KW)*	P/CU*	P		P		P/ CU *	P
Meteorological test station for WECS	I	I		I		I	I
Accessory structure	P	P	P	P	P	P	P
Water-oriented storage locker accessory structures	P					P	
Portable or temporary storage	P	P	P	P	P	P	P
Controlled access lot							
Home business	CU	CU				CU	
Home occupation	A	A	A	A	A	A	
Temporary Structure	A	A	A	A	A	A	A
<u>Garage Sales (Maximum 3 per calendar year)</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
(3) Public Uses							
School				P			
Temporary classroom structure				I			
Public buildings				P	P		
Public beach	P					P	
Recreational and snowmobile trails	P	P	P	P	P	P	P
Non-motorized trails	P	P	P	P	P	P	P
Library	P	P	P	P	P	P	P
Public parking	P	P	P	P	P	P	P
(4) Recreational Uses							
Campground, public or private	CU	CU		CU		CU	
Public parks and recreation facilities	CU	CU		CU		CU	
Race track: horse, auto, motorcycle, go cart		CU		CU			CU

*--Type of Permit depends on wind energy tower height and power output

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LAND USE TABLES	S D	RR 5	S S	L C	D C	W C	C/ LI
Shooting range, fire arms, archery, public or private		CU		CU			<u>CU</u>
(5 Civic, Educational and Institutional Uses							
Athletic field/stadium; arena		CU		CU			
Cemetery	A	A		A			
Transient Camps, Church Camps	CU	CU				CU	
Church/Synagogue	P	P	P	P	P	P	CU
(6) Commercial and Industrial Uses							
Retail store				P	P	P	<u>P</u>
Day care facility	P	P		P	P	P	
Temporary real estate office/model home	P	P		P	P	P	
Adult uses							CU
Amusement Park		CU		CU			
Breeding and boarding of animals	CU	CU		CU	CU		CU
Extractive use, mining, gravel pit, aggregate		CU					CU
Portable concrete and asphalt plants				I			P
Recycling collection site		I		I			P
Sign – on site	P	P	P	P	P	P	P
Storage buildings, Commercial	CU	CU		CU		CU	CU
Industrial park							CU
Liquor: On and/or off sale	CU			CU	CU	CU	CU
Manufacturing: light in general							P
Telecommunication tower		CU					CU
Motel/hotel	CU	CU		CU	CU	CU	CU
Sawmill		CU		CU			P
Restaurant	CU	CU		P	P	P	
Marina						CU	
Resort recreation facility						CU	
Golf Course	CU	CU		CU		CU	
Miniature golf	CU	CU		CU		CU	
Athletic club				P	P	P	
Gas station/convenience store w/fuel sales				P	P	P	
Convenience store w/o fuel sales				P	P	P	
Bed and Breakfast Residence	CU	CU	CU	CU		CU	
Office Space				P	P	P	
Funeral home with crematorium				P			
Medical or dental clinic				P	P		
Veterinary clinic				CU	CU		
Bank or financial institution				P	P		
Business or professional offices				P	P		
Beauty shop, barber, dry cleaners				P	P		
Bowling Lanes				P	P		
Commercial greenhouse/nursery		CU		P			<u>P</u>

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LAND USE TABLES	S D	RR 5	S S	L C	D C	W C	C/ LI
Theater				P	P		
School/studio-art, music, photo, decorating, dance				P	P		
Auto repair shop, lubrication service station				P	P		<u>P</u>
Auto body shop				P	P		
Wholesaling and/or warehousing				P	P		<u>P</u>
Car wash				P	P		
Lumber yard				P	P		<u>P</u>
Vehicle, boat, recreational equipment sales				P	P		<u>P</u>
Construction contracting				P	P		<u>P</u>
Repair shop				P	P		<u>P</u>
Contractor services-carpentry, electrical, plumbing, heating, ventilation, mechanical, flooring, insulation, siding, etc				P	P		<u>P</u>
Over-the-counter print shop				P	P		
Private clubs and lodges				P	P		
Rental equipment sales and service	CU			P	P		<u>P</u>
Light equipment repair shop				P	P		<u>P</u>
Assembly plant				CU			P
Machine shop				CU			P
Packaging plant				CU			P
Welding/blacksmith shop				CU			P
Cement/concrete/redi-mix sales				CU			P
Outdoor seasonal sales				I	I		
Storage building/storage unit rental		CU		CU	CU	CU	<u>P</u>
Bulk liquid storage				CU	CU		CU
Commercial parking lot				P	P	P	P
Truck and freight terminal				P	P	P	P
<u>Manufacturing of Furniture</u>				<u>CU</u>	<u>CU</u>		<u>P</u>
<u>Demolition Landfill</u>							<u>CU</u>

Secs. 26-282—26-304. Reserved

ARTICLE 11 SHORELAND DISTRICT STANDARDS**Sec. 26-305 Purpose and Intent**

The purpose of this district is to preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, protect drinking water sources, and provide for the wise use of water and related land resources. The primary use within this district is seasonal and year-round single family residential. Compatible commercial or water-oriented commercial uses may be allowed as permitted or conditional uses.

Sec. 26-306 Public Waters Classification System

- (1) **Lake classification system.** The Public Waters lakes of the City of Crosslake, Minnesota are hereby classified into the following categories:

 - a) **Natural environment lakes (NE).** Natural Environment lakes are generally small, often shallow lakes with limited capacities for assimilating the impacts of development and recreational use. They often have adjacent lands with substantial constraints for development such as high water tables and unsuitable soils. These lakes, particularly in rural areas, usually do not have much existing development or recreational use.
 - b) **Recreational development lakes (RD).** These lakes are generally medium-sized lakes of varying depths and shapes with a variety of landform, soil, and groundwater situations on the lands around them. At the time of the original classification, they were characterized by moderate levels of recreational use and existing development consisting mainly of seasonal and year-round residences and recreationally oriented commercial uses.
 - c) **General development lakes (GD).** These lakes are generally large, deep lakes or lakes of varying sizes and depths with high levels and mixes of existing development at the time of the original classification. These lakes often are extensively used for recreation.
- (2) **River classification system.** The Public Waters rivers of the City of Crosslake, Minnesota are hereby classified into the following categories:

 - a) **Natural Environment Rivers (NER).** This river class includes previously classified remote, forested, transitional, and tributary river segments that flow into natural environment lakes. The types and intensities of recreational uses within this class vary widely.
 - b) **General Development Rivers (GDR).** This river class includes previously classified agricultural and urban river segments and those tributary river segments that do not flow into natural environment lakes. This class has a wide variety of existing land and recreational use characteristics.
- (3) **Ox Lake Multiple Lake Classification.**

 - a) For purposes of the public waters list in Appendix A, the following described portion of the shoreline of Ox Lake in Sections 4 and 5, Township 137, Range 27, City of Crosslake, Minnesota, shall be classified as General Development: Beginning at a point on the West shore of Ox Lake where the South line of Lot 6, Block 1 in the plat of Ox Lake Crossing intersects said shoreline; thence Southerly and Easterly along said shoreline to its intersection with the Southwesterly line of Lot 22, Block 3, in the plat of Ox Lake Landings; thence continuing along said shoreline to its intersection with the North line of Lot 13, Block 4, of the plat of Ox Lake Landings and there terminating.
 - b) All other shoreline of Ox Lake, including islands, shall be classified as Natural Environment.
- (4) A complete list of Crosslake public waters is included in Appendix A of this Chapter.

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Sec. 26-307 Lot Area, Buildable Area, and Width Standards

After the effective date of this Chapter, all new lots in a Shoreland District created by plat, minor subdivision, or metes and bounds shall meet the minimum lot area, buildable area, and lot width requirements in the tables below. Only land above the ordinary high water level of public waters can be used to meet lot area and buildable area standards.

TABLE 26-307A Lot Area, Buildable Area, and Lot Width Requirements for the Shoreland District

	SINGLE FAMILY RESIDENTIAL			DUPLEX RESIDENTIAL LOT		
Lake Classification	Min. Lot Area (ft ²)	Min. Lot Width	Min. Buildable Area (ft ²)	Min. Lot Area (ft ²)	Min. Lot Width	Min. Buildable Area (ft ²)
General Development -Riparian	30,000	100	12,000	40,000	200	27,000
General Development -Non-Riparian	40,000	150	20,000	60,000	265	40,000
Recreational Development- Riparian	40,000	150	16,000	60,000	225	30,000
Recreational Development-Non-Riparian	60,000	150	25,000	80,000	265	40,000
Natural Environment-Riparian	80,000	200	40,000	120,000	400	60,000
Natural Environment-Non-Riparian	120,000	200	60,000	160,000	400	80,000
Sensitive Shoreland Districts-Riparian--all lake classes	80,000	200	40,000	120,000	300	60,000
Sensitive Shoreland Districts-Non-riparian--all lake classes	80,000	200	40,000	160,000	400	80,000

*-- Duplex lots are not allowed within natural environment - special shallow lake shorelands.

	SINGLE FAMILY RESIDENTIAL			DUPLEX RESIDENTIAL LOT		
River Classification	Min. Lot Area (ft ²)	Min. Lot Width	Min. Buildable Area (ft ²)	Min. Lot Area (ft ²)	Min. Lot Width	Min. Buildable Area (ft ²)*
Natural Environment -Riparian	80,000	200	40,000	120,000	400	60,000
Natural Environment -Non-Riparian	120,000	200	60,000	160,000	400	80,000
General Development -Riparian	30,000	100	12,000	40,000	200	20,000
General Development -Non-Riparian	40,000	150	20,000	60,000	265	30,000

Sec. 26-308 Setbacks and Placement of Structures

- (1) Structures shall meet all required setbacks.
- (2) **Measurement.** All setbacks shall be measured as the shortest horizontal distance between the structure and the feature from which the setback is required. All setbacks shall be measured to the vertical side of the structure. No part of the structure, such as eaves, can overhang or reduce such setback by more than three feet.
- (3) **Lake and River Setbacks**

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TABLE 26-308A Structure and SSTS setbacks from Public Waters in feet from the OHWL

			<u>Conservation</u>	
		<u>Conservation</u>	<u>Development</u>	
<u>Class of</u>		<u>Development</u>	<u>Density Incentive</u>	
<u>Public</u>	<u>Standard</u>	<u>Structure</u>	<u>Structure</u>	<u>SSTS</u>
<u>Water</u>	<u>Setback</u>	<u>Setback</u>	<u>Setback</u>	<u>Setback</u>
<u>Lakes:</u>				
General Development (GD)	75	120	150	75
Recreational Development (RD)	100	160	200	100
Natural Environment (NE)	150	200	250	150
<u>Sensitive Shoreland Districts (SS)--</u>				
All Lake Classes	150	200	250	150
<u>Rivers:</u>				
General Development	100	200	200	100
Natural Environment	150	200	250	150

- (4) **Additional structure setbacks.** The following additional structure setbacks apply, regardless of public water classification:

TABLE 26-308B Additional Structure Setbacks

Setback from:	Setback (in feet)
Bluff (top, bottom, or sides)	30
Significant Cultural or Historic Site	50
Unplatted Cemetery	50
Township, County, State, or Federal road right-of-way	35
All Other Roads	10
Property Line	10
Publicly-owned Recreational Trail (not easements)	10
New Parking Lot (from public road right-of-way)	10
New Driveway (from side yard)	10
Subsurface Sewage Treatment System--Septic Tank (to dwelling unit)	10
Subsurface Sewage Treatment System--Drainfield (to dwelling unit)	20
Minnesota Department of Natural Resources permitted harbors	One-half (1/2) of the lake setback for the respective class of public water
Wetland	15

(5) Riparian Commercial Lots

- a) Commercial, industrial, public or semipublic uses on commercially zoned lots without water-oriented needs shall meet a double setback from the ordinary high water level or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf on conditions.

(6) High Water Elevations

- a) For lakes, rivers and streams by placing the lowest floor at a level at least or above the established regulatory flood protection elevation. If no regulatory flood protection elevation is available, all structures must be elevated so that the lowest floor is three feet above the highest known water level. If highest know water level is not available, all structures must be elevated so that the lowest floor is at least or three feet above the ordinary high water level (OHWL). whichever is higher
- ~~b) For rivers and streams, by placing the lowest floor at least three feet above the flood of record, if data are available. If data are not available, by placing the lowest floor at least three feet above the ordinary high water level. As an alternative to elevation on fill, an accessory structure that constitutes a minimal investment and that does not exceed 576 square feet in size may be internally floodproofed in accordance with Section 26-416 (5).~~

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- c) All buildings hereafter erected in the Floodplain shall not be constructed unless in compliance with Article 14 of this Chapter.

Sec. 26-309 Shoreland District Performance Standards

- (1) The following performance standards shall be required in conjunction with the issuance of any permit in the Shoreland Protection Zone:
- a) Analysis of existing shoreland vegetation according to the Crow Wing Shoreline Rapid Assessment Model and development of a shoreland vegetation restoration plan, if applicable, as set forth in Article 19.
 - b) Footing placement inspection, as defined in Article 43, by Department staff to verify that permit requirements and setbacks are met.
 - c) Analysis of stormwater runoff –BMP's, plan, or engineered plan according to the standards in Article 20.
 - d) Erosion and sediment control best management practices as required by the Department shall be used during and immediately after construction.
 - e) Evidence of subsurface sewage treatment system (SSTS) compliance and assessment as provided in Article 31 and Minnesota Rules Chapter 7080.0175, Subpart 2 & 3.
 - f) Calculation of total impervious coverage meeting the standards set forth in Article 20.
- (2) The following performance standards shall be required in conjunction with the issuance of any permit in the Shoreland Buffer Zone:
- a) Analysis of stormwater runoff BMP's, according to the standards in Article 20 of this Chapter.
 - b) Evidence of subsurface sewage treatment system (SSTS) compliance and assessment as provided in Article 31 and Minnesota Rules Chapter 7080.0175, Subpart 2 & 3.
 - c) Calculation of total impervious coverage meeting the standards set forth in Article 20.

Sec. 26-310 Height of Structures

Unless otherwise specified, structures in the shoreland district shall not exceed 35 feet in height.

Sec. 26-311 Decks

Construction of new decks or replacement of existing decks shall require permits and comply with the following standards:

- (1) Decks adjacent to dwellings shall meet structure setbacks in Tables 26-308 A & B of this Article except as provided under Minnesota Rules Chapter 6120.3300 Subpart 3 J.
- (2) A 4 foot walkway, for access purposes, may be added without a variance lakeward and located closer than the required structure setback from the ordinary high water level. A permit shall not be necessary for a 4 foot walkway. **A walkway shall be no wider than the existing structure.**
- (3) Deck construction shall comply with all provisions of Articles 20 and 21 of this Chapter
- (4) Decks should be constructed as to be pervious, allowing water to reach a pervious surface below the deck. Decks not meeting this requirement shall be considered impervious surfaces.

Sec. 26-312 Patios

Patios placed within the structure setback require a shoreland alteration permit.

- (1) Patios within the structure setback shall comply with the following standards:
- a) Not be located in shore impact zone 1 except as a water-oriented accessory structure according to Section 26-307;
 - b) Be free standing;
 - c) Have no railings;
 - d) Be a maximum of 480 250 square feet in size and allow up to 400 sq ft with an approved and implemented Stormwater Management Plan according to Article 20 of this ordinance;

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- e) Not be more than one foot below or above natural ground level; and;
 - f) Construction complies with all provisions of Articles 20 and 21 of this Chapter;
 - g) The maximum impervious surface limits for the lot shall not be exceeded.
- (2) Patios are allowed behind the structure setback without a permit provided that all setbacks are met and the property does not exceed the maximum allowable impervious surface standards.

Sec. 26-313 Stairways, Lifts, and Landings

Stairways, lifts and landings for public water access shall require shoreland alteration permits, **meet side yard setbacks** and comply with the following standards:

- (1) **Preferred to topographic changes.** Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas.
- (2) **Maximum width.** Stairways and lifts shall not exceed four feet in width on residential lots. Up to eight foot wide stairways may be permitted on water-oriented commercial lots.
- (3) Construction complies with all provisions of Articles 20 and 21 of this Chapter
- (4) The maximum impervious surface limits for the lot shall not be exceeded.
- (5) **Landings.** Landings for stairways and lifts on residential lots must not exceed 32 square feet in area and be integral to the function of the stairway and not constitute a deck. Landings for stairways and lifts on water-oriented commercial lots must not exceed 64 square feet in area and be integral to the function of the stairway and not constitute a deck.
- (6) **Roofs.** Canopies or roofs are not allowed on stairways, lifts or landings.
- (7) **Design.** Stairways, lifts and landings may be either constructed above the ground on posts or pilings or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
- (8) **Location.** Stairways, lifts and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming summer, leaf-on conditions.
- (9) Facilities such as ramps or mobility paths for handicapped access to shoreline areas may be allowed, provided that:
 - a) The Department determines that there is no other reasonable way to achieve access, and;
 - b) The dimensional and performance standards of this section are met, and;
 - c) The requirements of Minnesota Rules, Chapters 1307 and 134 are met.

Sec. 26-314 Guest Auxiliary Cottage/Guest Auxiliary Quarter

An **guest auxiliary** cottage or **guest auxiliary** quarter may be permitted on a residential lot in the Shoreland District and shall comply with the following standards:

- (1) All required setbacks are met.
- (2) The maximum impervious surface limits for the lot shall not be exceeded.
- (3) The maximum building footprint for an **guest auxiliary** cottage does not exceed 700 square feet.
- (4) The building footprint for an accessory structure containing an **guest auxiliary** quarter is limited by #2 of this Section. The livable area shall not exceed 700 square feet.
- (5) Construction complies with all provisions of Articles 20 and 21 of this Chapter.
- (6) An **guest auxiliary** cottage does not exceed 15 feet in building height.
- (7) An **guest auxiliary** quarter does not exceed 30 feet in building height.
- (8) It is located or designed to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions.
- (9) Analysis of existing shoreland vegetation according to the **Crow-Wing Crosslake** Shoreline Rapid Assessment Model and development of a shoreland vegetation restoration plan, if applicable, as set forth in Article 19.
- (10) Only one **guest auxiliary** cottage or **guest auxiliary** quarter is allowed on a lot.

Sec. 26-315 Duplex Dwellings

A duplex dwelling may be permitted on a residential lot in the Shoreland District provided it meets the following standards:

- (1) The lot meets the duplex lot standards in Table 26-307A.
- (2) Each building shall have a conforming sewage treatment and water systems.
- (3) For riparian lots, watercraft docking facilities shall be centralized in one location and serve both dwelling units in the building.
- (4) The maximum impervious surface limits for the lot are not exceeded.
- (5) Construction complies with all provisions of Articles 20 and 21 of this Chapter.

Sec. 26-316 Accessory Structures--Residential

- (1) The total cumulative area that all residential accessory structures may occupy on a lot shall be subject to the impervious coverage limits found in Article 20 of this Chapter.
- (2) A permit shall not be required for up to two accessory structures totaling no more than 160 square feet.
- (3) No accessory structure shall be used for human habitation except to allow for a permitted [guest auxiliary](#) quarter.
- (4) All setback and building height requirements shall be met.
- (5) Construction complies with all provisions of Articles 20 and 21 of this Chapter.
- (6) Semi-trailers, cargo containers, railroad cars, manufactured houses, or similar structures shall not be used for storage.

Sec. 26-317 Water-oriented Accessory Structures

- 1. Water-Oriented Accessory Structures on Waterfront Commercial Lots.** One water oriented accessory structure not meeting the structure setbacks in Table 26-308A of this Article may be placed with a permit on a waterfront commercial lot provided the following standards are met:
 - a) The structure or facility shall not exceed 15 feet in height and cannot occupy an area greater than 250 square feet;
 - b) The minimum setback of the structure or facility from the OHWL level shall be 20 feet, and/or 10 feet from a DNR permitted harbor;
 - c) The structure or facility is treated to reduce visibility as viewed from Public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer, leaf-on conditions;
 - d) The structure shall not be used for human habitation.
 - e) The structure shall not be located within a bluff impact zone.
 - f) Construction complies with all provisions of Articles 20 and 21 of this Chapter.
 - g) The maximum impervious surface limits for the lot are not exceeded.
- 2. Water-Oriented Accessory Structures on Riparian Residential Lots.** One water oriented accessory structure not meeting the structure setbacks in Table 26-308A of this Chapter may be placed with a shoreland alteration permit on a riparian residential lot provided the following standards are met:
 - a) The structure or facility must not exceed 12 feet in height and cannot occupy an area greater than 120 square feet.
 - b) The setback of the structure or facility from the ordinary high water level must be at least 20 feet.
 - c) The structure must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the Department, assuming summer, leaf-on conditions
 - d) Construction complies with all provisions of Articles 20 and 21 of this Chapter.

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- e) The maximum impervious surface limits for the lot are not exceeded.
- f) The structure shall not be located within a bluff impact zone.
- g) The structure shall not be used for human habitation.
- h) The structure shall not include bathroom facilities.

3. **Boathouses**

- a) New boathouses and boat storage structures that do not meet the setback requirements in Tables 26-308A & 308B of this Article are prohibited.
- b) Existing boathouses and boat storage structures may be repaired or replaced pursuant to Minn. Statutes, Chapter 462.357, subd. 1e.

Sec. 26-318 Retaining Walls

- (1) A retaining wall may be installed with a shoreland alteration permit in shore impact zones 1 or 2 provided the following standards are met:
 - a) The Department determines that there is no other alternative to control erosion.
 - b) No tier of the retaining wall shall exceed four feet in height without a plan signed by a Minnesota-licensed professional engineer.
 - c) Construction complies with all provisions of Articles 20 and 21 of this Chapter.
- (2) A retaining wall may be installed without a permit behind the structure setback provided that:
 - a) It does not significantly alter the character of the property or does not create runoff or erosion problems.
 - b) Construction complies with all provisions of Articles 20 and 21 of this Chapter.

Sec. 26-319 Boardwalks

A boardwalk used for lake access over wetlands within the structure setback area shall require a shoreland alteration permit and meet the following standards:

- (1) Shall not exceed six feet in width on residential properties or eight feet for water-oriented commercial properties;
- (2) May be placed on temporary or permanent supports;
- (3) May have railings attached;
- (4) Shall meet property line setbacks.

Sec. 26-320 Watercraft Access Ramps

Watercraft access ramps, approach roads, and access related parking areas require shoreland alteration permits and shall comply with the following standards:

- (1) Are permitted for private residential lots only on lakes without Public Accesses.
- (2) May be permitted for Conservation Development lake access, if authorized, or water-oriented commercial uses on any lake classified General Development or Recreational Development.
- (3) Shall only consist of pervious surfaces in shore impact zone 1.
- (4) Shall not exceed 15 feet in width from the lake to the structure setback line.
- (5) Shall not include filling of wetlands.
- (6) Construction complies with all provisions of Articles 20 and 21 of this Chapter.
- (7) The maximum impervious surface limits for the lot are not exceeded.

Sec. 26-321 Controlled and Alternative Access Lots

- (1) Controlled access lots, or any lot, tract, or parcel of land, however designated or described, intended to be used to provide accesses to public waters for owners of non-riparian lots within new subdivisions or plats, are prohibited.
- (2) Alternative access lots, or parcels of land that provide access to public waters for owners of riparian lots within subdivisions, shall be used where the Planning Commission/Board of Adjustment determines that direct riparian access is not feasible due to the presence of protected vegetation, wetlands, or other critical fish or wildlife habitat.

Sec. 26-322 Temporary Structures in the Shoreland District

- (1) A maximum of two temporary structures **at one time** may be allowed without a permit for no more than 14 **continuous total** days within a year provided there is a principal structure on the property and the criteria specified in subsection (4) of this section are met.
- (2) Temporary structures such as travel trailers/travel vehicles, etc. are allowed to be stored on a property with a principal structure provided the temporary structure is licensed. The temporary structure is not to be used as a dwelling for more than 14 continuous days within a year. The temporary structure must be highway ready, meaning on wheels or the internal jacking system, must not be attached to the on-site sewage treatment system, and can only be attached to the site by quick disconnect type utilities commonly used in campgrounds and trailer parks. The temporary structure cannot have any type of structural additions, including, but not limited to, decks, patios and screened porches.
- (3) A permit for a one-time two-year period is authorized to store one temporary structure on a property without a principal structure. The temporary structure can be used as a dwelling for more than 14 continuous days per year provided all criteria specified in subsection (4) of this section are met.
- (4) Minimum facilities for camping under a temporary structure permit shall include a fire pit (meeting DNR requirements), a method for the storage and/or treatment and disposal of sewage (meeting MPCA chapter 7080 standards), and provisions for solid waste; all recreational vehicles or other camping units shall be completely removed from the property after use during the allowed time limit, and no accessory structures shall be constructed or placed without a permit. All temporary structures shall meet all required structural setbacks.

Sec. 26-323 Use of Fertilizer

All application of fertilizer containing phosphorus within the shoreland zone shall be done pursuant to Minnesota Statutes, Chapter 18C.60.

Secs. 26-324—26-343. Reserved.

ARTICLE 12 RURAL RESIDENTIAL DISTRICT STANDARDS

Sec. 26-344 Purpose

The purpose of this district is to establish and maintain a low density residential district with 5 acre minimum lot sizes outside the shoreland zone, preserving the character of the city and providing a rural single family setting with limited agriculture/forestry uses. The primary use within this district is single family residential and agriculture/forestry. Compatible commercial uses may be allowed as conditional uses.

Sec. 26-345 Rural Residential Density and Dimensional Standards

All lots, structures, and uses in the Rural Residential District shall meet the following density and dimensional requirements:

Minimum Lot Area	Minimum Lot Width	Structure Lot Line Setbacks	Public Right of Way Frontage	Road Right – of-Way Setback	Maximum Impervious Coverage	Structure Height
5 acres	300'	10'	33'	35'	15%	35'

Sec. 26-346 Rural Residential Performance Standards

The following performance standards shall apply in the Rural Residential District. Other general standards also apply:

- (1) The Best Management Practices for Minnesota for Agriculture and Water Quality, Minnesota Pollution Control Agency, shall hereby be adopted as a reference for agriculture areas.
- (2) The Best Management Practices in Minnesota for Water Quality in Forest Management, Minnesota Department of Natural Resources, shall hereby be adopted as a reference for timber management.
- (3) ~~Guest~~ ~~Auxiliary Cottage/Guest~~ ~~Auxiliary Quarters~~
 - a) It meets all required setbacks.
 - b) The maximum impervious surface limits for the lot shall not be exceeded.
 - c) The maximum building footprint does not exceed 900 square feet.
- (4) Temporary structures.
 - a) A maximum of two temporary structures at one time may be allowed without a permit for no more than 14 continuous total days within a year provided there is a principal structure on the property and the criteria specified in subsection (4) of this section are met.
 - b) Temporary structures such as travel trailers/travel vehicles, etc. are allowed to be stored on a property with a principal structure provided the temporary structure is licensed. The temporary structure is not to be used as a dwelling for more than 14 continuous days within a year. The temporary structure must be highway ready, meaning on wheels or the internal jacking system, must not be attached to the on-site sewage treatment system, and can only be attached to the site by quick disconnect type utilities commonly used in campgrounds and trailer parks. The temporary structure cannot have any type of structural additions, including, but not limited to, decks, patios and screened porches.
 - c) A permit for a one-time two-year period is authorized to store one temporary structure on a property without a principal structure. The temporary structure can be used as a dwelling for more than 14 continuous days per year provided all criteria specified in subsection (4) d) of this section are met.

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- d) Minimum facilities for camping under a temporary structure permit shall include a fire pit (meeting DNR requirements), a method for the storage and/or treatment and disposal of sewage (meeting MPCA chapter 7080 standards), and provisions for solid waste; all recreational vehicles or other camping units shall be completely removed from the property after use during the allowed time limit, and no accessory structures shall be constructed or placed without a permit. All temporary structures shall meet all required structural setbacks.

Secs. 26-347—26-374. Reserved.

ARTICLE 13 COMMERCIAL DISTRICT STANDARDS**Sec. 26-375 Purpose and Intent**

The purpose and intent of this article is to support the development of commercial and light industrial districts that will accommodate a wide range of commercial goods and services and maintain the up-north character of the area without degrading the natural resources and to:

- (1) To promote business property by enhancing the appeal and attraction of the commercial and commercial/industrial districts to residents, visitors, and tourists with uniform lot width and area, and setbacks;
- (2) Improvement of appearance through ~~good~~ landscaping emphasizing natural occurring trees for screening;
- (3) To encourage lighting that provides safety, utility, and security without glare onto public roads, private residences, and atmospheric light pollution;
- (4) To manage storm water runoff and its associated effects and to provide for the protection of natural and artificial water storage and retention areas, and public waters;
- (5) To alleviate potential traffic congestion on local streets and adjacent highways by the provision of adequate off street parking, traffic circulation patterns and arrangement of uses;
- (6) To treat wastewater to protect public health and safety, and to protect ground and surface water; and;
- (7) To establish reasonable regulation for design, construction, installation, and maintenance of all exterior signs.

Sec. 26-376 Plan Submission Requirements

No commercial site development, structure construction, or vehicular use area modifications are allowed, unless the provisions of this article are met:

- (1) The property owner or developer shall prepare a plan according to the standards of this Chapter
- (2) Site plan with setbacks and wetlands identified;
- (3) Screening and landscape plan meeting the standards in Article 28 of this Chapter
- (4) Lighting plan;
- (5) Off street loading and parking;
- (6) Sign plan;
- (7) Storm water management plan according to requirements in Article 20; and
- (8) Waste disposal plan.

Sec. 26-377 Waterfront Commercial District

- (1) The purpose of this district is to accommodate commercial uses in the shoreland district including marinas, resorts, restaurants, bars, rental units, campgrounds, and related uses on General Development (GD) and Recreational Development (RD) lakes only where access to and use of a surface water feature is an integral part of the businesses.
- (2) **Waterfront Commercial Density and Dimensional Standards.** All commercial lots, structures, and uses in the Waterfront Commercial District shall meet the following density and dimensional requirements:

<u>Lake Classification</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>	<u>Structure Lot Line Setbacks</u>	<u>Public Right of Way Frontage</u>	<u>Setback Between Bldgs.</u>	<u>Road Right-of-Way Setback</u>	<u>Maximum Impervious Coverage</u>	<u>Structure Height</u>
GD	<u>5 acres</u>	<u>400'</u>	<u>30'</u>	<u>33'</u>	<u>15'</u>	<u>50'</u>	<u>35%</u>	<u>30'</u>
RD	<u>5 acres</u>	<u>400'</u>	<u>30'</u>	<u>33'</u>	<u>15'</u>	<u>50'</u>	<u>25%</u>	<u>30'</u>
NE (existing only)	<u>10 acres</u>	<u>800'</u>	<u>30'</u>	<u>33'</u>	<u>15'</u>	<u>50'</u>	<u>20%</u>	<u>30'</u>

(3) **Waterfront Commercial Performance Standards.**

- a) Parking and loading: See Article 26 of this chapter.
- b) Landscaping and lighting: See Article 28 of this chapter.
- c) Architectural/appearance standards: See Article 29 of this chapter.

Sec. 26-378 Limited Commercial District

(1) The purpose of this district is to establish and provide a commercial environment with a limited mixture of commercial and office related development and services. A commercial district may be located within or outside the shoreland zone.

(2) **Limited Commercial Density and Dimensional Standards.** All lots, structures, and uses in the Limited Commercial District shall meet the following density and dimensional requirements:

<u>Minimum Lot Area Sq Ft</u>	<u>Minimum Lot Width</u>	<u>Structure Lot Line Setbacks</u>	<u>Public Right of Way Frontage</u>	<u>Setback Between Bldgs.</u>	<u>Road Right – of-Way Setback</u>	<u>Maximum Impervious Coverage</u>	<u>Structure Height</u>
20,000	100'	20'	33'	10'	35'	50%	30'

(3) **Limited Commercial Performance Standards.**

- a) Parking and loading: See Article 26 of this chapter.
- b) Landscaping and lighting: See Article 28 of this chapter.
- c) Architectural/appearance standards: See Article 29 of this chapter.

Sec. 26-379 Downtown Commercial District Standards

(1) The purpose of this district is to establish and provide a commercial environment with a mixture of commercial and office related development and services and maintain a pedestrian-oriented commercial district consisting of retail, offices and professional services. A downtown commercial district may be located within or outside the shoreland zone.

(2) **Downtown Commercial Density and Dimensional Standards.** All lots, structures, and uses in the Downtown Commercial District shall meet the following density and dimensional requirements:

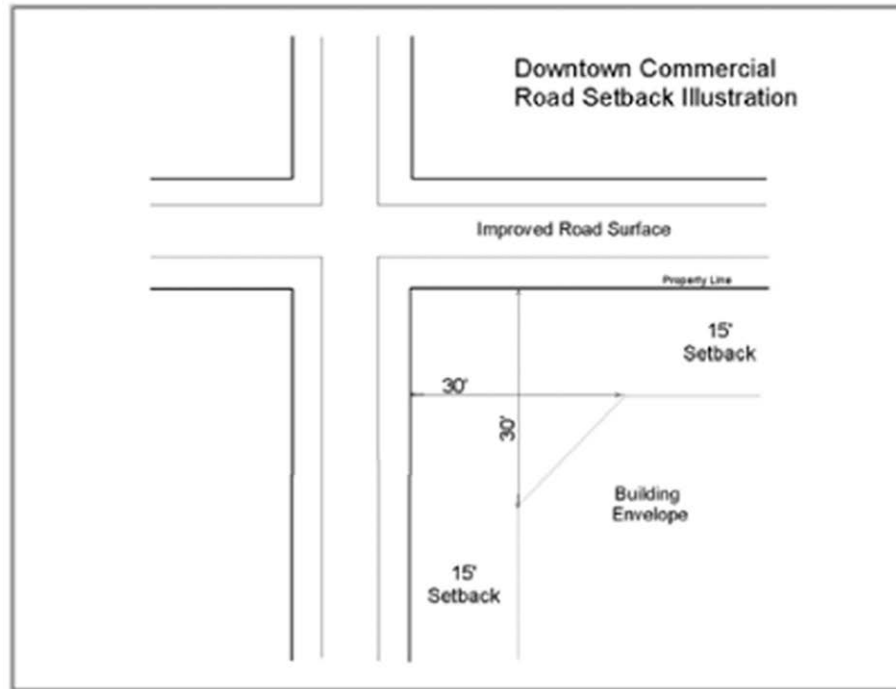
<u>Minimum Lot Area Sq Ft</u>	<u>Minimum Lot Width</u>	<u>Structure Lot Line Setbacks</u>	<u>Public Right of Way Frontage</u>	<u>Setback Between Bldgs.*</u>	<u>City Street Right – of-Way Setback</u>	<u>County Road Right – of-Way Setback</u>	<u>Maximum Impervious Coverage</u>	<u>Structure Height</u>
15,000	100'	20'	33'	10'	15'	35"	80%	30'

*Unless utilizing common wall construction

(3) **Downtown Commercial Performance Standards.**

- a) Setbacks. (See Figure 1.) Buildings on corner lots will be required to maintain a minimum 30 foot sight triangle from the intersecting right-of-way lines (streets, alleys, etc.) in which no improvements over 30 inches would be allowed within the sight triangle to maximize traffic visibility and sight lines.

FIGURE 1



- b) Any building construction within 35 feet of the right-of-way shall not exceed one story. The portion of the building(s) further than 35 feet from the right-of-way line may be two-story.
- c) Building construction within 35 feet of the right-of-way will require a conditional use permit.
- d) Development projects fronting on Crow Wing County right-of-way shall maintain a 35 foot-minimum setback.
- e) Overhangs and any other building protrusions/extensions shall not exceed three feet beyond the exterior wall facade.
- f) Parking and loading: See Article 26 of this chapter.
- g) Landscaping and lighting: See Article 28 of this chapter.
- h) Architectural/appearance standards: See Article 29 of this chapter.

Sec. 26-380 Commercial/Light Industrial Standards

- (1) The purpose of this district is to establish and maintain a district for light industrial purposes with commercial activities which can provide the employment opportunities for the residents of the community, allow for the production and manufacture of goods and products, provide for the retail display and sale of the goods and products manufactured on the site with other related products or services, and provide professional contractor services and related office uses.
- (2) **Commercial/Light Industrial Density and Dimensional Standards.** All lots, structures, and uses in the Commercial/Light Industrial District shall meet the following density and dimensional requirements:

<u>Minimum Lot Area Sq Ft</u>	<u>Minimum Lot Width</u>	<u>Structure Lot Line Setbacks</u>	<u>Public Right of Way Frontage</u>	<u>Setback Between Bldgs.</u>	<u>City Street Right – of-Way Setback</u>	<u>County Road Right – of-Way Setback</u>	<u>Maximum Impervious Coverage</u>	<u>Structure Height</u>
40,000 20,000	150'	30'	100'	10'	35'	50"	50%	30'

(3) Commercial/Light Industrial Performance Standards

- a) Parking and loading: See Article 26 of this chapter.
- b) Landscaping and lighting: See Article 28 of this chapter.
- c) Architectural/appearance standards: See Article 29 of this chapter.

Secs. 26-381—26-412. Reserved

ARTICLE 14 FLOODPLAIN OVERLAY DISTRICT STANDARDS

Sec. 26-413 Purpose

- (1) This Article regulates development in the flood hazard areas of Crosslake. 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 Article to promote the public health, safety, and general welfare by minimizing these losses and disruptions.**
- (2) National Flood Insurance Program Compliance. This Article is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59 -78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.**
- (3) This Article is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.**

Sec. 26-414 General Provisions.

- (1) This Article adopts the floodplain maps applicable to the City of Crosslake and includes three floodplain districts: Floodway, Floodway Fringe, and General Floodplain.**
 - a) Where Floodway and Flood Fringe districts are delineated on the floodplain maps, the standards in Sections 26-416 or 26-417 will apply, depending on the location of a property.**
 - b) Locations where Floodway and Flood Fringe districts are not delineated on the floodplain maps are considered to fall within the General Floodplain district. Within the General Floodplain district, the Floodway District standards in Section 26-416 apply unless the floodway boundary is determined, according to the process outlined in Section 26-418. Once the floodway boundary is determined, the Flood Fringe District standards in Section 26-417 may apply outside the floodway.**
- (2) **Lands to Which Article Applies:** This Article shall apply to all lands within the jurisdiction of the City of Crosslake shown on the Official Zoning Map and/or the attachments thereto as being located within the boundaries of the Floodway, Flood Fringe, or General Floodplain Districts.**
 - a) The Floodway, Flood Fringe and General Floodplain Districts are overlay districts that are superimposed on all existing land use districts. The standards imposed in the overlay districts shall be in addition to any other requirements in this Chapter. In case of a conflict, the more restrictive standards shall apply.**
- (3) **Incorporation of Maps by Reference:** The following maps together with all attached material are hereby adopted by reference and declared to be a part of the Land Use District Map and this Chapter. The attached material includes the flood insurance study and rate maps for the city, dated July 1, 1987, the Flood Insurance Study for Crow Wing County, Minnesota, and Incorporated Areas, dated May 15, 1991 and the Flood Insurance Rate Map panels 270091 0025 B and 270091 0050 B and any subsequent updated maps, prepared by the Federal Emergency Management Agency. These materials are on file in the City Clerk's office.**
- (4) **Regulatory Flood Protection Elevation:** The regulatory flood protection elevation (RFPE) shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.**
- (5) **Interpretation:** The boundaries of the land use districts shall be determined by scaling distances on the Flood Insurance Rate Map.**
 - a) Where a conflict exists between the floodplain limits illustrated on the official zoning map and actual field conditions, the flood elevations shall be the governing factor. The Zoning Administrator shall interpret the boundary location based on the ground elevations that existed on the site on the date of the first National Flood Insurance Program map showing the area within the regulatory floodplain, and other available technical data.**

- b) Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the Planning Commission/Board of Adjustment and to submit technical evidence.
- (6) **Warning and Disclaimer of Liability:** This Article does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This Article does not create liability on the part of the City of Crosslake or its officers or employees for any flood damages that result from reliance on this Article or any administrative decision lawfully made hereunder.
- (7) **Annexations:** The Flood Insurance Rate Map panels adopted by reference into Section 26-414 (3) above may include floodplain areas that lie outside of the corporate boundaries of the City of Crosslake at the time of adoption of this Article. If any of these floodplain land areas are annexed into the City of Crosslake after the date of adoption of this Chapter, the newly annexed floodplain lands shall be subject to the provisions of this Article immediately upon the date of annexation.

Sec. 26-415 Establishment of Flood Land use districts.

- (1) **Districts:**
 - a) Floodway District. The Floodway District shall include those areas designated as floodway on the Flood Insurance Rate Map adopted in 26-414 (3).
 - b) Flood Fringe District. The Flood Fringe District shall include those areas designated as floodway fringe on the Flood Insurance Rate Map adopted in 26-414 (3), as being within Zones AE, AO, or AH but being located outside of the floodway.
 - c) General Floodplain District. The General Floodplain District shall include those areas designated as Zone A or Zones AE, AO, or AH without a floodway on the Flood Insurance Rate Map adopted in 26-414 (3).
- (2) **Compliance:** Within the floodplain districts established in this Article, the use of any land, the use, size, type and location of structures on lots, the installation and maintenance of transportation, utility, water supply and waste treatment facilities, and the subdivision of land shall comply with the terms of this Article and other applicable regulations. All uses not listed as permitted uses or conditional uses in Sections 26-416, 26-417, and 26-418 respectively, shall be prohibited. In addition, a caution is provided here that:
 - a) New and replacement manufactured homes and certain recreational vehicles are subject to the general provisions of this Article and specifically Section 26-421.
 - b) Modifications, additions, structural alterations, normal maintenance and repair, or repair after damage to existing nonconforming structures and nonconforming uses of structures or land are regulated by the general provisions of this Article and specifically Section 26-423.
 - c) As-built elevations for elevated or floodproofed structures must be certified by ground surveys and flood-proofing techniques must be designed and certified by a registered professional engineer or architect as specified in the general provisions of this Article and specifically as stated in Section 26-422 of this Article.

Sec. 26-416 Floodway District (FW)

- (1) **Permitted Uses:** The following uses, subject to the standards set forth in Section 26-416 (2), are permitted uses if otherwise allowed in the underlying land use district or any applicable overlay district:
 - a) General farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.
 - b) Industrial-commercial loading areas, parking areas, and airport landing strips.
 - c) Open space uses, including but not limited to private and public golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and

nature preserves, game farms, fish hatcheries, shooting preserves, hunting and fishing areas, and single or multiple purpose recreational trails.

- d) Residential lawns, gardens, parking areas, and play areas.
- e) Railroads, streets, bridges, utility transmission lines and pipelines, provided that the Department of Natural Resources' Area Hydrologist is notified at least ten days prior to issuance of any permit, and that the standards in Sections 26-416 (4) a), 26-416 (5) a) and 26-416 (8) of this Article are met.

(2) Standards for Floodway Permitted Uses.

- a) The use shall have a low flood damage potential.
- b) With the exception of the uses listed in Section 26-416 (1) e), the use shall not obstruct flood flows or increase flood elevations and shall not involve structures, fill, obstructions, excavations or storage of materials or equipment.
- c) Any facility that will be used by employees or the general public must be designed with a flood warning system that provides adequate time for evacuation if the area is inundated to a depth and velocity such that the depth (in feet) multiplied by the velocity (in feet per second) would exceed a product of four upon occurrence of the regional (1% chance) flood.

(3) Conditional Uses: The following uses may be allowed as conditional uses following the standards and procedures set forth in Section 26-422 (5) of this Article and further subject to the standards set forth in Section 26-416 (4), if otherwise allowed in the underlying land use district or any applicable overlay district:

- a) Structures accessory to the uses listed in Section 26-416 (1), above and the uses listed in b)-f) below.
- b) Extraction and storage of sand, gravel, and other materials.
- c) Marinas, boat rentals, docks, piers, wharves, and water control structures.
- d) Storage yards for equipment, machinery, or materials.
- e) Placement of fill or construction of fences that obstruct flood flows.
- f) Road-ready recreational vehicles meeting the exception standards in Section 26-421 (3)

(4) Standards for Floodway Conditional Uses:

- a) All Uses. No conditional use shall be allowed that will cause any increase in the stage of the 1% chance or regional flood or cause an increase in flood damages in the reach or reaches affected.
- b) Fill; Storage of Materials and Equipment:
 - i. The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.
 - ii. Fill, dredge spoil, and other similar materials deposited or stored in the floodplain must be protected from erosion by vegetative cover, mulching, riprap or other acceptable method. Permanent sand and gravel operations and similar uses must be covered by a long-term site development plan.
 - iii. Temporary placement of fill, other materials, or equipment which would cause an increase to the stage of the 1% percent chance or regional flood shall only be allowed if the City of Crosslake has approved a plan that assures removal of the materials from the floodway based upon the flood warning time available.

(5) Accessory Structures:

- a) Accessory structures shall not be designed for human habitation.
- b) Accessory structures, if permitted, must be constructed and placed on the building site so as to offer the minimum obstruction to the flow of flood waters:
 - i. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow; and
 - ii. So far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures.

- c) Accessory structures shall be elevated on fill or structurally dry floodproofed in accordance with the FP-1 or FP-2 floodproofing classifications in the State Building Code. All floodproofed accessory structures must meet the following additional standards:
 - i. The structure must be adequately anchored to prevent flotation, collapse or lateral movement and designed to equalize hydrostatic flood forces on exterior walls, and;
 - ii. Any mechanical and utility equipment in the structure must be elevated to or above the regulatory flood protection elevation or properly floodproofed.
 - d) As an alternative, an accessory structure may be internally/wet floodproofed to the FP-3 or FP-4 floodproofing classifications in the State Building Code, provided the accessory structure constitutes a minimal investment and does not exceed 576 square feet in size. A detached garage may only be used for parking of vehicles and limited storage. All structures must meet the following standards:
 - i. To allow for the equalization of hydrostatic pressure, there must be a minimum of two "automatic" openings in the outside walls of the structure, with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
 - ii. There must be openings on at least two sides of the structure and the bottom of all openings must be no higher than one foot above the lowest adjacent grade to the structure. Using human intervention to open a garage door prior to flooding will not satisfy this requirement for automatic openings.
- (6) Structural works for flood control that will change the course, current or cross section of protected wetlands or public waters are subject to the provisions of Minnesota Statutes, Section 103G.245.
- (7) A levee, dike or floodwall constructed in the floodway shall not cause an increase to the 1% chance or regional flood. The technical analysis must assume equal conveyance or storage loss on both sides of a stream.
- (8) Floodway developments shall not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.

Sec. 26-417 Flood Fringe District (FF)

- (1) **Permitted Uses:** Permitted uses are those uses of land or structures allowed in the underlying land use district(s) that comply with the standards in Section 26-417 (2) below.
- (2) **Standards for Flood Fringe Permitted Uses:**
- a) All structures, including accessory structures, must be elevated on fill so that the lowest floor, as defined, is at or above the regulatory flood protection elevation. The finished fill elevation for structures must be no lower than one foot below the regulatory flood protection elevation and the fill must extend at the same elevation at least 15 feet beyond the outside limits of the structure. As an alternative to elevation on fill, an accessory structure that constitutes a minimal investment and that does not exceed 576 square feet in size may be internally floodproofed in accordance with Section 26-416 (5).
 - b) The cumulative placement of fill or similar material on a parcel shall not exceed 1,000 cubic yards, unless the fill is specifically intended to elevate a structure in accordance with Section 26-417 (2) a) of this Article, or if allowed as a conditional use under Section 26-417 (3) c) below.
 - c) The storage of any materials or equipment must be elevated on fill to the regulatory flood protection elevation.
 - d) The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.
 - e) Fill shall be properly compacted and the slopes shall be properly protected by the use of riprap, vegetative cover or other acceptable method.
 - f) All new principal structures must have vehicular access at or above an elevation not more than two feet below the regulatory flood protection elevation, or must have a flood warning /emergency evacuation plan acceptable to the City of Crosslake.

- g) Accessory uses such as yards, railroad tracks, and parking lots may be at an elevation lower than the regulatory flood protection elevation. However, any facilities used by employees or the general public must be designed with a flood warning system that provides adequate time for evacuation if the area is inundated to a depth and velocity such that the depth (in feet) multiplied by the velocity (in feet per second) would exceed a product of four upon occurrence of the regional (1% chance) flood.
 - h) Interference with normal manufacturing/industrial plant operations shall be minimized, especially along streams having protracted flood durations. In considering permit applications, due consideration shall be given to the needs of industries with operations that require a floodplain location.
 - i) Flood fringe developments shall not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.
 - j) Manufactured homes and recreational vehicles must meet the standards of Section 26-421 of this Article.
- (3) Conditional Uses:** The following uses and activities may be allowed as conditional uses, if allowed in the underlying land use district(s) or any applicable overlay district, following the procedures in Section 26-422 of this Article. Conditional uses shall meet the standards in Sections 26-417 (2) d) through j) and Sections 26-417 (4).
- a) Any structure that is not elevated on fill or floodproofed in accordance with Sections 26-417 (2) a) of this Article.
 - b) Storage of any material or equipment below the regulatory flood protection elevation.
 - c) The cumulative placement of more than 1,000 cubic yards of fill when the fill is not being used to elevate a structure in accordance with Sections 26-417 (2) a) of this Article.
- (4) Standards for Flood Fringe Conditional Uses:**
- a) The standards listed in Sections 26-417 (2) d) through j) apply to all conditional uses.
 - b) Alternative elevation methods other than the use of fill may be utilized to elevate a structure's lowest floor above the regulatory flood protection elevation. These alternative methods may include the use of stilts, pilings, parallel walls, etc., or above-grade, enclosed areas such as crawl spaces or tuck-under garages. The base or floor of an enclosed area shall be considered above-grade and not a structure's basement or lowest floor if: 1) the enclosed area is above-grade on at least one side of the structure; 2) it is designed to internally flood and is constructed with flood resistant materials; and 3) it is used solely for parking of vehicles, building access or storage. These alternative elevation methods are subject to the following additional standards:
 - i. Design and Certification - The structure's design and as-built condition must be certified by a registered professional engineer or architect as being in compliance with the general design standards of the State Building Code and, specifically, that all electrical, heating, ventilation, plumbing and air conditioning equipment, including ductwork, and other service facilities are placed at or above the regulatory flood protection elevation or are designed to prevent flood water from entering or accumulating within these components during times of flooding.
 - ii. Specific Standards for Above-grade, Enclosed Areas - Above-grade, fully enclosed areas such as crawl spaces or tuck under garages must be designed to internally flood. The design plans must stipulate that A minimum area of openings in the walls where internal flooding is to be used as a floodproofing technique. There shall be a minimum of two openings on at least two sides of the structure and the bottom of all openings shall be a maximum of one foot above grade. The automatic openings shall have a net area of at least one square inch for every square foot of enclosed area subject to flooding, unless a registered professional engineer or architect certifies that a smaller net area would suffice. The automatic openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters without any form of human intervention; and That the enclosed area will be designed of flood resistant materials in accordance with the FP-3 or FP-4 classifications in the State Building Code and shall be used solely for building access, parking of vehicles, or storage.

- c) Basements, as defined in Article 43 of this Chapter, shall be subject to the following:
 - i. Residential basement construction is not allowed below the regulatory flood protection elevation.
 - ii. Non-residential basements may be allowed below the regulatory flood protection elevation provided the basement is structurally dry floodproofed in accordance with 26-417 (4) d) of this Article.
- d) All areas of nonresidential structures, including basements, to be placed below the regulatory flood protection elevation shall be floodproofed in accordance with the structurally dry floodproofing classifications in the State Building Code. Structurally dry floodproofing must meet the FP-1 or FP-2 floodproofing classification in the State Building Code, which requires making the structure watertight with the walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures wet floodproofed to the FP-3 or FP-4 classification shall not be permitted.
- e) Storage of materials and equipment below the regulatory flood protection elevation must comply with an approved emergency plan providing for removal of such materials within the time available after a flood warning.

Sec. 26-418. General Floodplain District (GF)

(1) Permitted Uses:

- a) The uses listed in Section 26-416 (1) of this Article, Floodway District Permitted Uses, shall be permitted uses.
- b) All other uses shall be subject to the floodway/flood fringe evaluation criteria specified in Section 26-418 (2) below. Section 26-416 shall apply if the proposed use is determined to be in the Floodway District. Section 26-417 shall apply if the proposed use is determined to be in the Flood Fringe District.

(2) Procedures for Floodway and Flood Fringe Determinations:

- a) Upon receipt of an application for a permit or other approval within the General Floodplain District, the Administrator must obtain, review and reasonably utilize any regional flood elevation and floodway data available from a federal, state, or other source.
- b) If regional flood elevation and floodway data are not readily available, the applicant must furnish additional information, as needed, to determine the regulatory flood protection elevation and whether the proposed use would fall within the Floodway or Flood Fringe District. Information shall be consistent with accepted hydrological and hydraulic engineering standards and the standards in Section 26-418 (2) c) below.
- c) The determination of floodway and flood fringe must include the following components, as applicable:
 - i. Estimate the peak discharge of the regional (1% chance) flood.
 - ii. Calculate the water surface profile of the regional flood based upon a hydraulic analysis of the stream channel and overbank areas.
 - iii. Compute the floodway necessary to convey or store the regional flood without increasing flood stages more than one-half (0.5) foot. A lesser stage increase than 0.5 foot is required if, as a result of the stage increase, increased flood damages would result. An equal degree of encroachment on both sides of the stream within the reach must be assumed in computing floodway boundaries.
- d) The Administrator shall review the submitted information and assess the technical evaluation and the recommended Floodway and/or Flood Fringe District boundary. The assessment must include the cumulative effects of previous floodway encroachments. The Administrator may seek technical

assistance from a designated engineer or other expert person or agency, including the Department of Natural Resources. Based on this assessment, the Administrator may approve or deny the application.

- e) Once the Floodway and Flood Fringe District Boundaries have been determined, the Administrator shall process the permit application consistent with the applicable provisions of Sections 26-416 and 417 of this Article.

Sec. 26-419 Land Development Standards

- (1) **In General:** Recognizing that flood prone areas may exist outside of the designated floodplain districts, the requirements of this section apply to all land within the City of Crosslake.
- (2) **Subdivisions:** No land shall be subdivided which is unsuitable for reasons of flooding or inadequate drainage, water supply or sewage treatment facilities. Manufactured home parks and recreational vehicle parks or campgrounds are considered subdivisions under this Article.
 - a) All lots within the floodplain districts shall be able to contain a building site outside of the Floodway District at or above the regulatory flood protection elevation.
 - b) All subdivisions shall have road access both to the subdivision and to the individual building sites no lower than two (2) feet below the regulatory flood protection elevation, unless a flood warning emergency plan for the safe evacuation of all vehicles and people during the regional (1% chance) flood has been approved by the City of Crosslake. The plan shall be prepared by a registered engineer or other qualified individual, and shall demonstrate that adequate time and personnel exist to carry out the evacuation.
 - c) For all subdivisions in the floodplain, the Floodway and Flood Fringe District boundaries, the regulatory flood protection elevation and the required elevation of all access roads shall be clearly labeled on all required subdivision drawings and platting documents.
 - d) In the General Floodplain District, applicants shall provide the information required in Section 26-418 (2) of this Article to determine the regional flood elevation, the Floodway and Flood Fringe District boundaries and the regulatory flood protection elevation for the subdivision site.
 - e) If a subdivision proposal or other proposed new development is in a flood prone area, any such proposal shall be reviewed to assure that:
 - i. All such proposals are consistent with the need to minimize flood damage within the flood prone area;
 - ii. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and;
 - iii. Adequate drainage is provided to reduce exposure of flood hazard.
- (3) **Building Sites.** If a proposed building site is in a flood prone area, all new construction and substantial improvements (including the placement of manufactured homes) shall be:
 - a) Designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - b) Constructed with materials and utility equipment resistant to flood damage.
 - c) Constructed by methods and practices that minimize flood damage, and
 - d) Constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Sec. 26-420 Public Transportation Facilities: Roads and Bridges

- (1) Public Utilities: All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain shall be floodproofed in accordance with the State Building Code or elevated to the regulatory flood protection elevation.
- (2) Public Transportation Facilities: Railroad tracks, roads, and bridges to be located within the floodplain shall comply with Sections 26-416 and 417 of this Article. These transportation facilities shall be elevated to the regulatory flood protection elevation where failure or interruption of these facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area. Minor or auxiliary roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety.
- (3) On-site Water Supply and Sewage Treatment Systems: Where public utilities are not provided: 1) On-site water supply systems must be designed to minimize or eliminate infiltration of flood waters into the systems; and 2) New or replacement on-site sewage treatment systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the State's current statewide standards for on-site sewage treatment systems shall be determined to be in compliance with this Section.

Sec. 26-421 Manufactured Homes, Manufactured Home Parks, and Recreational Vehicles

- (1) Manufactured Homes: New manufactured home parks, expansions to existing manufactured home parks, and new or replacement manufactured home units on lots of record are prohibited in the Floodway District. If allowed in the Flood Fringe District, these uses shall be subject to the requirements of Section 26-417 of this Article and the following standards.
- (2) Placement of Manufactured Homes: New and replacement manufactured homes in the Flood Fringe District must comply with the following standards:

 - a) New and replacement manufactured homes must be elevated in compliance with Section 26-417 of this Article and must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.
 - b) New or replacement manufactured homes in existing manufactured home parks must meet the vehicular access requirements for subdivisions in Section 26-419 (2) b).
- (3) Recreational Vehicles: Placement of recreational vehicles in the floodplain must meet the exemption criteria below or be treated as new structures meeting the requirements of this Article.

 - a) Recreational vehicles are exempt from the provisions of this Article if they are placed in any of the following areas and meet the criteria listed in Section 26-421 (3) b):

 - i. Individual lots or parcels of record.
 - ii. Existing commercial recreational vehicle parks or campgrounds.
 - iii. Existing condominium-type associations.
 - b) Criteria for Exempt Recreational Vehicles:

 - i. The vehicle must have a current license required for highway use.
 - ii. The vehicle must be highway ready, meaning on wheels or the internal jacking system, attached to the site only by quick disconnect type utilities commonly used in campgrounds and recreational vehicle parks.

- iii. No permanent structural type additions may be attached to the vehicle.
- iv. The vehicle and associated use must be permissible in any pre-existing, underlying land use district.
- v. Accessory structures are not permitted within the Floodway District. Any accessory structure in the Flood Fringe District must be constructed of flood-resistant materials and be securely anchored, meeting the requirements applicable to manufactured homes in Section 26-421 (2) b).
- vi. An accessory structure shall constitute a minimal investment.
- c) Recreational vehicles that are exempt in Section 26-421 (3) b) lose this exemption when development occurs on the site that exceeds a minimal investment for an accessory structure such as a garage or storage building. The recreational vehicle and all accessory structures will then be treated as new structures subject to the elevation and floodproofing requirements of Section 26-417 of this Article. No development or improvement on the parcel or attachment to the recreational vehicle is allowed that would hinder the removal of the vehicle should flooding occur.
- d) New commercial recreational vehicle parks or campgrounds, subdivisions or condominium associations, and the expansion of any similar existing use exceeding five (5) units or dwelling sites may be allowed subject to the following:
 - i. On any new or replacement recreational vehicle site in the Flood Fringe District, the recreational vehicle and its contents must be placed on fill at or above the regulatory flood protection elevation and adequate road access to the site must be provided in accordance with Section 26-419 (2) b) of this Article.
 - ii. Any new or replacement recreational vehicle site located in the Floodway District or as an alternative to (a) above in the Flood Fringe District, may be allowed as a conditional use in accordance with the following provisions and the provisions of Section 26-422 (5) of the Article.
 - (1) The applicant must submit an emergency plan for the safe evacuation of all vehicles and people acceptable to the City of Crosslake, as specified in Section 26-419 (2) b). The plan shall demonstrate that adequate time and personnel exist to carry out an evacuation, and that the exemption provisions of Section 26-421 (3) a) of this Article will be met; and
 - (2) All attendant sewage and water facilities for new or replacement recreational vehicles must be protected or constructed so as to not be impaired or contaminated during times of flooding in accordance with Section 26-420 (3) of this Article.
 - (3) Any fill placed in the floodway to meet the requirements of this section must not increase the flood stage of the regional (1% chance) flood.

Sec. 26-422 Floodplain Overlay District Administration

- (1) **Permit Requirements.** In addition to the other requirements of this Chapter, the following shall require a permit in the Floodplain Overlay District:
 - a) The erection, addition, modification, rehabilitation, or alteration of any building, structure, or portion thereof. Normal maintenance and repair also requires a permit if such work, separately or in conjunction with other planned work, constitutes a substantial improvement as defined in this Article 43 of this Chapter.
 - b) The use or change of use of a building, structure, or land;
 - c) The construction of a dam, fence, or on-site septic system;
 - d) The change or extension of a nonconforming use;
 - e) The repair of a structure that has been damaged by flood, fire, tornado, or any other source;
 - f) The placement of fill, excavation of materials, or the storage of materials or equipment within the floodplain;
 - g) Relocation or alteration of a watercourse, unless a public waters work permit has been applied for;
 - h) Any other type of "development" as defined in this Article 43 of this Chapter.
- (2) **Certification.** Applicants shall be required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were

accomplished in compliance with the provisions of this Article. Floodproofing measures shall be certified by a registered professional engineer or registered architect.

- (3) **Record of First Floor Elevation.** The Administrator shall maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the floodplain. The Administrator shall also maintain a record of the elevation to which structures and alterations or additions to structures are floodproofed.
- (4) **Notifications for Watercourse Alterations:** Before authorizing any alteration or relocation of a river or stream, the Zoning Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters pursuant to Minnesota Statutes, Section 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to the Chicago Regional Office of the Federal Emergency Management Agency (FEMA).
- (5) **Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations:** As soon as is practicable, but not later than six months after the date such supporting information becomes available, the Zoning Administrator must notify the Chicago Regional Office of FEMA of the changes by submitting a copy of the relevant technical or scientific data.
- (6) **Variances:**
- a) **Adherence to State Floodplain Management Standards.** A variance must not permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law.
- b) **Additional Variance Criteria.** The following additional variance criteria of the Federal Emergency Management Agency must be satisfied:
- i. Variances shall not be issued by the Planning Commission/Board of Adjustment within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
 - ii. Variances shall only be issued by the Planning Commission/Board of Adjustment upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - iii. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- c) **Flood Insurance Notice.** The Administrator shall notify the applicant for a variance that: 1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance; and 2) Such construction below the base or regional flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.
- d) **General Considerations.** The Planning Commission/Board of Adjustment shall consider the following factors in granting variances and imposing conditions on variances and conditional uses in floodplains:
- i. The potential danger to life and property due to increased flood heights or velocities caused by encroachments;
 - ii. The danger that materials may be swept onto other lands or downstream to the injury of others;
 - iii. The proposed water supply and sanitation systems, if any, and the ability of these systems to minimize the potential for disease, contamination and unsanitary conditions;
 - iv. The susceptibility of any proposed use and its contents to flood damage and the effect of such damage on the individual owner;
 - v. The importance of the services to be provided by the proposed use to the community;
 - vi. The requirements of the facility for a waterfront location;
 - vii. The availability of viable alternative locations for the proposed use that are not subject to flooding;
 - viii. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
 - ix. The relationship of the proposed use to the Comprehensive Land Use Plan and Floodplain management program for the area;

- x. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- xi. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
- e) **Record-Keeping.** The Administrator shall maintain a record of all variance actions, including justification for their issuance, and shall report such variances in an annual or biennial report to the Administrator of the National Flood Insurance Program, when requested by the Federal Emergency Management Agency.

(7) Conditional Uses

- a) **Factors Upon Which the Decision of the City Shall Be Based.** In passing upon conditional use applications, the Planning Commission/Board of Adjustment shall consider all relevant factors specified in Section 26-422 (4) d) of this Article.
- b) **Conditions Attached to Conditional Use Permits.** The Planning Commission/Board of Adjustment may attach such conditions to the granting of conditional use permits as it deems necessary to fulfill the purposes of this Article. Such conditions may include, but are not limited to, the following:
 - i. Modification of waste treatment facilities.
 - ii. Limitations on period of use, occupancy, and operation.
 - iii. Imposition of operational controls, sureties, and deed restrictions.
 - iv. Requirements for construction of channel modifications, compensatory storage, dikes, levees, and other protective measures.
 - v. Floodproofing measures. The applicant shall submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

Sec. 26-423 Nonconformities

- (1) **Continuance of Nonconformities:** A use, structure, or occupancy of land which was lawful before the passage or amendment of this Article but which is not in conformity with the provisions of this Article may be continued subject to the following conditions:
 - a) No such use, structure, or occupancy shall be expanded, changed, enlarged, or altered in a way that increases its nonconformity. Expansion or enlargement of uses, structures or occupancies within the Floodway District is prohibited.
 - b) Any structural alteration or addition to a nonconforming structure or nonconforming use which would result in increasing the flood damage potential of that structure or use shall be protected to the regulatory flood protection elevation in accordance with any of the elevation on fill or floodproofing techniques (i.e., FP-1 thru FP-4 floodproofing classifications) allowable in the State Building Code, except as further restricted in Sections 26-423 (c) and (g) below.
 - c) If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises shall conform to this Article. The Assessor shall notify the Administrator in writing of instances of nonconformities that have been discontinued for a period of more than one year.
 - d) If any nonconformity is substantially damaged, as defined in Article 43 of this Chapter, it shall not be reconstructed except in conformity with the provisions of this Article. The applicable provisions for establishing new uses or new structures in Sections 26-416 or 417 will apply depending upon whether the use or structure is in the Floodway or Flood Fringe, respectively.
 - e) If any nonconforming use or structure experiences a repetitive loss, as defined in Article 43 of this Chapter, it shall not be reconstructed except in conformity with the provisions of this Article.
 - f) Any substantial improvement, as defined in Article 43 of this Chapter, to a nonconforming structure requires that the existing structure and any additions must meet the requirements of Sections 26-416 or 417 of this Article for new structures, depending upon whether the structure is in the Floodway or Flood Fringe District.

Sec. 26-424 Amendments

- (1) **Floodplain Designation – Restrictions on Removal:** The floodplain designation on the Official Zoning Map shall not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regulatory flood protection elevation and is contiguous to lands outside the floodplain. Special exceptions to this rule may be permitted by the Commissioner of the Department of Natural Resources (DNR) if the Commissioner determines that, through other measures, lands are adequately protected for the intended use.
- (2) **Amendments Require DNR Approval:** All amendments to this Article must be submitted to and approved by the Commissioner of the Department of Natural Resources (DNR) prior to adoption. The Commissioner must approve the amendment prior to community approval.
- (3) **Map Revisions Require Ordinance Amendments.** The floodplain district regulations must be amended to incorporate any revisions by the Federal Emergency Management Agency to the floodplain maps adopted in Section 26-414 of this Article.

Secs. 26-425—26-437. Reserved.

PART III DEVELOPMENT STANDARDS

ARTICLE 15 STREETS, SIDEWALKS, AND RIGHTS OF WAY

Sec. 26-438 Standards

All streets, sidewalks, and rights-of-way shall meet the standards and specifications in Chapter 42 of the Code of Ordinances of the City of Crosslake.

ARTICLE 16 SUBDIVISIONS OF LAND

Sec. 26-439 Standards

All land subdivisions shall comply with the minimum requirements of this Chapter and be completed in accordance with the procedures established in Chapter 44 of the Code of Ordinances of the City of Crosslake.

Secs. 26-440—26-478. Reserved.

ARTICLE 17 RESERVED

Secs. 26-479—26-484. Reserved.

ARTICLE 18 RESERVED

Secs. 26-485—26-512. Reserved

ARTICLE 19 SHORELAND VEGETATION BUFFER STANDARDS

Sec. 26-513 Purpose and Scope.

- (1) **Purpose:** The purpose of these vegetation buffer standards is to reduce erosion and sedimentation to surface waters, filter stormwater runoff, protect water quality by controlling nutrient movement, protect riparian habitats, protect stream banks, maintain stability of bluffs and steep slopes, and provide natural screening of shoreland development to protect natural resources.
- (2) **Scope:** Alterations of natural vegetation and topography adjacent to public waters shall be controlled to prevent erosion into public waters, fix nutrients, infiltrate stormwater runoff, preserve natural shoreland and historic values, prevent bank and bluff collapse, limit impacts on water quality, and protect fish and wildlife habitat.
- (3) Vegetation removal necessary for the construction of structures and sewage treatment systems in the rear lot zone (RLZ) under approved permits or variances are exempt from these vegetative buffer standards. However, the provisions of Articles 28 and 41 of this Chapter must be met for issuance of permits for structures and sewage treatment systems.
- (4) Vegetation buffer management standards apply to residential and commercial developments. Public roads and water access facilities, public gathering or event areas within public parks, and public beaches with swimming areas are exempt from these standards.

Sec. 26-514 Bluff and Steep Slope Vegetation Standards

- (1) A vegetative buffer consisting of trees, shrubs, and ground cover plants and understory in a natural state is required in bluff impact zones and on areas with slopes greater than 25 percent. Vegetation clearing and removal of ground cover is not allowed, except as follows:
 - a) Only removal of vegetation necessary to accommodate the placement of a stairway and associated landings, lifts, and access paths is allowed. Trees, shrubs, and a low ground cover consisting of plants and understory must be maintained in a natural state within these areas. An access path within this area requires a shoreland alteration permit and shall not exceed a cleared width of eight feet; and,
 - b) Removal of trees or branches that pose a safety hazard or are diseased is allowed.
- (2) The City shall evaluate possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of roads, driveways, structures, or other alterations on steep slopes. When determined necessary, conditions shall be attached to issued permits to prevent erosion, preserve vegetation or restore vegetation to a natural state, and screen structures, vehicles, and other facilities as viewed from the surface of public waters, assuming summer, leaf-on vegetation.
- (3) **Shoreline vegetation buffers in areas of agricultural or forestry use.** The harvesting of timber and associated reforestation must be conducted consistent with the provisions of the Minnesota Nonpoint Source Pollution Assessment-Forestry and the provisions of Water Quality in Forest Management "Best Management Practices in Minnesota."

Sec. 26-515 Shoreline Vegetation Standards for General or Recreational Development Lakes

Removal or alterations of vegetation is allowed according to the following standards:

- (1) Intensive vegetation clearing within shore impact zone 1 is not allowed except as provided under Section 26-517 with an approved shoreland alteration permit.
- (2) To accommodate a permitted path not to exceed a cleared width of 15 feet to access a shoreline recreation use area.
- (3) Limited clearing of trees and shrubs and cutting, pruning and trimming of trees to accommodate the placement of stairways and landings, picnic areas, access paths, beach and watercraft access areas, and permitted water oriented structures or facilities, as well as providing a view to the water from the principal dwelling site, in shore impact zone 1 is allowed, provided that:

- a) The screening of structures, vehicles, or other facilities as viewed from the water , assuming summer, leaf on conditions, is not substantially reduced;
- b) Along rivers, existing shading of water surface is preserved; and
- c) The above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased or pose a safety hazard.

Sec. 26-516 Shoreline Vegetation Buffer Standards for Natural Environment Lakes

Shoreline vegetation buffer standards for lots on Natural Environment Lakes include the following:

- (1) Any removal of woody vegetation within shore impact zone 1 requires an approved shoreland alteration permit.
- (2) Trees, shrubs, and low ground cover consisting of plants and understory must be maintained in a natural state as a shoreland buffer 25 feet landward from the ordinary high water level in depth, except as follows:
 - a) To accommodate a permitted water-oriented accessory structure or the placement of a stairway or lift and associated landings;
 - b) To accommodate a permitted path not to exceed a cleared width of fifteen feet to access a shoreline recreation use area;
 - c) To accommodate the creation of a permitted shoreline recreation use area pursuant to Section 26-517.

Sec. 26-517 Creation of Shoreline Recreation Use Areas

Shoreline Recreation Use Areas. Intensive vegetation clearing for the purpose of creating a new shoreline recreation use area within shore impact zone 1 is allowed with an approved shoreland alteration permit. The dimensions of a shoreline recreation use areas shall be determined as follows:

- (1) Only one shoreline recreation use area is allowed on each lot and the recreation use area must not exceed 30% of the total lot width and 25 feet landward from the ordinary high water level in depth. The maximum width of a shoreline recreation use area created under this Article shall not exceed 200 feet.
 - a) Invasive species removal or the removal of trees or branches that pose a safety hazard or are diseased is allowed.
 - b) Vegetation must be maintained to screen structures with trees and shrubs so that the structures are substantially screened from view during summer, leaf-on conditions.
- (2) One fire pit shall be allowed in any shoreline recreation use area provided:
 - a) That the fire pit is located a minimum of 20 feet from the OHW;
 - b) All ash is disposed of in the RLZ away from any public water;
 - c) Any runoff from the fire pit area is not allowed to enter the public water.

Sec. 26-518 Vegetation Mitigation

- (1) To protect water quality and safeguard sensitive areas, on-site vegetative mitigation on riparian lots is required for:
 - a) A variance granted to the standards of this Chapter;
 - b) Issuance of a permit for lots located on Natural Environment Lakes as per Section 26-516;
 - c) Issuance of any conditional permit where evaluation and assessment determine the need for additional environmental protection.
 - d) A no maintenance shoreline buffer shall be required for the issuance of a permit on riparian lots that exceeds 20% total lot impervious coverage but does not exceed 25% subject to the Shoreline Rapid Assessment Model as defined by this Chapter.
- (2) Mitigation shall be proportional to the impact of the proposed project.
- (3) Required mitigation shall be determined by the Department according to the Shoreline Rapid Assessment Model approved by the City Council.

Secs. 26-519—26-546. Reserved

ARTICLE 20 STORMWATER MANAGEMENT

Sec. 26-547 Purpose and Intent

- (1) The purpose of this part is to protect surface waters and private property from damage resulting from storm water runoff and erosion, ensure the annual storm water runoff rates and volumes from post-development site conditions mimic the annual runoff rates and volumes from predevelopment site conditions, ensure site development minimizes the generation of storm water and maximizes storm water treatment and infiltration, and protect water quality from nutrients, pathogens, toxins, debris, and thermal stress.
- (2) The Department shall evaluate the storm water management needs of each lot in doing all reviews, approvals, and permit issuances.
- (3) Treated storm water runoff shall use existing natural drainage ways and vegetated soil surfaces to convey, store, further filter, and retain storm water runoff before discharge to public waters. Preference shall be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.

Sec. 26-548 Impervious Surface Standards

- (1) Shoreland District--Shoreland Protection Zone. Impervious surface coverage shall not exceed the limits as set forth in Table 26-548A:
 - a) On lots with total impervious surface coverage that does not exceed 15% , a stormwater management plan shall not be required for permit approval except as required under Section 26-549, and the following:
 - i. The Department shall consider proper stormwater management and recommend to applicants best management practices as set forth in the Minnesota Stormwater Manual.
 - b) On lots with total impervious surface coverage that exceeds 15% but does not exceed 20%, a stormwater management plan shall be prepared by the applicant or their designated agent pursuant to the stormwater management plan design guide and worksheet provided by the Department and be submitted to the Department for approval prior to issuance of a permit and shall be effectively implemented, subject to the provisions of Section 26-549, and the following:
 - i. Permit holders or their designated agent shall notify the Department within 24 hours after implementation of the approved stormwater management plan.
 - ii. The Department shall conduct an on-site inspection of stormwater management system to ensure compliance with the approved stormwater management plan.
 - iii. The Administrator shall have the discretion to determine whether an engineered stormwater plan is required. A determination by the Administrator that an engineered stormwater plan is necessary shall be made in writing on a form approved by the Department for this purpose. The form shall specifically set forth the facts upon which the determination was made, and a copy of said form, signed by the Administrator, shall be forwarded to the City Council.
 - c) On lots with total impervious surface coverage that exceeds 20% but does not exceed 25%, a stormwater management plan shall be prepared by the applicant or their designated agent pursuant to the stormwater management plan design guide and worksheet provided by the Department and be submitted to the Department for approval prior to issuance of a permit and shall be effectively implemented, subject to the provisions of Section 26-549, and the following:
 - i. A no maintenance shoreline buffer shall be created on riparian lots pursuant to Section 26-518 of this Chapter.
 - ii. A permitted path not exceeding 15 feet and a new shoreline recreation use area shall be allowed pursuant to Section 26-517 of this Chapter.
 - iii. Permit holders or their designated agent shall notify the Department within 24 hours after implementation of the approved stormwater management plan.

- iv. The Department shall conduct an on-site inspection of stormwater management systems to ensure compliance with the approved stormwater management plan.
- v. The Administrator shall have the discretion to determine whether an engineered stormwater plan is required. A determination by the Administrator that an engineered stormwater plan is necessary shall be made in writing on a form approved by the City Council for this purpose. The form shall specifically set forth the facts upon which the determination was made, and a copy of said form, signed by the Administrator, shall be forwarded to the Planning Commission/Board of Adjustment.
- d) Maximum impervious surface coverage in the Shoreland Protection Zone shall not exceed the following:

Table 26-548A Shoreland Protection Zone Impervious Surface Limits

<u>Development or Use</u>	<u>Maximum Impervious Surface</u>	<u>Applicable Area</u>
<u>Residential lots-with no stormwater plan required per Section 26-548, (1) a)</u>	<u>15%</u>	<u>Total lot area above the OHW</u>
<u>Residential lots with stormwater plan as per Section 26-548, (1) b)</u>	<u>20%</u>	<u>Total lot area above the OHW</u>
<u>Residential lots with stormwater plan & shoreline buffer per Section 26-548, (1) c)</u>	<u>25%</u>	<u>Total lot area above the OHW</u>
<u>New Conservation Developments with stormwater plans per Article 27*</u>	<u>30%</u>	<u>Average Dwelling unit lot</u>
<u>Existing Planned Unit Developments with stormwater plans per Section 26-549*</u>	<u>60%</u>	<u>Average Dwelling unit lot</u>

*-Provided the total impervious coverage for the lot is not exceeded and that a minimum of 50% of the lot is common open space.

(2) Shoreland District--Shoreland Buffer Zone. Impervious surface coverage shall not exceed the limits in table 26-548B.

- a) The Department shall consider proper stormwater management for all permits in the shoreland buffer zone and recommend to applicants best management practices as set forth in the Minnesota Stormwater Manual.

Table 26-548B Shoreland Buffer Zone Impervious Surface Limits

<u>Development or Use</u>	<u>Maximum Impervious Surface</u>	<u>Applicable Area</u>
<u>Residential lots with BMP's per Section 26-548, (2)</u>	<u>25%</u>	<u>Total lot area</u>
<u>New Conservation Developments with stormwater plans per Section 26-549*</u>	<u>30%</u>	<u>Average Dwelling unit lot</u>
<u>Existing Planned Unit Developments with stormwater plans per Section 26-549*</u>	<u>60%</u>	<u>Average Dwelling unit lot</u>

*-Provided the total impervious coverage for the lot is not exceeded and that a minimum of 50% of the lot is common open space.

- (3) **Non-Shoreland Districts.** Impervious surface coverage outside the Shoreland District shall not exceed the limits in table 26-548C:

Table 26-548C Non-Shoreland Impervious Surface Limits

<u>Development or Use</u>	<u>Maximum Impervious Surface</u>	<u>Applicable Area</u>
<u>Residential lots</u>	<u>25%</u>	<u>Total lot area</u>
<u>New Conservation Developments with stormwater plans per Section 26-549*</u>	<u>40%</u>	<u>Average dwelling unit lot</u>
<u>Existing Planned Unit Developments with stormwater plans per Section 26-549*</u>	<u>75%</u>	<u>Average dwelling unit lot</u>

*-Provided the total impervious coverage for the lot is not exceeded and that a minimum of 50% of the lot is common open space.

- (4) **Commercial Districts.** Impervious surface coverage in Commercial Districts shall not exceed the limits in table 26-548D:

Table 26-548D Commercial Impervious Surface Limits

<u>Development or Use</u>	<u>Maximum Impervious Surface</u>	<u>Applicable Area</u>
<u>GD Waterfront Commercial with stormwater plans per the standards in this Article</u>	<u>35%</u>	<u>Total lot area</u>
<u>RD Waterfront Commercial with stormwater plans per the standards in this Article</u>	<u>25%</u>	<u>Total lot area</u>
<u>NE Waterfront Commercial with stormwater plans per the standards in this Article (existing only)</u>	<u>20%</u>	<u>Total lot area</u>
<u>Limited Commercial with stormwater plans per the standards in this Article</u>	<u>50%</u>	<u>Total lot area</u>
<u>Downtown Commercial with stormwater plans per the standards in this Article</u>	<u>80%</u>	<u>Total lot area</u>
<u>Commercial/Light Industrial with stormwater plans the standards in this Article</u>	<u>50%</u>	<u>Total lot area</u>

Sec. 26-549 General Standards

- (1) **All Stormwater plans shall be designed for permanent on-site treatment of one inch of stormwater runoff on all impervious surface coverage on the lot. This means that a volume of water equal to one inch multiplied by the area of impervious surface must be treated. Preference should be given to volume reduction techniques that include infiltration basins, rain gardens, enhanced infiltration swales, filter strips, disconnected impervious areas, soil amendments, bioretention, and other approved volume reduction techniques. The plan shall be approved by the Department and effectively implemented.**

- (2) Approved permits that create over 10,000 square feet of new impervious surface on a lot and for all plats, the Department shall require the applicant to submit a plan for permanent on-site treatment of one inch of stormwater runoff designed by a Minnesota-licensed professional engineer.
- (3) All stormwater management systems shall be capable of safely passing a 100 year-24 hour storm event, including grassed swales, grit chambers, vegetated filter strips, bioretention areas, off-line retention areas, and natural depressions for infiltration, is required before the runoff leaves the project site or enters surface waters. Constructed storm water outfalls to public waters must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.
- (4) All management technologies must be consistent with the most current version of the Minnesota Stormwater Manual, which is incorporated herein by reference.
- (5) Performance security as specified in Article 3.6 may be required to assure implementation of stormwater plan recommendations or designs. For engineered designs, certification that installation meets the design standards must be received from the design engineer before the performance security will be released.
- (6) A minimum 12-foot wide driveway from the nearest road right-of-way to the principal structure must be included in the impervious surface coverage calculation **unless the driveway is constructed with approved pervious materials.** The Department shall use actual on-site driveway dimensions if such data is provided by the applicant.
- (7) The Department may give credit for up to 100% of the area covered by a permeable surfacing system as pervious surface if it is designed and inspected by a Minnesota-licensed professional engineer and is certified annually to the Department that it is functioning as a pervious surface. Best management practices shall be followed in design, installation, and maintenance as found in the latest Minnesota Stormwater Manual, subject to the following standards:
 - a) No credit may be given for a permeable pavement system in a shore or bluff impact zone, except as otherwise allowed for watercraft access ramps;
 - b) The base of the installed permeable pavement system must have a minimum of three feet separation from the seasonally saturated soils or from the bedrock **unless there is an outlet to another stormwater treatment area;** and
 - c) The design of a permeable pavement system must allow the infiltration of one inch of stormwater on the pavement surface.

Sec. 26-550 Management of Stormwater Facilities

- (1) All storm water management facilities shall be designed to minimize the need for maintenance, to provide access for maintenance purposes and to be structurally sound. All storm water management facilities shall have a plan of operation and maintenance that assures continued effective removal of pollutants carried in storm water runoff. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the storm water management facilities for inspection and maintenance purposes. The Council may require a developer to enter into a contract providing for access to perform maintenance and inspection to public or private storm water management facilities.
- (2) Newly installed and rehabilitated catch basins shall be provided with a sump area for the collection of coarse grained material as specified by the Department. Such basins shall be cleaned when sediment or other material has accumulated to occupy 25% percent of the basin's original volume.

Sec. 26-551 Minnesota Pollution Control Agency Permit

Construction activity that results in the disturbance of one or more acres will require a stormwater permit from the Minnesota Pollution Control Agency (MPCA). **Construction activity that results in the disturbance of less than one acre may also require a MPCA permit depending on the nature of the activity. Permit applicants are responsible to contact MPCA to determine if a permit is required.**

Secs. 26-552—26-572. Reserved

ARTICLE 21 DIRT MOVING

The standards in this Article shall apply to all dirt moving activity within the City.

Sec. 26-573 Policy

It is the policy of the City Council that protection of wetlands, protected waters, sensitive slopes, bluff areas, and related land resources is essential to the welfare of the City and adopts a dirt moving permit review process to protect those resources.

Sec. 26-574 Applicability and Permits

- (1) The standards in this Article shall apply to all dirt moving activities within the City. Except as specified in 2, a through j below, dirt moving activities shall require permits and may require a site plan, scope of work, and additional supporting documents including, but not limited to, surveys, wetland delineation reports, engineered grading plans with profile view, engineered drainage plans including erosion and sediment control and stormwater management plans according to Article 20 of this Chapter.
- (2) The following activities shall not require a land alteration permit but must meet the provisions of Section 26-576:

 - a) **Dirt moving associated with construction of structures.** Grading, filling, or excavations necessary for construction of structures or septic systems, if part of an approved permit, shall not require a separate shoreland alteration permit.
 - b) **Small landscaping projects.** Placement of up to 10 cubic yards of soil for the creation of a lawn or yard as long as the fill/dirt moving is not located within a bluff impact zone or shore impact zone 1.
 - c) **Private roads or driveways.** The construction of a private driveway, access road, or parking area provided that they:

 - i. **Meet all structure setbacks for the land use district in which they are located;**
 - ii. **Are properly screened from adjacent properties and public waters;**
 - iii. **Are not located within wetlands;**
 - iv. **Are not in a bluff impact zone or shore impact zone 1 or 2.**
 - v. **No permit is required for resurfacing provided the road or driveway is not expanded.**
 - d) **Approved agricultural road.** Agricultural roads for machinery, livestock crossings, or shoreline stabilization on agricultural land with a stabilization plan approved by the Department.
 - e) **Wetland habitat improvements with approved plan.** The creation of wetland habitat improvements, except in shore impact zone 1, by way of excavation/dredging of wetlands, consistent with the provisions of the Minnesota Rules, Chapter 8420. Spoils shall be deposited in a manner consistent with this Article and shall require a land alteration permit from the City if the deposits occur in the Shoreland District.
 - f) **Approved agricultural improvements.** The construction of livestock watering ponds and conservation projects approved by the Natural Resource Conservation Service (NRCS), Soil and Water Conservation District (SWCD) and/or other regulatory agencies, only in the RLZ or non-shoreland districts.
 - g) **Rip rap that meets standards.** Placement of natural rock rip-rap, including the necessary grading of the shoreline and placement of a filter blanket is allowed if it meets all applicable DNR rip-rap requirements and is not in wetlands.
 - h) **Wetland Replacement Plan.** A shoreland alteration permit is not required if a wetland replacement plan, exemption or no-loss has been approved pursuant to Minnesota Rules Chapter 8420. This dirt moving activity does not apply towards the cumulative amount prescribed in Section 26-575 of this article.
 - i) **Normal Agricultural Practices:** To include but not be limited to tillage, planting, harvesting, fencing, and proper disposal of animal mortalities pursuant to all state and federal agricultural regulations.

- j) **Existing Sand Blankets / Beaches:** A shoreland alteration permit shall not be required to place 10 cubic yards of sand annually on an existing sand blanket / beach on residential parcels located in the shoreland district. A shoreland alteration permit shall not be required to place 50 cubic yards of sand annually on an existing sand blanket / beach on parcels located in the waterfront commercial, or other water oriented commercial uses with an approved conditional use permit. A shoreland alteration permit shall be required for new sand blankets or expansions to existing sand blankets and shall be subject to 26-575 1a.

Sec. 26-575 Standards for Dirt Moving Activities in Shoreland Areas

- (1) **Activities in Shore Impact Zone 1.** Dirt moving activities in shore impact zone 1 shall require shoreland alteration permits and meet the following standards:

a) **Sand Blanket.**

- i. The maximum dimensions shall not exceed 30 percent of the total lot width by 25 feet landward from the OHWL and shall be located within the shoreline recreation use area. The maximum width of a sand blanket created under this Article shall not exceed 200 feet.
- ii. The natural slope of the area under the sand blanket shall be less than 10 percent. The sand shall be clean with minimal amounts of organic materials.
- iii. Sand blankets shall be limited to 10 cubic yards annually.

- b) **Upland Fill.** A total of up to 30 cubic yards of dirt moving may be permitted, including a sand blanket, if applicable. Permit applications must be accompanied by a site plan. Applications to move larger quantities shall be processed as conditional uses.

c) **No wetland filling shall be allowed in shore impact zone 1.**

- d) **Annual Ice ridges.** Annual Ice Ridges may be regraded to their original shoreline contour without a shoreland alteration permit provided that the work is completed in the year in which the annual ice ridge occurred. Any such regrading shall meet the following standards:

- i. There shall be no topsoil or vegetative matter deposited in the lake.
- ii. Any dirt moving from regrading the annual ice ridge that is used on the remainder of the property shall require a shoreland alteration permit.
- iii. Depositing any sand below the OHWL is subject to DNR public waters permit rules.
- iv. Temporary erosion and sediment control best management practices shall be implemented.

- e) **Historic Ice Ridges.** On those ice ridges with well established vegetative cover, alterations for lake access shall require a shoreland alteration permit and comply with the following standards:

- i. One alteration site is allowed per conforming residential lot, single nonconforming lot of record, or per group of contiguous nonconforming lots in the same ownership.
- ii. On residential lots, the bottom width shall not exceed 15 feet, with side slopes no steeper than 2:1 at each end.
- iii. On waterfront commercial lots, the maximum bottom width shall be 25 feet with 2:1 side slopes at each end.
- iv. Berms of not less than 12 inches above grade level or diversions not less than 12 inches below grade level shall be placed landward of all ice ridge alterations to prevent erosion from upland runoff.
- v. A stormwater management plan meeting the standards of Article 20 of this Chapter must be approved by the Department prior to any dirt moving.
- vi. All disturbed material shall be graded landward or removed from the site.
- vii. Any alteration below the OHWL may require approval from the Department of Natural Resources and/or U.S. Army Corps of Engineers.

- (2) **Activities in Shore Impact Zone 2.** Dirt moving activities in shore impact zone 2 shall require shoreland alteration permits and meet the following standards:

- a) **Upland Fill.** 10 to 50 cubic yards of dirt moving may be permitted. An application must be accompanied by a site plan.

- b) **Applications to move larger quantities shall be processed as conditional uses.**

- (3) **Activities in the Rear Lot Zone (RLZ)** Dirt moving activities in the rear lot zone shall require shoreland alteration permits and meet the following standards:
- a) 10 to 100 cubic yards of dirt may be moved with a permit.
 - b) Moving larger quantities shall be processed as conditional uses.

Sec. 26-576 Standards for Dirt Moving Activities in Non-Shoreland Areas

- (1) **Rural Residential District-5.** Dirt moving activities in the Rural Residential-5 District shall require land alteration or conditional use permits and meet the following standards:
- a) A land alteration permit is required for projects that involve the movement of over 200 cubic yards of dirt.
 - b) A conditional use permit is required for projects that involve the movement of over 1000 cubic yards of dirt.
 - c) No wetland filling shall be allowed except in accordance with the provisions of the Minnesota Rules, Chapter 8420.
 - d) Temporary erosion and sediment control best management practices shall be implemented.
- (2) **Limited Commercial District.** Dirt moving activities in the Limited Commercial District shall require land alteration or conditional use permits and meet the following standards:
- a) A land alteration permit is required for projects that involve the movement of over 100 cubic yards of dirt.
 - b) A conditional use permit is required for projects that involve the movement of over 500 cubic yards of dirt.
 - c) No wetland filling shall be allowed except in accordance with the provisions of the Minnesota Rules, Chapter 8420.
 - d) Temporary erosion and sediment control best management practices shall be implemented.
- (3) **Downtown Commercial District.** Dirt moving activities in the Downtown Commercial District shall require land alteration or conditional use permits and meet the following standards:
- a) A land alteration permit is required for projects that involve the movement of over 50 cubic yards of dirt.
 - b) A conditional use permit is required for projects that involve the movement of over 200 cubic yards of dirt.
 - c) No wetland filling shall be allowed except in accordance with the provisions of the Minnesota Rules, Chapter 8420.
 - d) Temporary erosion and sediment control best management practices shall be implemented.
- (4) **Commercial/Light Industrial District.** Dirt moving activities in the Commercial/Light Industrial District shall require land alteration or conditional use permits and meet the following standards:
- e) A land alteration permit is required for projects that involve the movement of over 100 cubic yards of dirt.
 - f) A conditional use permit is required for projects that involve the movement of over 500 cubic yards of dirt.
 - g) No wetland filling shall be allowed except in accordance with the provisions of the Minnesota Rules, Chapter 8420.
 - h) Temporary erosion and sediment control best management practices shall be implemented.

Sec. 26-577 General Standards

- (1) All dirt moving activities shall comply with the standards in Article 20 of this Chapter.
- (2) Soil used as fill shall be free of state-regulated contaminants.
- (3) **Exposure of bare ground.** Dirt moving must be designed to ensure that the smallest amount of bare ground is exposed for the shortest period of time.
- a) Erosion and sediment control best management practices as required by the Department shall be used during and immediately after construction.

- b) Permanent vegetative coverage shall be established within 21 days of the completion of construction, or when vegetation establishment is not possible, other protective measures such as erosion control fabric or mulch blankets shall be installed until permanent vegetation can be established.
- (4) **Bluffs.** Dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under Section 26-313 of this Chapter.
- (5) **Steep slope stabilization.** Dirt moving on steep slopes may be permitted with a stormwater and erosion control plan approved by the Department.
- (6) **Dirt moving limits without a permit.** The cumulative volume of dirt permitted shall not exceed the limits set forth in Section 26-575 and 576 during a period of one calendar year.
- (7) **Access across wetlands.** Lake access across wetlands in shore impact zone 1 shall be by boardwalk according to Section 26-319 of this Chapter.

Secs. 26-577—26-609. Reserved

ARTICLE 22 EXTRACTIVE USE

The standards in this Article shall apply to extractive uses in all land use districts where such uses are allowed.

Sec. 26-610 Policy

Extractive Use mining is important to the City of Crosslake and contributes directly and indirectly to the economy of the City. Construction sand and gravel are used in concrete, aggregates, concrete products, asphalt, road base, fill, snow and ice control and other miscellaneous uses. Peat, black dirt, rock and other soils are used extensively for landscaping. Other extractive uses are or may be used to a lesser degree in the City.

Sec. 26-611 Gravel Extraction Permit Classifications

G1. Top Soil Removal for Commercial purposes.

- a) Temporary borrow sites incidental to construction.
- b) No processing of materials or stockpiling of recyclable bituminous or demolition materials.
- c) Extraction and reclamation to occur in same construction season.
- d) Peat and humus extraction.

G2. All G1 uses.

- a) Natural material removal only, no processing with exception for screening equipment.
- b) Site may be used for many years and developed in phases.
- c) Site may be used for stock piling of screened materials.

G3. All G1 and G2 uses.

- a) Site may include crushing, screening, washing and processing of bituminous and demolition materials.
- b) Stock piling of recyclable demolition and bituminous can occur.

G4. All G1, G2 and G3 uses.

- a) Site may include hot mix operations and bituminous reprocessing.

G5. All G1, G2, G3, G4 uses.

- a) Site may include redi-mix concrete plant.

Sec. 26-612 Conditional Use Permit Required

Extractive uses shall only be allowed as a conditional use in those districts indicated in the land use classification list in Sec. 26-281. In addition to the general conditions that may be imposed by the Planning Commission/Board of Adjustment, the specific conditions in this Article shall apply to conditional use permit.

Sec. 26-613 Applicability

All forms of extractive use shall be subject to the provisions of this Article including, but not limited to, gravel, sand, topsoil, quarry rock, mineral, peat, humus, sub-surface insitu-leach extraction, petroleum and any other similar uses in which material is removed from the ground, except for the following:

- (1) **Personal, non-commercial use.** Personal non-commercial extractive use by the owner of the land on which the extractive use takes place is exempt from permitting requirements, but are subject to restoration requirements in Section 26-615 within one year of suspension of extraction activities if the site is visible from the public road.

Sec. 26-614 Additional CUP Information and Review Criteria

As stated in Section 26-612, above, a conditional use permit is required for all new extractive uses, with the exception of the owner's extractive use for personal/non-commercial purposes. As part of the conditional use permit, an Operation Permit shall be required. In addition to the application, information

and review criteria for a general conditional use permit in Article 7, the following specific requirements shall be met for an extractive use conditional use permit:

- (1) Operation permit required.** It shall be required as part of the approval of the conditional use permit for an extractive use that an operation permit be issued. The operation permit shall not run with the land. The Operation Permit will be for a specific operator and for a specific time limit reviewed annually.
- (2) Specific evaluation criteria.** In addition to the general criteria for evaluating a conditional use permit in Article 7, the following specific criteria shall be used in evaluating an application for an extractive use conditional use permit:

 - a. The ability of roads to handle extractive related traffic.
 - b. Air quality, dust and noise control measures and ability to limit impact upon any adjacent residential properties according to MPCA Standards.
 - c. Groundwater protection.
 - d. Property controlling access.
 - e. Control of erosion and sedimentation.
 - f. Impact within watershed.
 - g. In harmony with the Crosslake Comprehensive Plan.
 - h. Compatibility with adjacent and surrounding land use, zoning patterns and patterns of development.
- (3) Application information.** In addition to the general application information for a conditional use permit in Article 7, the following specific application information shall be provided by the applicant for an extractive use conditional use permit:

 - a. A written description of the extractive use and operation thereof; including GPS coordinates;
 - b. Amount of truck activity at highest and average levels; ADT (Average daily total) counts;
 - c. Dust control measures;
 - d. Buffer area, on all sides of the operation;
 - e. Hours of operation, along with duration of proposed activity;
 - f. Truck routes to and from site;
 - g. Types of barriers established if necessary for safety of people and livestock by the active area of excavation;
 - h. Property line location; and full legal description of the site and easement documentation;
 - i. Reclamation plans;
 - j. Plans for screening from adjacent properties;
 - k. Plans for drainage from the site;
 - l. Long range plans for the site; phase development and reclamation;
 - m. Anticipated vegetative and topographic alterations;
 - n. Erosion and Storm water control plan;
 - o. Proposed mitigation for cultural and/or archaeological sites;
 - p. Noise abatement plan;
 - q. A description of all land uses within one mile radius of the proposed extraction site.
- (4) Site plan.** In addition to the general application information for a conditional use permit in Article 7, the following site plan information shall be provided by the applicant for an extractive use conditional use permit:

 - a. Location of all extractive use operations;
 - b. Horizontal and vertical dimensions of the extractive site;
 - c. All setbacks from roads and adjacent property lines;
 - d. Location, size and use of all structures on the parcel;
 - e. Location of all adjacent structures and their uses within 1/4 of a mile;
 - f. Area of excavation or phases of proposed excavation;
 - g. Extent of vegetation in buffer area;
 - h. All lakes, streams, and wetlands on property;
 - i. Location of proposed stock piles or slag piles;
 - j. Location of reclamation materials;
 - k. Depth to saturated soil and average water table depth;

- l. All wells, both proposed and existing, all water sources and discharge sites;
- m. USGS topographical map of the area delineating the site boundaries and access road.
- (5) DNR permit.** If applicant excavates into groundwater or below, a permit must also be obtained from the MN-DNR or other statutory regulatory agencies, pursuant to Minnesota Statutes, Article 103G.245. Copy of permit shall be on file prior to commencement of operations.

Sec. 26-615 Required Conditions for Extractive Uses

In addition to the general conditions that may be imposed on a conditional use permit in Article 7, the following specific conditions shall be imposed on conditional use permits for extractive uses:

- (1) Buffer area.** A 50 foot buffer area, and additional area needed to maintain a 3:1 slope, shall be established between the extractive use site and the property line containing the extractive use. This buffer area may be altered through a written agreement with the adjacent property owner. Proof of the agreement shall be filed with the Department and recorded with the County Recorder and specifically shall state what activities may take place in the buffer area. Without such agreement the buffer area may be used under the following circumstances:
 - a. The buffer area may contain the haul road if it is determined by the Department that for safety purposes the extractive site access needs to be within the buffer area.
 - b. The haul road may also be placed in the buffer area to avoid wetlands.
- (2) Depth to groundwater separation.** The applicant must indicate depth to groundwater table in plan. Boring may be required. A minimum separation of one foot above the groundwater table must be maintained unless permit is on file.
- (3) Reclamation during operation.** All slopes shall be stabilized, equipment and structures removed, topsoil properly placed and permanent seeding established, banks rounded and other reclamation actions completed on an ongoing basis.
 - a) Slope the banks at a minimum of 3:1 and otherwise properly guard and keep any pit or excavation in such condition so as not to be dangerous from caving or sliding banks.
 - i. The tops of banks shall be rounded to conform to the surrounding topography.
 - ii. Properly drain, fill or level any excavation, after created, so as to make the same safe and healthful as the Planning Commission/Board of Adjustment shall determine.
 - b) All trees, brush, stumps and any other debris removed for the sole purpose of operation of an extractive use site, shall be disposed of in a manner acceptable to the fire warden and the local Solid Waste Department. A copy of the letter of acceptance shall be filed with the Department. In no case shall vegetation from over a 10 acre area be kept on the property unless it is burned or buried.
 - c) Keep any extractive use, excavation or impounded waters within the limits for which the particular permit is granted.
 - d) Closing reclamation plan. Before any permit is issued, the applicant must submit a reclamation plan for approval by the Department. The plan shall meet the following minimum reclamation standards:
 - i. Reclamation of the site within one year of the expiration of the Operator Permit. All buildings, structures, and plants incidental to such operation shall be dismantled and removed by, and at the expense of the extraction operator last operating such buildings.
 - ii. The peaks and depressions of the area shall be graded and backfilled to a surface which will result in a topography in generally substantial conformity to the land area immediately surrounding, and which will minimize erosion due to rainfall. No finished slope shall exceed a 3:1 slope ratio.
 - iii. Reclaimed areas shall be surfaced with soil of a quality at least equal to the topsoil of land areas immediately surrounding, and to be seeded with compatible plants.
 - iv. Such required topsoil shall be planted with legumes and grasses. Trees and shrubs may also be planted but not as a substitute for legumes and grasses. Such planting shall adequately retard soil erosion.

- v. Extractive use sites may also be reclaimed for wetland mitigation or creation and, if it is the intent of the operator to reclaim in that manner, it must be done pursuant to a plan approved by the Department.
- vi. Reclamation must occur within one year of the cease of operation.
- e) **Water quality.** The extractive use operation shall not adversely affect the quality or quantity of surface or subsurface water resources. Surface water originating outside and passing through the extraction district shall, at its point of departure from the mining site, be of equal quality to the water at the point where it enters the mining site. The mining operator shall perform any water treatment necessary to comply with this provision.
- f) **Facilities setback.** No processing equipment, such as screening, crushing, washing plants etc. may operate closer than 1000 feet to a residence in existence at time of application unless the written consent of the resident is on file with the Department.
- g) **Hours of operation.** Hours of operation shall be set by the Planning Commission/Board of Adjustment.

Sec. 26-616 Performance Security

The Planning Commission/Board of Adjustment shall require performance security, as specified in Section 26-72 of this Chapter, in an amount sufficient to pay all costs associated with restoration of the extractive use site.

Secs. 26-617—26-633. Reserved

ARTICLE 23 HOME OCCUPATION/HOME BUSINESS STANDARDS

The standards in this Article shall apply to home occupation uses in all land use districts where such uses are allowed.

Sec. 26-634 Home Occupation Standards

- (1) A home occupation is allowed without a permit in all land use districts.
- (2) There shall be a primary residence on the property that is occupied by the business owner. The business enterprise shall be conducted exclusively within the primary residence or accessory structures.
- (3) No person other than the occupants of the primary residence may be employed.

Sec. 26-635 Home Business Standards

A home business requires a conditional use permit according to the use tables in Section 26-281 of this Chapter. The following standards shall apply:

- (1) There shall be a primary residence on the property that is occupied by the business owner. The business enterprise may be conducted outside as well as within the buildings.
- (2) There may only be one sign, with a permit, on the parcel advertising the business which shall not be illuminated, and shall not measure greater than 24 12 square feet in area.
- (3) Persons other than those that occupy the dwelling may be employed.
- (4) The outdoor storage of those items not generally considered to be retail display items shall be screened from view from public roads, abutting residences, public surface water and public recreational facilities.
- (5) The Planning Commission/Board of Adjustment may impose conditions on home businesses such as, but not limited to, hours of operation, parking provisions, and equipment storage.

ARTICLE 24 MOBILE HOME AND MOBILE HOME PARK STANDARDS

The standards in this Article shall apply to mobile homes and mobile home parks in all land use districts where such uses are allowed.

Sec. 26-636 Policy

The policy of this Article shall be to set requirements for mobile home development and mobile home parks as well as to regulate the placement of individual mobile homes in such manner as will not impede other growth and planning for various land use districts.

Sec. 26-637 Construction Project Uses

- (1) Mobile homes may be used:
 - a) For office space on construction sites for up to 1 year.
 - b) To house workers on construction sites for up to 1 year.
- (2) These uses of mobile homes shall require permits and meet all setbacks in this Chapter.

Sec. 26-638 Storage Allowed

Mobile homes not used for residential purposes may be located and stored in mobile home sales yards without permit for mobile home.

Sec. 26-639 Mobile Home Parks

A Mobile Home Park shall meet all State statutes and rules as well as the requirements of this Chapter.

Sec. 26-640 Individual Lot Size

The individual lots within a Mobile Home Park shall be at least 50 feet wide and at least 6,000 square feet in size.

Sec. 26-641 Application Information

The applicant shall submit a plan addressing the requirements of this Chapter with their application.

Sec. 26-642 Compliance and Conditions

All structures shall comply with the standards in this Chapter. All sewer and water systems shall receive local and State approval before construction begins. The Planning Commission/Board of Adjustment may impose conditions in conjunction with approvals mobile home parks.

Secs. 26-643—26-655 Reserved

ARTICLE 25 FENCE STANDARDS

Section 26-656 General Fence Standards

- (1) Construction of all fences shall require a permit.
- (2) Fences shall not be erected where they create a safety hazard.
- (3) Fences shall consist of posts and metal, wood, concrete, brick or smooth wire. No barbed wire shall be used except in conjunction with agricultural or commercial use where allowed.
- (4) All finished sides of a fence shall face out from the interior of the lot on which the fence is located, meaning that the fence posts shall be constructed on the interior side of the fence.
- (5) All finished exteriors of a fence shall be colored in a uniform manner; no florescent colored paint will be applied to any exterior portion of a fence. All exteriors of fences shall not include any signage that is not integral to the construction elements of the fence.
- (6) Temporary fences, including but not limited, to construction site enclosure, snow drift fencing, or for special events shall be allowed without a permit provided:
 - a. Fence shall be setback 5 feet from property line or ordinary high water mark;
 - b. Fence shall not exceed 4 feet in height;
 - c. Snow fencing shall only be allowed from October 1 to May 1;
 - d. Fence shall be removed within 10 days of completion of construction project or 48 hours of the conclusion of a special event.

Section 26-657 Residential District Fences

In residential zoning districts, fences not exceeding 78 inches in height may be constructed.

Section 26-658 Commercial District Fences

In commercial zoning districts, fences not exceeding 96 inches in height, plus up to three strands of barb wire on the top may be constructed around storage yards, in rear yard areas

Section 26-659 Fence Setbacks

Fences shall meet the following setback standards^{**}:

<u>Land Use District</u>	<u>Sideyard</u>	<u>Public Road Right-of-Way</u>	<u>Public Waters</u>	<u>Bluff</u>	<u>Adjacent Residential Use</u>
<u>Shoreland</u>	<u>0'</u>	<u>10'</u>	Per lake or river class structure setback*	<u>30'</u>	
<u>Rural Residential-5</u>	<u>0'</u>	<u>10'</u>			<u>0'</u>
<u>Water Oriented Commercial</u>	<u>0'</u>	<u>10'</u>	Per lake or river class structure setback*	<u>30'</u>	
<u>Limited Commercial</u>	<u>0'</u>	<u>10'</u>	Per lake or river class structure setback*	<u>30'</u>	<u>10'</u>
<u>Downtown Commercial</u>	<u>0'</u>	<u>10'</u>	Per lake or river class structure setback*	<u>30'</u>	<u>10'</u>
<u>Commercial/Light Industrial</u>	<u>0'</u>	<u>10'</u>	Per lake or river class structure setback*	<u>30'</u>	<u>10'</u>

*-- fences no greater than 36 inches in height may be erected from the structure setback up to shore impact zone 1

** - it shall be the responsibility of the property owner to determine and mark the property line prior to erecting a fence.

Secs. 26-660—26-669 Reserved

ARTICLE 26 PARKING AND OFF STREET LOADING STANDARDS

Sec. 26-670 Purpose

Regulation of on-site parking and loading spaces in this division is intended to alleviate and/or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public by establishing minimum requirements for on-site parking.

Sec. 26-671 Application

- (1) The regulations and requirements set forth herein shall apply to all on-site parking facilities within the city.

- (2) All commercial construction shall be accompanied by a site plan or certificate of survey, if required, indicating the location of on-site parking and loading spaces in compliance with the following requirements.
- (3) All applications for a land use permit in all land use districts shall be accompanied by a site plan or certificate of survey, if required, drawn to scale and indicating the dimensions and location of on-site parking and loading spaces in compliance with the requirements set forth in this section.

Sec. 26-672 Parking Areas

- (1) Off-street automobile storage or parking space shall be provided on every lot on which any new structures are hereafter established.
- (2) When a structure is enlarged, the required off-street parking spaces shall be provided for the enlarged portion.
- (3) If a use of a structure is changed to a different use requiring added spaces, the additional amount of parking shall be provided.
- (4) All new commercial off-street parking shall be paved or concrete surfaced.
- (5) The following minimum Standards shall apply:

Table 26-672A Minimum Required Parking Spaces

<u>FACILITY OR USE</u>	<u>MINIMUM REQUIRED PARKING SPACES</u>
<u>Auto sales building, repair shops</u>	<u>1 space for each 300 square feet of gross floor area; service stalls/bays inside a building may be counted towards this</u>
<u>Bowling Lanes</u>	<u>5 spaces for each alley, plus additional spaces as may be required herein for related uses such as a restaurant</u>
<u>Carwash</u>	<u>6 spaces</u>
<u>Churches, theaters, auditoriums, athletic field, mortuaries, and other places of gathering</u>	<u>1 space for each 4 seats based on maximum design capacity</u>
<u>Community center, post office, YMCA, studios, pool halls, libraries, clubs, lodges, and museums</u>	<u>10 spaces plus 1 for each 350 square feet of floor area in excess of 2,000 square feet in the principal building</u>
<u>Day nurseries, commercial daycare</u>	<u>4 spaces plus 1 for each 500 square feet in excess of 1,000 square feet of floor area in the principal building</u>

<u>FACILITY OR USE</u>	<u>MINIMUM REQUIRED PARKING SPACES</u>
<u>Drive-in food establishment</u>	<u>1 space per 15 square feet of gross area excluding kitchen and dining area, or based on total seat calculations like restaurants, or a minimum of 8 spaces where there is no interior ordering area, whichever is greater</u>
<u>Hospital, sanatorium, convalescent home, rest home, nursing home, or institution</u>	<u>1.9 spaces per bed plus 1 space per 300 square feet of gross floor area for any outpatient medical facilities</u>
<u>Hotel, motel</u>	<u>1.40 spaces per unit</u>
<u>Housing with services establishments, as defined by Minnesota statutes section 144</u>	<u>0.75 parking space per unit</u>
<u>Manufacturing, fabrication, or processing of a product or material, assembly</u>	<u>1 space for each 400 square feet of floor area; this may be reduced if facility uses automation to 1 space for each 800 square feet of gross floor area</u>
<u>Medical and dental clinic</u>	<u>1 space for each 300 square feet of gross floor area</u>
<u>Motor Fuel Station</u>	<u>4 spaces plus 2 spaces for each fueling stall</u>
<u>Multispecialty outpatient clinic</u>	<u>1 space for each 200 square feet of gross floor area</u>
<u>Office building</u>	<u>1 space for each 300 square feet of gross floor area</u>
<u>Open sales lot</u>	<u>3 spaces for each 5,000 square feet of the open sales lot area</u>
<u>Public auction house, golf driving range, miniature golf, and similar uses</u>	<u>15 spaces plus 1 for each square foot of floor area over 2,000 square feet</u>
<u>Residences</u>	<u>2 spaces per unit. In buildings or complexes specifically designed for senior living, as determined by the city, 0.75 spaces per unit shall be allowed</u>
<u>Restaurants, cafes, bars, taverns, nightclubs</u>	<u>1 space for each 2.5 seats for restaurant area; 1 space for each 2.0 seats in bar area</u> -

<u>FACILITY OR USE</u>	<u>MINIMUM REQUIRED PARKING SPACES</u>
<u>Retail sales and service establishment and convenience stores</u>	<u>1 space for each 250 square feet of gross sales floor area (other uses such as warehouse, office, etc., may be calculated at the ratios set forth in this section)</u>
<u>Schools, high school and colleges</u>	<u>1 space for each 7 students based on design capacity, plus 2 additional spaces for each classroom</u>
<u>Skating rinks and dance halls</u>	<u>100 spaces plus 1 for every 200 square feet of floor area in the principal building</u>
<u>Speculative building (use not known) for industrial</u>	<u>1 space for every 700 square feet of floor area</u>
<u>Uses not specifically noted</u>	<u>Determined by the Department</u>
<u>Warehouse/storage handling of bulk goods, wholesale</u>	<u>1 space for each 1,000 square feet of floor area plus 1 for each company truck; office space shall conform to office use requirement</u>

Sec. 26-673 Handicapped Accessible Parking Requirements

- (1) The Minnesota Accessibility Code, as may be amended, shall govern and regulate all accessible parking standards and improvements within the city. The scoping requirements are found in the International Building Code (IBC), chapter 11-2006; the ICC/ANSI A117.1-2003 technical criteria; state amendments found in Minn. Rules ch. 1341-2007; and the International Residential Code (IRC), including, but not limited to, section R322.1.
- (2) Accessible parking spaces shall be provided in accordance with the following table. The total number of parking spaces provided within the site shall be used to determine the number of accessible parking spaces.

Table 26-673A Minimum Number of Accessible Spaces

<u>Total Parking Spaces Provided</u>	<u>Required Minimum Number of Accessible Spaces</u>
<u>1 to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>
<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>
<u>501 to 1,000</u>	<u>2 percent of total</u>
<u>1,001 and over</u>	<u>20 plus 1 for each 100, or fraction thereof, over 1,000</u>

Sec. 26-674 Access

- (1) Parking areas, used to serve a building and containing provision for six or more parking spaces, must use a restricted access between the parking area and road immediately serving such premises.
- (2) Driveway access to private property from a public road or highway shall be by roadways not less than 20 feet nor more than 40 feet in driving surface width. Where no regulations exist governing number of driveways allowed onto a public road or highway, one driveway shall serve not more than two lots; large lots or parcels shall not have more than one driveway for each 100 feet of frontage; but from Principal or Minor Arterials, driveways leading to service roads shall be at least 300 feet apart.
- (3) Parking areas on premises used for a public, commercial or industrial purpose, and fronting on a Principal or Minor Arterials must use a frontage/backage road or the equivalent between the parking areas on such premises and such Principal or Minor Arterials.

Sec. 26-675 Off Street Loading Standards

- (1) Space for off-street loading and unloading of service vehicles shall be provided for every building.
- (2) One such space shall be provided for every 10,000 square feet of floor area, or fraction thereof, on a premises.
- (3) For industrial buildings, such spaces shall measure at least 10 feet in width and 60 feet in length.
- (4) For commercial buildings in commercial districts, such spaces shall measure at least 10 feet in width and 35 feet in length.
- (5) For all other buildings, such spaces shall be as necessary in size. The space provided therefore shall be such as will not hinder normal traffic flow on or off the premises concerned.

Secs. 26-676—26-701. Reserved

ARTICLE 27 RESIDENTIAL DEVELOPMENT STANDARDS

Sec. 26-702 Policy

Residential developments in Crosslake should provide a choice of housing types and a variety of recreational opportunities. These standards address the following policies and strategies from the Crosslake Comprehensive Plan:

- (1) Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the City's existing neighborhoods can be maintained and enhanced.
- (2) Encourage well-designed residential subdivisions at urban densities in the planned growth areas of the City. Locate higher density residential developments in areas adjacent to moderate density developments and outside of the shoreland district.
- (3) Discourage the placement of high-density developments in areas lacking adequate transportation or sewer infrastructure.
- (4) Encourage compatible infill residential development throughout the developed portions of the City, to encourage the efficient use of land and the cost effective provision of City services.
- (5) Encourage some higher density housing as a means to help the community provide quality affordable housing and senior housing options.
- (6) Encourage all higher density residential developments to be connected to the municipal sewer system.
- (7) Redevelopment projects within the shoreland district shall not exceed MnDNR shoreland standards and shall be designed so they do not degrade the environmental condition of the adjacent water body.
- (8) Off-lake residential developments shall be planned so that they do not have a negative impact on water quality.
- (9) Continue to enforce lake shoreline requirements such as set backs, tree cutting, lakeshore modification, on both new and existing construction.

Sec. 26-703 Purpose and Applicability

- (1) The purpose of this part is to allow for greater flexibility and creativity in the design of residential subdivisions; facilitate the construction of streets, utilities, and public services in a more economical and efficient manner; and promote conservation subdivisions to ensure that citizens in residential developments and the public benefit from the conservation of natural features of the land, including wetlands, forests, shorelines, steep slopes, plants, wildlife, historic sites, and scenic areas.
- (2) **Applicability.** These standards shall apply to all subdivisions of real estate under Chapter 44 of the Code of Ordinances of the City of Crosslake.
- (3) **Options.** This Article provides for flexibility in designing new subdivisions and establishes procedures and criteria for evaluating new subdivisions by allowing two forms of development--conventional developments and conservation developments.
 - a) Conservation developments and conventional developments are allowed for new projects on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings.
 - b) Conservation developments on riparian parcels shall have a minimum of three contiguous acres of suitable area and a minimum lot width of 400 feet.

Sec. 26-704 Development Application and Environmental Review Process

Development applications shall follow the procedures established in Article 16 of this Chapter. Environmental review shall be conducted pursuant to the procedures and standards in Section 26-76 of this Chapter.

Sec. 26-705 Criteria for Evaluation

Before the Planning Commission/Board of Adjustment recommends approval of a development proposal, they shall find that the following criteria are satisfied:

- (1) The development complies with all City ordinance standards.
- (2) The development or unit thereof is of sufficient size, composition and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit.
- (3) The development will not create an excessive burden on parks, schools, streets and other public facilities and utilities that serve or are proposed to serve the development.
- (4) Access in the form of dedicated right-of-way or easement, as appropriate, shall be provided to adjacent undeveloped properties that do not have direct access to a public road. Developers or subsequent owners may be entitled to compensation for providing such access.

Sec. 26-706 Design Changes

Changes made after final plat approval shall be approved as follows:

- (1) During construction of the development, the Department may approve minor changes in the location of buildings, design of roads, or other circumstances not foreseen at the time the development was approved.
- (2) Changes in uses, rearrangement of lots, blocks, dwelling unit lots, or any changes in the provision of common open space shall require re-approval by the Planning Commission/Board of Adjustment and Townships if applicable.

Sec. 26-707 Maintenance and Administration Requirements

To insure the continued existence and functioning of the common open space and the development as a community, the following administrative requirements shall be met:

- (1) Development organization and functioning for developments of 10 or more lots or dwelling unit lots. Unless an equally effective alternative community framework is approved by the Planning Commission/Board of Adjustment and established, when there is common open space or any other common element, all residential developments of 10 or more lots or dwelling unit lots shall include an owners' association with the following features:
 - a) Membership shall be mandatory and automatic for each lot or dwelling unit lot owner and any successive owners.
 - b) Require that each owner in the development have an undivided ownership in the common open space and other common elements.
 - c) Each member shall pay a pro rata share of the association's expenses, and unpaid assessments can become liens on units or sites.
 - d) Assessments shall be adjustable to accommodate changing conditions.
 - e) The association shall be responsible for insurance, taxes, and maintenance of all commonly owned property and facilities, and shall enforce covenants, deed restrictions, and easements.
 - f) The association shall have a Long-term Management Plan for any common open space and shall administer the plan pursuant to the terms of the City's conservation easement on the open space.
 - g) Amendments or revisions to covenants or deed restrictions. Before establishing or recording any common interest community, the developer shall submit documents, including all covenants, conditions, restrictions, easements, and operating rules and procedures associated with the development, for review and approval by the Planning Commission/Board of Adjustment pursuant to Minnesota Statutes, section 515 B.1-106. Such documents shall provide that no amendments or revisions of covenants or deed restrictions may be made unless approved in advance by the Department and the Planning Commission/Board of Adjustment. Any such amendments or revisions made without such approval shall not be effective.
- (2) Common open space preservation. A permanent conservation easement to ensure perpetual preservation and maintenance of common open space shall be created pursuant to Minnesota

Statutes, Chapter 84C. The form of the easement shall be approved by the City Council and the executed easement shall be recorded in the Office of the County Recorder and a copy of said easement provided to the Department and retained by the Department in its records. The instruments of the easement shall incorporate the provisions of this Section governing common open space, including without limitation all of the following protections:

- a) Regulate construction impervious surfaces and/or recreation facilities pursuant to the long-term management plan.
- b) Prohibit beaching of motorized watercraft when used as an unauthorized mooring space.
- c) Prohibit dumping, storage, or burning of solid or other wastes.
- d) Allow the use of common open space for subsurface sewage treatment systems if other use of the space is restricted to avoid adverse impacts on the sewage treatment system.
- e) Restrict in perpetuity the common open space from further subdivision and/or land development.
- (3) Other common elements.** Common elements such as areas designated for storage of vehicles and personal property may be designated, provided that open space requirements are met, pursuant to the Long-term Management Plan.
- (4) Residential developments of nine or less lots or dwelling unit lots with common open space.** The common open space may be retained by the landowner, owner's association and/or the developer and may be sold to any subsequent landowner, provided:
 - a) The common open space is surveyed; and
 - b) The common open space remains undivided and is restricted from further development by means of a permanent conservation easement. The permanent conservation easement shall comply with the provisions of Section 26-707, 2 above.
 - c) The landowner, owner's association and/or the developer shall be responsible for insurance, taxes, and maintenance of all common open space, property and facilities, and shall enforce covenants, deed restrictions, and easements.
 - d) The landowner, owner's association and/or the developer shall have and administer a Long-term Management Plan for any common open space, property and facilities.
- (5) In the event the person or entity responsible for administration of the Long-term Management Plan fails to administer and perform all or any portion of the plan relating to common open space, the Department may serve written notice upon such person or entity setting forth the manner in which the such person or entity has failed to administer and perform the plan. Such notice shall set forth the nature of corrections required and a reasonable time within which to complete corrective action. If corrective action is not completed within a reasonable time, the City may, but is not required to, assume responsibility for administration and performance of the plan with respect to such failures, and, in furtherance of such action, the Department may enter the premises and take all corrective action as may be reasonable, including extended maintenance. The costs of such corrective action may be charged to the person or entity responsible for administration of the Long-term Management Plan or individual property owners who make up a homeowners' association and may include administrative costs. Such costs shall become a lien upon and assessed against the properties that have the right of enjoyment of the common open space.**

Sec. 26-708 Conservation Development Standards

Conservation development standards are intended to provide a relationship between buildings, and between buildings and sites, that cannot be accomplished by the one building-one lot application of the land use provisions of this Chapter. In order to encourage well designed building groups, this section provides for the development of more than one structure upon a single lot or tract as well as the integral development of one or more lots as a single tract.

Sec. 26-709 Conservation Development Design Process and Criteria

- (1) Before submitting an application, applicants are required to demonstrate to the Planning Commission/Board of Adjustment that the following design process was used to determine the layout of proposed streets, dwelling unit lots, and open space as shown on the site plan:
 - a) **Step One: Identifying conservation areas:**
 - i. Identify and delineate the primary conservation areas including wetlands, bluff impact zones, cultural features such as historic and archeological sites, and structure setback areas; and secondary conservation areas including unprotected elements of the natural landscape such as steep slopes, mature woodlands, prime farmland, meadows, wildlife habitats and scenic views.
 - ii. The developable area shall be identified and shall consist of land completely outside primary conservation areas, and, to the maximum extent feasible, outside secondary conservation areas.
 - b) **Step Two:** Calculate the number of dwelling unit lots allowable under Section 26-710 and locate the approximate sites of individual houses within the developable area. Include the delineation of private yards and shared amenities so as to reflect an integrated community, with emphasis on consistency with the Crosslake Comprehensive Plan.
 - c) **Step Three:** Aligning the streets and trails. Align streets in order to access the dwelling unit lots. Additionally, new trails should be laid out to create internal and external connections to existing and/or potential future streets, sidewalks, and trails.
 - d) **Step Four:** Draw in the lot lines.
 - e) **Step Five:** Identify on a design plan map all parts of the project parcel to be permanently protected as part of the open space.
- (2) **Conservation development design criteria.**
 - a) At least 50% of the total project area shall be permanently preserved as common open space. Common open space shall include structure setbacks and bluff impact zones, areas with physical characteristics unsuitable for development in their natural state, and areas containing significant historic sites or unplatted cemeteries.
 - i. To the maximum reasonable extent all open space shall be part of a larger continuous and integrated open space system within the parcel being developed. Areas shall be considered contiguous if they are within 100 feet of each other and there are no impediments to access between the areas.
 - ii. Natural features included in open space shall generally be maintained in their natural condition, but may be managed to improve their appearance, or restore their overall condition and natural processes, as recommended by natural resource professionals and in compliance with the Long-term Management Plan approved by the City Council. Permitted management activities may include woodland management, reforestation, wetland management, lake or river shoreline protection, buffer area landscaping, wildlife management, or recreation management.
 - iii. The common open space shall maximize common boundaries with existing or future open space on adjacent lands.
 - iv. Common open space shall serve and enhance all dwelling unit lots, cluster groups, and other common facilities.
 - b) Dwelling unit lot areas, structures, and all road rights-of-way shall not be included in the computation of common open space.
 - c) Dwelling unit lots may be clustered into one or more groups located on suitable areas of the development and must meet all external property line, road, and structure setbacks.
 - d) Dwelling unit lot impervious surface coverage shall meet the standards in Article 20.
 - e) There shall be at least one access corridor to the structure setback as approved by the Planning Commission/Board of Adjustment. The corridor shall:
 - i. Be accessible to all residents of the conservation development.
 - ii. Have a minimum width of 50 feet.
 - iii. Provide upland access to the structure setback area without impacting wetlands.
 - iv. Have a trail and vegetation management plan addressed in the Long-term Management Plan.

- f) New developments and redevelopments of existing developments shall meet vegetation management standards in Article 19 of this Chapter.
- g) No impervious surfaces shall be allowed within the shore impact zone, except, stairways, lifts or landings. Those portions of boat launching ramps greater than 10 feet landward from the OHWL shall be constructed of pervious materials.
- h) Roads within and serving conservation developments shall be constructed according to American Society of Civil Engineers (ASCE) standards (Residential Streets, 2001, 3rd edition or later, ASCE) and the development plan approved by the Planning Commission/Board of Adjustment, and the local road authority, if applicable.
- i) The boundaries of the permanent conservation easement area and the common open space shall be clearly and visibly marked.
- j) Access in the form of dedicated right-of-way or easement, as appropriate, shall be created for connection to adjacent undeveloped properties or public lands that do not have direct access to a public road. Developers or subsequent owners may be entitled to compensation for providing such access.

Sec. 26-710 Conservation Development Density Evaluation

(1) Shoreland District:

- a) The project parcel must be divided into two tiers:
 - i. The first tier shall consist of all areas within the following distances landward from the OHWL of public waters:

<u>Lake or River Class</u>	<u>First Tier Landward in Feet</u>
<u>General Development</u>	<u>200</u>
<u>Recreational Development lakes</u>	<u>267</u>
<u>Natural Environment lakes</u>	<u>400</u>
<u>Sensitive Shoreland Districts</u>	<u>400</u>
<u>All river classes</u>	<u>300</u>
 - ii. The second tier shall consist of all remaining area in the project parcel.
- b) The number of dwelling unit lots allowable in each tier is calculated by dividing the suitable area in square feet within each tier by the density factor for the shoreland class in Table 26-710:

Table 26-710 Conservation Development Density Factors-Shoreland District

	<u>Conservation Development Structure Setback in Table 26-308A</u>	<u>Conservation Development Density Incentive Structure Setback in Table 26-308A</u>	
<u>Classification</u>	<u>First Tier</u>	<u>First Tier</u>	<u>Second Tier</u>
<u>General development lakes and rivers</u>	<u>27,000</u>	<u>24,000</u>	<u>22,500</u>
<u>Recreational development lakes</u>	<u>34,000</u>	<u>32,000</u>	<u>30,000</u>
<u>Natural Environment lakes and rivers, Sensitive Shoreland Districts</u>	<u>68,000</u>	<u>64,000</u>	<u>60,000</u>

- c) Allowable dwelling unit lots may be transferred from the first tier to the second tier, but not from the second tier to the first tier.

(2) Non Shoreland Districts:

- a) The number of dwelling unit lots allowable is calculated by dividing the total project parcel area in square feet by 217,800 in the Rural Residential-5 District

Sec. 26-711 Centralization and Design of Facilities

A Long-term Management Plan shall be submitted to and approved by the Planning Commission/Board of Adjustment. In addition to other required provisions, the plan must include or provide for:

- (1) Conservation developments shall be connected to publicly owned water supply and sewer systems, if available. Sewage treatment systems may be centralized and shall have an operating plan and third-party manager.
- (2) A lake use and access area plan including:
- a) The location and configuration of pathways, launching ramps, dock configuration and location, and other facilities within the structure setback area, if any.
 - b) Provisions that allow all residents of the conservation development to use the shore recreation area, exclusive of the dedicated continuous mooring spaces.
 - c) The size, location, and configuration of the shore recreation area, including but not limited to swimming areas, docks, launching ramps, and watercraft mooring areas, if any.
 - i. The total width of the shore recreation area(s) shall not exceed the greater of 50 feet or a distance equal to 10% of the lot width, riparian. The depth of the shore recreation area may extend to the structure setback line, subject to the stormwater plan approved by the Planning Commission/Board of Adjustment.
 - ii. All such facilities shall be centralized and located in areas most suitable for them. Evaluation of suitability shall include consideration of land slope, water depth, upland and aquatic vegetation, presence of wetlands, soils, depth to groundwater, or other relevant factors.
 - iii. Identification of potential safety issues created by and addressing conflicts among the uses permitted under the plan.
 - iv. Such facilities may be used by the occupants of the conservation development, subject to all provision of this Article.
 - d) Prohibit shore recreation facilities or uses outside of the designated lake use and access area and adjacent littoral areas.
 - e) The number of allowable continuous watercraft mooring spaces for conservation developments abutting public waters shall not exceed the number of allowable dwelling unit lots in the first tier. Individual docks are not allowed.
 - f) Unless prohibited by the conservation easement created under Section 26-707, 2, launching ramp facilities, including a dock for loading and unloading equipment may be used by all occupants of the conservation development, provided that all watercraft, other than those afforded continuous mooring spaces, are stored outside the structure setback area such that they are not visible from the public water.
 - g) Accessory structures, parking areas, storage and other facilities shall meet the required principal structure setback and be centralized, be treated to reduce visibility as viewed from Public waters and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the Department, assuming summer, leaf-on conditions.. Vegetative and topographic screening shall be preserved, if existing, or may be required to be provided.
 - h) Prohibit commercial uses.

Sec. 26-712 Conventional Development Standards, Design Process, and Criteria

Conventional development standards are intended to provide a one primary residence per lot application of the land use provisions of this Chapter.

- (1) Conventional developments shall use the design procedures established in Chapter 44 as well as the residential lot area standard for the respective land use district classifications in this Chapter.

- (2) All roads within conventional developments, whether public or private, shall be constructed to meet specifications in the Chapter 42 of the Code of Ordinances of the City of Crosslake.
- (3) A shoreland vegetation buffer plan shall be designed and implemented meeting the standards in Article 19 of this Chapter.
- (4) No impervious surfaces shall be allowed within the shore impact zone, except, stairways, lifts or landings. If permitted under Article 11, those portions of boat launching ramps greater than 10 feet landward from the OHWL shall be constructed of pervious materials.
- (5) Access in the form of dedicated right-of-way or easement, as appropriate, shall be created for connection to adjacent undeveloped properties or public lands that do not have direct access to a public road. Developers or subsequent owners may be entitled to compensation for providing such access.
- (6) Common Elements. Common elements such as areas designated for storage of vehicles and personal property may be designated.

Sec. 26-713 Conventional Development Density Evaluation—Shoreland and Non-shoreland Areas

The number of lots allowable is calculated:

- (1) In the Shoreland District, according to the standards in Chapter 44, as well as the residential lot area standard for the respective land use district classification in Section 26-307 of this Chapter.
- (2) Outside the Shoreland District, according to the standards in Chapter 44, as well as the residential lot area standards for the respective land use district classifications in Articles 12 of this Chapter.

Sec. 26-714 Erosion Control, Stormwater Management, and Sediment Control

All developments shall comply with the provisions of Article 20 of this Chapter.

Secs. 26-715—26-734. Reserved

ARTICLE 28 COMMERCIAL LANDSCAPING, SCREENING AND LIGHTING STANDARDS

Sec. 26-735 Purpose

The purpose of this division is to recognize the important and diverse benefits which landscaping, screening, and lighting provide in protecting the health, safety and general welfare of the community. Benefits include the reduction of noise, dust, excessive glare, stormwater runoff, the impact of adjacent incompatible land uses, and the increase in aesthetic value of the city.

Sec. 26-736 Application

- (1) All land use permits for commercial construction shall be accompanied by complete landscape, screening, and lighting plans. These plans shall be developed in accordance with the site plan submitted for approval.
- (2) The retention of natural topography and vegetation will be required where possible.
- (3) All plan components shall be completed within one year from the date of issuance of the land use permit unless otherwise specified.

Sec. 26-737 Landscaping

(1) Plan requirements.

- a) **Site analysis.** Boundary lines of the property with dimensions based upon a certificate of survey; name and alignment of proposed, existing, and adjacent streets; location of existing and proposed buildings; topographic contours; location of parking areas, water bodies, proposed sidewalks; and percent of site not covered by structures.
- b) Typical sections and details of landscaping plans such as type of vegetation, fences, planter beds, planting boxes, retaining walls, playgrounds, picnic areas, berms and other landscape improvements with identification of materials used.
- c) Delineation of both sodded and seeded areas indicated in square footage.

(2) Minimum requirements. The following landscape elements included in these criteria consist of forms of planting and vegetation. These should be considered when creating a landscape plan and will be expected during evaluation:

- a) In order to achieve landscaping which is appropriate in scale with the size of a building and site, these minimum standards apply to commercial districts:
 - i. One overstory deciduous shade tree for every 2,000 square feet of total building floor area or one for every 100 feet of site perimeter, whichever is greater.
 - ii. One coniferous tree for every 2,000 square feet of building or one for every 200 feet of site perimeter, whichever is greater.
 - iii. One ornamental tree for every 2,000 square feet of building or one for every 200 feet of site perimeter, whichever is greater.
 - iv. One understory shrub for every 300 square feet of building or one shrub for every 30 feet of site perimeter, whichever is greater.

b) The following minimum standards shall be required:

Overstory deciduous tree	2½-inch diameter
Ornamental tree	1½-inch diameter
Coniferous tree	6 feet tall
Shrubs	5-gallon

c) Sodding and ground cover. All lot areas of any site not occupied by building or parking shall be sodded over four inches of topsoil. Exceptions to this are as follows:

- i. Sides and back lot areas may be seeded over four inches of topsoil, except corner lots must be sodded on sides facing streets.
- ii. Seeding over four inches of topsoil of future expansion areas (areas to be built upon within 18 months) as shown on approved plans.
- iii. Undisturbed areas containing existing natural vegetation.

(3) **Woodland preservation credit.** Credit for the retention of existing trees and vegetation meeting the species, size and location requirements of this chapter may be used to satisfy the minimum number requirements set forth in this chapter.

(4) **Existing Development.** It is recognized that commercial properties which have already been developed with permanent improvements as of the effective date of this Chapter may have less flexibility in meeting landscaping requirements. The requirements in Section 26-737 (1) and (2) above may be modified on a case by case basis, by written agreement, to fit existing conditions while fulfilling these requirements to the greatest extent possible. This agreement shall become part of the land use permit.

Sec. 26-738 Screening

Screening required shall be in addition to normal landscaping and planting and consist of a visual barrier completely separating the activity on a commercial property from an adjacent residential property. If the topography, existing vegetation, permanent structure or other feature creates a barrier that meets the standards of this section, they may be substituted. Screening shall be equally effective in the winter and summer and should be accomplished by the use of one or more of the following:

- (1) The placement of the building on the lot or the placement of a building on an adjacent lot.
- (2) Through the use of berms and landscaping. Planting screens shall consist of healthy, hardy plant materials at least six feet in height.
- (3) If screen walls are proposed, the materials used shall be of similar type, quality, and appearance as that of the principal structure. Such screens shall be at least six feet in height.
- (4) Screen fences that are in disrepair shall be repaired. Planting screens shall be maintained in a neat and healthful condition. Plantings that have died shall be promptly replaced.
- (5) Slopes and berms. Final slope grade steeper than the ratio of 3:1 and/or a height over six feet will not be permitted without special approval or treatment, such as terracing or retaining walls.

Sec. 26-739. Lighting

All developments with six or more parking spaces are required to provide exterior lighting for all vehicular use areas and pedestrian paths connecting parking areas and buildings, as well as enhance the building design

and adjoining landscape. A lighting plan in compliance with the following exterior lighting standards must be submitted for all commercial construction. Applications for residential construction shall require submittal of the fixture drawings and specifications for all proposed exterior lighting. All existing uses for which exterior lighting is installed or changed shall also conform to these standards.

(1) Lighting guidelines are as follows:

- a)** No portion of the lamp or lens may extend beyond the housing or shield so as to be visible from off site or cause glare. All light fixtures shall be directed downward. Fixture drawings shall be submitted and approved by the Department.
- b)** Height limitations for exterior lighting shall be measured from the surrounding natural grade, with a 25-foot height maximum in residential land use districts and 35 feet in commercial land use districts. The height maximum for exterior lighting on residentially zoned, riparian lots shall not exceed 12 feet, subject to the applicable conditions in subsection (3) of this section.
- c)** All outdoor light poles shall be metal, fiberglass, or finished wood.

(2) Light pollution shall be avoided by complying with the following standards:

- a)** The light shall be directed downward and baffled, shielded or screened.
- b)** Parking lot lighting must be turned off one hour after normal business hours or 10:00 p.m., whichever is later, with the exception of security lighting.
- c)** Light pollution shall be avoided by keeping with the intensity levels of the following maximum illumination levels as measured at the property line:

Maximum Light Illuminances		
Land Use District	Maximum Horizontal Footcandles	Maximum Vertical Footcandles
Residential	0.5	1
Commercial	1.5	3

Note: When a light source is adjacent to two different land use districts, the lower light level value shall take precedence.

(3) Lighting for and within riparian lots of residential and commercial zoned property. All residential and commercial zoned property shall comply with the following lighting standards for riparian lots and areas within the shore impact zones 1 and 2 adjacent to a public water:

- a)** The light cast by fixtures installed within a riparian lot shall be directed downward so the source of illumination is not visible and shall be baffled, shielded or screened so the light does not protrude past the property line in excess of the maximum light illuminances.
- b)** All lighting independently supported shall be on poles or supports that are a maximum of 24 inches above grade
- c)** All lighting shall be located only within the access path if installed within shore impact zone 1
- d)** All lighting on docks, lifts, or platforms shall be directed downward so the source of illumination is not visible and shall be baffled, shielded, or screened.

(4) Lighting within residential zoned property. All residential zoned property shall comply with the following lighting standards:

- a)** The light cast by fixtures installed within residential land use districts shall be directed downward so the source of illumination is not visible and shall be baffled, shielded or screened so the light does not protrude past the property line in excess of the maximum light pollution illuminances.

- b) All lighting independently supported shall be on poles or supports that are a maximum of 24 inches above grade if located outside the principal structure minimum setbacks. All lighting that is located outside the principal structure minimum setbacks shall be directed downward so the source of illumination is not visible and shall be baffled, shielded or screened.
- c) The height maximum for exterior lighting that is located within the principal structure minimum setbacks on residentially zoned lots shall not exceed 25 feet, subject to the applicable conditions in this subsection.

Secs. 26-740—26-745. Reserved

ARTICLE 29 COMMERCIAL AND RESIDENTIAL ARCHITECTURAL STANDARDS

Sec. 26-746 Purpose

The purpose of this section is:

- (1) To promote high standards of building and site design in commercial and residential districts with the purpose of preserving an atmosphere consistent with the rural/northwoods character of the city.
- (2) To identify permitted building materials which are durable and long-lasting and which generally present a more attractive visual appearance.
- (3) To protect and enhance the appeal and attraction of the city to residents, visitors and tourists, and to serve as a support and stimulus to business and residences.

Sec. 26-747 Application

- (1) **Existing buildings.** Buildings in districts zoned residential and existing on August 8, 2005 shall be allowed to continue with the present material subject to the following criteria: All subsequent additions and exterior alterations to buildings must be constructed with the materials required in this chapter.
- (2) **New buildings.** New buildings in residential districts built subsequent to August 8, 2005 must comply with the design standards set forth in this Article.
- (3) **Accessory buildings.** Accessory buildings constructed after the erection of the original building or buildings shall be constructed of materials used in the principal building and shall be designed in a manner conforming to the architectural and general appearance and conform to the design standards set forth in this Article.

Sec. 26-748 Architectural Design

- (1) Appearance of a project shall be in harmony with the permanent neighboring development.
- (2) The building exterior shall be finished in material that maintains the character of the city. Preferred materials would include wood, log, brick and stone.
- (3) When other material is authorized for use, the exterior shall be enhanced in an acceptable material that retains the unique architectural character of the city.

Sec. 26-749 Materials

Materials shall be selected for suitability to the type of buildings and the design for which they are used.

Sec. 26-750 Permitted Materials

This section identifies permitted building materials to be used in commercial building construction which are durable and long lasting. Exterior building finishes should consist of one or more of the following:

- (1) Brick and stone.
- (2) Precast concrete units and concrete block, provided that surfaces are molded, serrated or treated with a textured material in order to give the wall surface a three-dimensional character.
- (3) Wood, provided surfaces are finished for exterior use and only woods of proven exterior durability. Examples include cedar, redwood and cypress.
- (4) Curtain wall panels of glass, steel, fiberglass and aluminum, provided such panels are factory fabricated and finished with permanent durable non-fade surfaces.

- (5) Horizontal or vertical lap siding of aluminum, steel, or vinyl material, provided the width does not exceed 12 inches.
- (6) Roofing materials may be asphalt shingles, wood shakes, or metal panels, provided said panels are a component of a factory fabricated and finished panel with permanent durable non-fade surfaces.
- (7) Metallic face materials that are weathered, allowed to weather, or which are finished to appear corroded, rusted, distressed, or decayed, including, but not limited to, aluminum, bronze, copper, and steel shall be allowed as a permitted roofing material and an enhancement material not exceeding 30 percent of any one side of a building facade.

Sec. 26-751 Prohibited Materials

The following exterior building materials are prohibited.

- (1) Face materials that rapidly deteriorate or become unsightly such as galvanized metal, unfinished structural plywood, unfinished structural clay tile, canvas, and plastic/vinyl sheeting or other flexible material of a similar nature.
- (2) Sheet metal, plastic or fiberglass siding, unless such siding is a component of a factory fabricated and finished panel and is enhanced with preferred materials.
- (3) Unadorned and/or painted concrete block.
- (4) Neon lighting as part of the architecture of the building or used as accent lighting for the building.

Sec. 26-752 Mechanical Equipment

Ground, side, and roof mounted:

- (1) The impact of this equipment on the appearance of the building and the community should be minimized.
- (2) Mechanical equipment shall not be located on the front facade of buildings.
- (3) Mechanical equipment on the ground shall be screened with a fence or plant materials.
- (4) Equipment attached to the side of the building or roof shall be kept as low as possible and be screened and/or painted to blend with the background.

Sec. 26-752 Trash Receptacles

- (1) Trash receptacles shall be located to the rear and/or side of the property.
- (2) Trash receptacles must be enclosed with fencing similar in material to the principal structure.

Secs. 26-753—26-761. Reserved

ARTICLE 30 OUTDOOR STORAGE AND SALES

Section 26-762 Outdoor Storage

- (1) All material and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following:
 - a) Laundry drying;
 - b) Recreational equipment;
 - c) Construction and landscaping materials and equipment currently being used for construction of the premises;
 - d) Woodpiles, agricultural equipment and materials if these are used or intended for use on the premises;
 - e) Off-street parking, except as otherwise regulated herein.
- (2) Boats, trailers and recreational vehicles less than 40 feet in length and fish houses are permissible if stored in the rear yard. Fish houses shall not be occupied. Storage yards in conjunction with a commercial use shall be screened in so far as practical, shall be located in the least visible portion of the property, and shall be the minimum size required by the business. Where the use is a conditional use, the allowable storage yard shall be addressed in the CUP. Nonconforming commercial storage yards may be continued except as provided in the nonconforming uses provisions of this chapter.
- (3) Abandoned motor vehicles shall not be stored outside in any district. Existing abandoned vehicles shall be removed within 30 days after the effective date of this Chapter.

Section 26-763 Bulk Storage

All uses associated with the bulk storage of oil, gasoline, liquid propane, liquid fertilizer, chemicals and similar liquids shall comply with the requirements of the Minnesota State Fire Marshal, The Minnesota Pollution Control Agency and Minnesota Department of Agriculture and, when in excess of normal domestic requirements, shall have documents from those offices stating that the use is in compliance. No storage facility shall be constructed or placed without providing complete diking and spill protection.

Section 26-764 Outdoor Sales

- (1) Any outside sales, display, and/or equipment rental shall require a conditional use permit. A conditional use permit shall not be issued unless:
 - a) The outdoor sales, display, or equipment rental is accessory to a permitted use and the permitted use is conducted within a building serving as the principal structure.
 - b) The area used for outside sales, display, or equipment rental is hard surfaced to control dust and drainage.
 - c) Any lighting complies with the lighting standards in Section 26-739 of this Chapter.
 - d) The area is fenced and screened from view of neighboring residential uses.

Secs. 26-765—26-793. Reserved

ARTICLE 31 SUBSURFACE SEWAGE TREATMENT SYSTEMS (SSTS)

Sec. 26-794 Purpose and Authority

The purpose of this Article is to provide minimum standards for and regulation of Individual Sewage Treatment Systems (ISTS) and Midsized Sewage Treatment Systems (MSTS) including the proper location, design and construction; their necessary modification and reconstruction; their operation, maintenance and repair to protect surface water and groundwater from contamination by human sewage and waterborne household and commercial wastes; to protect the public's health and safety, and eliminate or prevent the development of public nuisances pursuant to the authority granted pursuant to Minnesota Statutes, Chapters 115, 116, 145A, and Minnesota Rules, Chapter 7080 through 7082.

Sec. 26-795 Jurisdiction

This Article shall apply to and be binding upon all areas within the City of Crosslake not served by municipal sewer service.

Sec. 26-796 Municipal Sewer Connection Required Where Available

Properties adjacent to the Crosslake municipal sewer system shall be connected to the system in accordance with the provisions of Chapter 50, Article II, Section 50-249 of the Code of Ordinances of the City of Crosslake.

Sec. 26-797 Scope

This Article regulates the siting, design, installation, alterations, operation, maintenance, monitoring, and management of all SSTS within the City including, but not limited to individual SSTS and cluster or community SSTS, privy vaults, and other non-water carried SSTS. All sewage generated in unsewered areas of the City shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated, and maintained in accordance with the provisions of this Article or by a system that has been permitted by the Minnesota Pollution Control Agency (MPCA).

Sec. 26-798 City Administration

- (1) The City of Crosslake Planning and Zoning Department shall administer the SSTS program and all provisions of this Article.
- (2) The City's duties and responsibilities include, but are not be limited to, the following:
 - a) Review all applications for SSTS;
 - b) Issue all permits required in this Article;
 - c) Inspect all work regulated in this Article;
 - d) Investigate all complaints regarding SSTS;
 - e) Issue certificates of installation, certificates of compliance, or notices of noncompliance where applicable;
 - f) Enact enforcement provisions of this Article as necessary;
 - g) Refer unresolved violations of this Article to the City Attorney;
 - h) Maintain current records for each permitted SSTS including all site evaluations, documents, design documents, inspection documents, **as-builts** and other applicable documents;
 - i) Employ or retain under contract qualified and appropriately licensed professionals to administer and operate the SSTS program;
 - j) Submit annual reports to MPCA as required.

Sec. 26-799 State Administration

The owner or owners of a single SSTS or a group of SSTS under common ownership must obtain an SDS permit from the agency according to chapter 7001 when all or part of proposed or existing soil dispersal components are within one-half mile of each other and the combined flow from all proposed and existing SSTS is greater than 10,000 gallons per day. For proposed SSTS, the flow must be determined according to 7081.0110. For existing SSTS, the flow is determined by the greater of the average maximum seven-day measured flow or flow amounts according to part 7081.0110. The highest calculated value of the various methods in Table I under part 7081.0130, subpart 1, must be used to make this determination, with no reduction allowed. An SDS permit is not required if a factor of safety is added to the design flow that results in a design flow that is in excess of the SDS permit threshold.

Sec. 26-800 Liability

The City's involvement in administration of this Article does not create a special duty to any person and, further, liability or responsibility shall not be imposed upon the City or any of its officials, employees, or other contract agents, for damage resulting from the defective construction, operation, or abandonment of any onsite or cluster SSTS regulated under this Article or by reason of any standards, requirements, or inspections authorized by this Article hereunder.

Sec. 26-801 All SSTS

Except as explicitly set forth in Section 26-803, all provisions of this Article shall apply to any SSTS regardless of the date it was originally permitted.

Sec. 26-802 Existing Permits

Unexpired permits which were issued prior to the effective date of this Article shall remain valid under the terms and conditions of the original permit until the original expiration date or until a change in system design, whichever is earlier.

Sec. 26-803 SSTS on Lots Created After January 23, 1996

All lots created after January 23, 1996, must have a minimum of two soil treatment and dispersal areas that can support Type 1 systems as defined by Minnesota Rule 7080.2200.

Sec. 26-804 Upgrade, Repair, Replacement, and Abandonment

(1) SSTS Capacity Expansions

Expansion of an existing SSTS must include any system upgrades that are necessary to bring the entire system into compliance with the prevailing provisions of this Chapter at the time of the expansion.

(2) Bedroom Addition

Any addition to a structure that includes bedroom(s) that require a land use permit from the City shall require that the SSTS meet the required design flow according to Minnesota Rule 7080.1860 or be upgraded to meet Class 1 sizing for both the septic tanks and soil absorption area. Any required upgrades shall be completed within two years.

(3) Failure to Protect Groundwater

An SSTS that is determined not to be protective of groundwater in accordance with Minnesota Rule 7080.1500, Subp.4(B) shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Article within 10 months upon receipt of a Notice of Noncompliance and must meet Class I sizing requirements according to Minnesota Rule 7080.1860.

(4) Imminent Threat to Public Health or Safety

An SSTS posing an imminent threat to public health or safety shall be pumped within 24 hours and managed as a holding tank in accordance with Minnesota Rule 7080.1500, Subp. 4(A) and said SSTS shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Article within 10 months upon receipt of a Notice of Noncompliance and must meet Class I sizing requirements according to Minnesota Rule 7080.1860

(5) Abandonment

Any SSTS, or any component thereof, which is no longer intended to be used, must be abandoned in accordance with Minnesota Rule 7080.2500.

Sec. 26-805 SSTS in Floodplains

SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain should be avoided. If no option exists to locate a SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Minnesota Rule 7080.2270 and all relevant local requirements are met.

Sec. 26-806 Class V Injection Wells

All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, Title 40, Part 144, are required by the Federal Government to submit a UIC Class 5 Inventory Form to the Environmental Protection Agency as described in 40 CFR Part 144. Further, owners are required to identify all Class V injection wells in property transfer disclosures.

Sec. 26-807 SSTS Practitioner Licensing

- (1) No person shall engage in site evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance, or pumping of SSTS without an appropriate and valid license issued by MPCA in accordance with Minnesota Rules Chapter 7083 except as exempted in Rule 7083.0700.**
- (2) An MPCA license is not required of an individual who is constructing a SSTS on land that is owned by the individual and functions solely as a dwelling for that individual pursuant to Minnesota Rule 7083.0700. Installation of the system shall be based upon a design by a licensed designer. The system shall be inspected before it is covered and a 24-hour notification to the Department for inspection is required.**

Sec. 26-808 Prohibitions

- (1) Occupancy or Use of a Building without a Compliant SSTS.** It is unlawful for any person to maintain, occupy, or use any building intended for habitation that is not provided with a wastewater treatment system, or that disposes of wastewater in a manner that does not comply with the provisions of this Article.
- (2) Sewage Discharge to Ground Surface or Surface Water.** It is unlawful for any person to construct, maintain, or use any SSTS system regulated under this Article that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollutant Discharge Elimination System program by the MPCA.
- (3) Sewage Discharge to a Well or Boring.** It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minnesota Rule 4725.2050, or any other excavation in the ground that is not in compliance with this Chapter.
- (4) Discharge of Hazardous or Deleterious Materials.** It is unlawful for any person to discharge into any treatment system regulated under this Chapter any hazardous or deleterious material that adversely affects the treatment or dispersal performance of the system or groundwater quality.

Sec. 26-809 Alternative Local Standards Adopted by Reference

(1) Adoption of Rule by Reference

- a) The City hereby adopts by reference the provisions of Minnesota Rules Chapters 7080 -7083 in their entirety except as referenced under Section 26-809, 2, except as otherwise expressly modified by this Article.
- b) When “2006 version of Minnesota Rules Chapter 7080” is utilized, the reference is to the rules effective April 3, 2006, otherwise the City is referencing the current rules in effect.
- c) All new construction or replacement of SSTS shall employ sewage tanks, distribution media and treatment products which have been registered by the Minnesota Pollution Control Agency.

(2) Alternative Local Standards for New and Existing SSTS

- a) The City hereby adopts the 2006 version of Minnesota Rules Chapter 7080 for all new and existing residential Type I, Type II and Type III SSTS and SSTS that serve any Food, Beverage and Lodging Establishment under 2,500 gallons per day provided the effluent discharge does not exceed the standards in Minnesota Rule 7080.2150, Subp. 3(K).

Sec. 26-810 Differences in Standards

(1) List of Different Adopted Standards

- a) In no land use district shall a land use permit, shoreline alteration permit, minor subdivision, plat, conditional use permit or variance be issued without a current Certificate of Compliance or Certificate of Installation that has not expired according to Section 26-817, (3) of this Article.
- b) At least one cleanout at or above finished grade shall be installed between the structure and the septic tank with additional clean outs at intervals not more than 100 feet.
- c) Class I sizing is required on all new construction. New construction will be defined as placement of a new structure or replacement structure that is served by pressurized water.
- a) Minimum septic tank sizing shall be 1,500 gallons. This can be accomplished through a compartmentalized tank, multiple tanks in series, or a single existing 1500 gallon tank with the use of an effluent filter for the last baffle. The filter must be of such a design that when the filter is removed from the filter housing, the flow of water leaving the tank is not allowed. The first tank or compartment shall be no less than 1,000 gallons in size and applies to new and replacement SSTS. Any additional septic tanks shall be a minimum of 1,000 gallons. All other tank sizing shall follow Minnesota Rule 7080.1930.
- b) Pump tank sizing shall follow Minnesota Rule 7080.2100.
- c) Soil pits shall be required during the construction inspection. The soil pit shall be excavated at the time of the inspection. The soil pit shall be dug by a backhoe or other acceptable method and be excavated to a depth that will allow the verification of redoximorphic features and the three feet of vertical separation as required. Location of soil pits shall be adjacent to the lowest trench or next to the down slope side of an elevated treatment area. The pit shall not impact the hydraulic performance of the ISTS. A certificate of installation will not be issued until the soils are verified by a soil pit.
- d) All dwellings or buildings that contain plumbing fixtures shall meet the required setbacks to the septic tank and soil absorption area. Accessory structures, including but not limited to, decks, screen decks, porches, sheds, garages and pole buildings shall not be required to meet said setbacks provided that the tank(s) can be maintained properly and that the structure does not negatively impact the function of the system.

Sec. 26-811 Compliance Criteria for Existing SSTS

For an SSTS built before April 1, 1996, and outside of areas designated as “SWF” – Systems in shoreland areas, wellhead protection areas, or systems serving food, beverage, or lodging establishments – there must be at least two feet of vertical separation between the bottom of the dispersal system and seasonal saturation or bedrock.

Sec. 26-812 Holding Tanks

Holding tanks may be allowed for the following applications: as replacements for existing failing SSTS and SSTS that pose an imminent threat to public health or safety, on lots with limitations that will not allow for the installation of a Type 1 SSTS or for uses that are seasonal or intermittent in nature and will not use more than 150 gallons of water per day.

Sec. 26-813 Variance Requests

A property owner may request a variance from the standards as specified in this Chapter pursuant to Article 8 of this Chapter.

Sec. 26-814 State Agency Variance Requests

Variances that pertain to the standards and requirements of the State of Minnesota must be approved by the affected State Agency pursuant to the requirements of the State Agency. No permits will be issued by the City until all required State Agency variances have been approved.

Sec. 26-815 Permit Requirements

- (1) Activities Not Requiring a Land Use Permit.** A land use permit is not required for minor repairs or replacements of system components that do not alter the original function of the system; change the treatment capacity of the system; change the location of the system; or otherwise change the original system design, layout, or function. Examples are, but not limited to, pumps, baffles, and effluent filters.
- (2) Activities Requiring a Land Use Permit.** A land use permit shall be obtained by the property owner or an agent of the property owner from the City prior to the installation, construction, replacement, modification, alteration, or capacity expansion including the use of advanced treatment components of a SSTS. It is unlawful for any person to construct, install, modify or replace a SSTS without the appropriate permit from the Department including repair or replacement of components that will alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function. The issuing of any permit, variance, or conditional use under the provisions of this Chapter shall not absolve the applicant of responsibility to obtain any other required permit.
- (3) Permit Requirements.** Land Use Permit applications shall be made on forms provided by the Department and signed by the applicant or applicant's agent, and must include the following information and documentation:

 - a)** Applicant name, mailing address, telephone number, and email address.
 - b)** Property Identification Number, property address and legal description of property location.
 - c)** Site Evaluation Report, as defined by Section 26-809 , and shall be made on form provided by the Department
 - d)** Design Report, as defined by Section 26-809, and shall be made on form provided by the Department.
 - e)** A management plan, as defined by Minnesota Rule 7082.0600.
- (4) Application, Review, and Response.** The Department shall review a permit application and supporting documents according to Article 3 of this Chapter.
- (5) Appeal.** The applicant may appeal any decision of the Department in accordance with Section 26-228 of this Chapter.
- (6) Permit Expiration.** A permit for a new SSTS is valid for a period of no more than two years from its date of issue. A permit for the replacement of SSTS failing to protect groundwater is valid for 10

months. A permit for the replacement of SSTS that are imminent threats to public health is valid for 10 months. Satisfactory completion of construction shall be determined by as-built drawings and a signed certification that the construction and installation of the system was completed in reasonable conformance with the approved design documents by a qualified employee of the Department or a licensed inspection business, which is authorized by the Department and independent of the owner and the SSTS installer.

- (7) Transferability.** A permit may be transferred to a new owner provided there are no proposed changes to the SSTS design.
- (8) Suspension or Revocation.** The Department may suspend or revoke a permit issued under this section for any false statements, misrepresentations of facts on which the permit was issued, or unauthorized changes to the system design that alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system design, layout, or function. A notice of suspension or revocation and the reasons for the suspension or revocation shall be conveyed in writing to the permit holder. If suspended or revoked, installation or modification of a treatment system may not commence or continue until a valid permit is obtained.
- (9) SSTS Assessment Requirements.** For those SSTS without a management plan or operating permit according to the provisions of this Article, the following provisions apply:

 - a) The owner of an ISTS or the owner's agent shall regularly, but in no case less frequently than every three years, assess whether sewage tanks leak below the designed operating depth and whether sewage tank tops, riser joints, and riser connections leak through visual evidence of major defects and measure or remove the accumulations of scum, grease, and other floating materials at the top of each septic tank and compartment, along with the sludge, which consists of the solids denser than water.**
 - b) All solids and liquids must be removed by pumping from all tanks or compartments in which the top of the sludge layer is less than 12 inches from the bottom of the outlet baffle or transfer hole or whenever the bottom of the scum layer is less than three inches above the bottom of the outlet baffle or transfer hole. Total sludge and scum volume must not be greater than 25 percent of the tank's liquid capacity. Removal of accumulated sludge, scum, and liquids from septic tanks and pump tanks must be through the maintenance hole. The removal of solids from any location other than the maintenance hole is not a compliant method of solids removal from a sewage tank, and this method does not fulfill the solids removal requirement of this part or a management plan. Liquid and solids removal from clean-out pipes is allowed for holding tanks.**

Sec. 26-816 Operating Permit

- (1) An Operating Permit shall be required for the following SSTS:**

 - a) SSTS with high strength waste effluent standards that exceed Minnesota Rule 7080.2150, Subp. 3(K);**
 - b) Holding Tanks;**
 - c) SSTS serving three or more connections;**
 - d) Type 4 and Type 5 SSTS;**
 - e) SSTS that exceed a daily flow of 2,500 gallons per day; or,**
 - f) MSTS designed under Minnesota Rules Chapter 7081.**
- (2) Operating Permits shall be a signed agreement between the Department and the property owner and shall include monitoring, performance, mitigation, and reporting requirements.**
- (3) A valid Operating Permit shall be considered a certificate of compliance if that system is in compliance with the requirements of the Operating Permit.**
- (4) Owners of holding tanks shall provide the Department, upon request, a copy of a valid monitoring and disposal contract executed between the owner and a licensed maintenance business, which guarantees the removal of the holding tank contents in a timely manner and prevents an illegal**

discharge in accordance with Minnesota Rule 7082.0100, Subp. 3(G). This requirement is waived if the owner is a farmer who is exempt from licensing under Minn. Stat., § 115.56, subd. 3(b)(3).

- (5) Operating Permits shall be valid for the specific term stated on the permit as determined by the Department.
- (6) An Operating Permit must be renewed prior to its expiration. If not renewed, the Department may require the system to be removed from service or operated as a holding tank until the permit is renewed. If not renewed within 90 calendar days of the expiration date, the Department may require that the system be abandoned in accordance with Section 26-805.
- (7) Operating Permits do not transfer to new property owners. New owners shall apply for an Operating Permit in accordance with Section 26-817. The Department shall not terminate the current permit until 90 calendar days after the date of sale unless an imminent threat to public health and safety exists. To consider the new owner's application, the Department may require a performance inspection of the treatment system certified by a licensed inspector or qualified employee.
- (8) A report shall be prepared and certified by the licensed inspection business or licensed service provider. The report shall be submitted to the Department on a form provided by the Department on or before the compliance reporting date stipulated in the operating permit as required. The report shall contain a description of all maintenance and servicing activities performed since the last compliance monitoring report as described in the operating permit.
- (9) The Department may suspend or revoke any Operating Permit issued under this section for any false statements or misrepresentations of facts on which the Operating Permit was issued.
- (10) If suspended or revoked, the Department may require that the treatment system be removed from service, operated as a holding tank, or abandoned.
- (11) At the Department's sole discretion, the operating permit may be reinstated or renewed upon the owner taking appropriate corrective actions.

Sec. 26-817 Compliance Inspection Program

- (1) **Department Responsibility.** It is the responsibility of the Department, or its agent, to perform installation inspections of new SSTS or upgrades of SSTS to assure that the requirements of this Chapter are met.

 - a) All compliance inspections must be performed and signed by licensed inspection businesses or qualified employees certified as inspectors.
 - b) The Department shall be given access to enter a property at any reasonable time to inspect and/or monitor the SSTS system. As used in this paragraph, "property" does not include a residence or private building.
 - c) No person shall hinder or otherwise interfere with the Department's employees in the performance of their duties and responsibilities pursuant to this Chapter. Refusal to allow reasonable access to the property by the Department shall be deemed a separate and distinct offense.
 - d) A signed winter agreement may be accepted in lieu of a compliance inspection for property transfers, permit applications and designs to the Department between November 1 and April 30, at the Department's sole discretion, provided the required information is submitted to the Department by June 1 of the subsequent year. Failure to fulfill all of the obligations of the winter agreement shall be a violation of this Chapter.
- (2) **New Construction or Replacement.**

 - a) New installation inspections must be performed on new or replacement SSTS to determine compliance with Minnesota Rules, Chapters 7080 or 7081, respectively, according to this Section. SSTS found to be noncompliant with other applicable requirements must be repaired or replaced according to the Department's requirements.
 - b) It is the responsibility of the SSTS owner or the owner's agent to notify the Department 24 hours prior to the installation inspection.

- c) If the installer provides proper notice and the department does not provide an inspection within one hour after an inspection time was set, the installer may complete the construction per the following: The installer shall submit photographs of the entire uncovered system and an as-built drawing with a certified statement that the installation of the SSTS met the appropriate standards of this Article within five working days of the installation.
- d) A Certificate of Installation for new SSTS construction or replacement shall be issued by the Department within 30 days of inspection if the Department has reasonable assurance that the system was built in accordance with the applicable requirements as specified in the construction permit.
- e) The Certificate of Installation must include a certified statement by the certified inspector or qualified employee who conducted the inspection that the SSTS is or is not in compliance with the ordinance requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must be issued to the owner which includes a statement specifying those ordinance provisions with which the SSTS does not comply.
- f) No SSTS shall be placed into operation until a valid Certificate of Installation has been issued.
- g) Certificates of Installation for new construction or replacement shall remain valid for (5) five years from the date of issue unless the Department finds evidence of noncompliance.

(3) Existing Systems

- a) Compliance inspections shall be required when any of the following conditions occur:
 - i. When applying for a land use permit, shoreline alteration permit, minor subdivision, plat, land use map amendment, conditional use permit or variance and the Certificate of Installation is more than five years old or the Certificate of Compliance is more than three years old.
 - ii. Within 90 days of conveyance of any real property and the Certificate of Installation is more than five years old or the Certificate of Compliance is more than three years old.
 - iii. Any time there is a change in use of the property being served by an existing SSTS which may impact the performance of the system.
 - iv. At any time as required by this Chapter or the Department deems appropriate such as upon receipt of a complaint or other notice of a system malfunction.
- b) Compliance inspections of existing SSTS shall be reported on the inspection report forms provided by MPCA. The following conditions, must be assessed, or verified:
 - i. Watertightness assessment of all treatment tanks including a leakage report;
 - ii. Vertical separation distance between the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock including a vertical soils separation verification report unless soils have been verified according to Minnesota Rule 7082.0700, Subpart 4B.
 - iii. Sewage backup, surface seepage or surface discharge including a hydraulic function report.
- c) The Certificate of Compliance must include a certified statement by a Qualified Employee or licensed inspection business, indicating whether the SSTS is in compliance with the requirements of this Article. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must include a statement specifying those ordinance provisions with which the SSTS does not comply. A construction permit application must be submitted to the Department if the required corrective action is not a minor repair.
- d) The Certificate of Compliance or notice of noncompliance must be submitted to the Department no later than 15 calendar days after the date the inspection was performed.
- e) Certificates of Compliance for existing SSTS shall remain valid for three years from the date of issue unless the Department finds evidence of noncompliance.

(4) Transfer of Property

- a) Any property on which a SSTS is located shall not be transferred or sold unless the parties to the transaction have complied with one of the following:
 - i. A current Certificate of Compliance, as provided in (3) of this Section.
 - ii. A winter agreement, as provided in (1) of this Section.
 - iii. In the event the seller does not provide a Certificate of Compliance or compliant Operating Permit, the seller and buyer may establish a written agreement or contract to repair, replace or upgrade the existing SSTS according to the terms of this Chapter.
 - iv. The buyer may accept total responsibility of the existing SSTS and be responsible for the necessary upgrading. In the absence of a winter agreement according to (4), a), ii of this Section, the buyer shall be responsible for the necessary upgrading of said SSTS.

(5) Commercial SSTS

- a) Septic tank effluent testing for Carbonaceous Biochemical Oxygen Demand (CBOD), Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), Nitrogen, and oil / grease combination is mandatory for all SSTS that serve commercial establishments as part of any compliance inspection.
- b) Effluent testing shall not be required for commercial SSTS that have a current Certificate of Compliance as of the date this Article is effective. Any future compliance inspections shall follow (5), a) of this Section.
- c) An SSTS with effluent testing that does not meet the standards in the Minnesota Rule 7080.2150, Subpart 3(K) shall be upgraded within 3 years to meet said standards and be placed on an Operating Permit as provided in this Chapter.

- (6) Vertical Separation Reduction.** Minnesota Rule 7080.1500, Subp. 4(D) is hereby adopted allowing a 15 percent reduction in vertical separation distance for settling of sand or soil, normal variation of measurements and interpretations of the limiting layer for existing SSTS. This provision does not apply to Section 26-811.

Sec. 26-818 State Notification of Violation

The Department shall notify the MPCA of any inspection, installation, design, construction, alteration or repair of an SSTS by a licensed/certified person or any septage removal by a licensed maintainer that is performed in violation of the provisions of this Article. . The department shall also notify the MPCA of any discovered straight pipes pursuant to Minnesota Statute 115.55 Subdivision 11.

Sec. 26-819 Record Keeping and Annual Report

The Department shall maintain a current record of all permitted systems. The record shall contain all permit applications, issued permits, fees assessed, variance requests, certificates of compliance, notices of noncompliance, enforcement proceedings, site evaluation reports, design reports, record drawings, management plans, maintenance reports, operating permits, an annual list of all sewage tanks installed in the City sorted by licensed installation businesses, and other records the Department deems relevant to a particular system. The Department shall provide an annual report of SSTS permitting activities to MPCA no later than February 1 for the previous calendar year.

Sec. 26-820 Dispute Resolution

Resolution of disputes between SSTS Certified Individuals regarding conflicting compliance inspections, determination of seasonally saturation of soils and other technical issues shall follow Minnesota Rule 7082.0700, Subp. 5.

Secs. 26-821—26-833. Reserved

ARTICLE 32 RESORT STANDARDS

Sec. 26-834 Purpose

It is the purpose of this Article to provide standards for new resorts, structure replacement within an existing resort, expansions to existing resorts and resort conversions. Resorts are allowed for new projects on undeveloped land, redevelopment of previously built sites or conversions of existing buildings and land.

Sec. 26-835 Processing of Applications for Resorts

Applications for resort developments shall be processed according to the following provisions:

- (1) Permitted use:** Applications for:
 - a) Structure replacement pursuant to Section 26-843
 - b) Resort expansion pursuant to Section 26-844
- (2) Conditional use:** Other than permitted uses listed in (1) above, all other applications regarding resorts shall be processed as a conditional use as provided for in Article 7 in this Chapter.
- (3) Environmental review:** All environmental reviews of resort applications shall be conducted pursuant to the standards in Section 26-76 of this Chapter.
- (4) Additional studies or information.** In considering a resort development application, the Planning Commission/Board of Adjustment or City Council may request a report by the Administrator, a consultant; additional information from the applicant; input from any affected public service facility provider or special service district; and input from contiguous, affected, or potentially affected jurisdictions. If so required, the applicant shall bear the full cost of meeting this requirement.

Sec. 26-836 Department Review of Application

The Department shall conduct the following reviews of applications.

- (1) Initial Conference & Sketch Plan.** In order to ensure that all applicants for resorts are informed of the application process and procedure, as well as the requirements of this Chapter and related ordinances, the applicant is required to consult with the Administrator at the initial conference. At the time of this initial conference the applicant shall present a sketch plan for review.
 - a) Sketch plan requirements. The sketch plan need not be drawn to scale but must show the proposed resort boundaries, intended use of the property, proposed location of structures, significant topographical and physical features including shoreline edge vegetation, and adjacent land use.
 - b) Shall also include a concept statement describing the project and explaining how it is designed and will function.
- (2) Review of application for completeness.** After the initial conference has been conducted, the applicant may submit an application based on Section 26-837 below. The Administrator shall review the application and shall determine if the application is complete pursuant to the requirements of this Chapter. If the Administrator determines the application is not complete, then the application shall be returned to the applicant, and the applicant shall be informed in writing as to the additional information needed.
- (3) On-site review by staff.** Within 15 working days of receipt of a completed application, Department staff will conduct an on-site review of the property to gather information and photographs to aid in review of the application and to ensure there are no violations of City Ordinances on the property. Prior to the on-site review by staff, the applicant shall locate and identify all proposed lot and exterior boundary corners and the boundaries of the primary access drive with flags or stakes. The applicant shall also flag the location of any water based recreation and access sites.

Sec. 26-837 Application Requirements for Resorts

The applicant for new resort development, resort expansion, structure replacement, or resort conversions shall submit an application with the Department that meets all of the following requirements:

- (1) **Forms:** Completed application for the proposed project on forms provided by the Department.
- (2) **Fee:** A fee in the amount listed in the fee schedule adopted by the City Council shall be paid upon determination by the Department that the application is complete.
- (3) **Density calculation:** Calculations showing all information necessary to determine conformance with the density standards in Section 26-839, below, shall be included. Applications exceeding the allowed density shall not be accepted.
- (4) **Site plan:** A site plan meeting the requirements of Section 26-838.
- (5) **Plat:** A subdivision plat meeting the requirements of the Chapter 44 of the Code of Ordinances of the City of Crosslake if any land division is proposed.
- (6) **Owners association:** A property owner's association agreement with mandatory membership, and all pursuant to the requirements of Section 26-841 of this Article.
- (7) **Restrictions:** Deed restrictions, covenants, permanent easements or other instruments that:
 - a) Properly address future vegetative and topographic alterations, construction of additional buildings, beaching and mooring of watercraft;
 - b) Ensure the long term preservation and maintenance of open space pursuant to the criteria and analysis specified in Section 26-840 of this Chapter including the perpetual renewal of the covenants and deed restrictions; and
 - c) Rental requirements for shared capital resorts including restrictions on personal use of "establishment".
- (8) **Master plan:** A master plan/drawing describing the project.
- (9) **Floor plans:** Floor plans for all structures including heights of buildings.
- (10) **Additional documents.** Any additional documents as requested by the Planning Commission/Board of Adjustment necessary to explain how the resort will be designed and function.

Sec. 26-838 Site Plan Requirements

Certificates of survey are required for new resort development applications, expansions and conversion and shall include or be accompanied by the following information:

- (1) Name of Resort.
- (2) Legal description of property involved.
- (3) Name and address of owner, applicant, registered land surveyor, and designer of plan.
- (4) North arrow.
- (5) Date of plan preparation.
- (6) All current and proposed property boundaries and lot lines, including dimensions.
- (7) Boundary, dimensions and area of all shoreland tiers.
- (8) Total acreage of property involved.

- (9) Existing soil conditions and topographic contours at 10 foot intervals except areas of slopes over 12 percent shall be shown at two foot intervals.
- (10) All roads, existing and proposed, showing right of way widths.
- (11) Location and design of all on-site sanitary waste treatment facilities, existing and proposed, and domestic water supply.
- (12) All structures, recreational and/or accessory facilities, both existing and proposed, including but not limited to: cabins, campsites, housing facilities, lodges, offices, sheds, swimming pools, tennis courts, laundries, stores, boat storage, and fish cleaning houses, etc.
- (13) All surface water features, including, but not limited to, lakes, rivers, streams, floodplains, ponds and wetlands, including the location of the Ordinary High Water Level.
- (14) Existing or proposed marinas, harbors, permanent mooring sites, docking facilities, and other related implements, including rafts and buoys, markers delineating swimming and bathing areas, beaches, and other facilities.
- (15) Lake study showing aquatic vegetation in the water, water depth in one foot intervals to a depth of six feet, and bottom substrate type and conditions. (For new resorts or resorts expanding shoreland property).
- (16) Grading and drainage plans which meet the requirements of Section 26-840.
- (17) All easements and rights-of-way, including document number.
- (18) Existing zoning classification for property and land abutting property.
- (19) Percent of impervious surface existing and proposed.

Sec. 26-839 Resort Density Calculation

- (1) **Tiers.** The tract of land occupied by the establishment shall be divided into tiers by locating one or more lines approximately parallel to a line that identifies the ordinary high water level. The following table indicates the first tier width for each lake classification:

Table 26-839A First Tier Width Standards

<u>Public Waters Classification</u>	<u>Feet</u>
<u>General Development Lakes – First Tier</u>	<u>200</u>
<u>Recreational Development Lakes – all tiers</u>	<u>267</u>
<u>Natural Environment Lakes</u>	<u>400</u>
<u>All River Classes – All Tiers</u>	<u>300</u>

- a) The second tier is all the remaining area in the parcel outside the first tier and within the shoreland district.
- (2) Select the appropriate ratio to determine the land surface area that can be covered by structures from the following table:

Table 26-839B Resort Floor Area Ratios

<u>Public Waters Classes</u>	<u>First Tier</u>	<u>Second Tier</u>
<u>General Development Lakes</u>	<u>0.125</u>	<u>0.075</u>
<u>Recreational Development Lakes</u>	<u>0.075</u>	<u>0.075</u>
<u>Natural Environment Lakes</u>	<u>0.038</u>	<u>0.038</u>
<u>All River Classes – All Tiers</u>	<u>0.038</u>	<u>0.038</u>

- (3) Multiply the area within each tier, excluding all wetlands, bluffs, and land below the ordinary high water level of public waters, by the ratio in Table 26-839B above, to yield the total land surface area that can be covered by structures in each tier. For resort camp sites, each site shall be minimally set to 500 square feet. However, overall impervious surface limits cannot be exceeded.
- (4) Allowable densities may be transferred from any tier to any other tier further from the shoreline of the lake or river, but must not be transferred to any other tier closer to the shoreline.
- (5) All numbers calculated are rounded down to the nearest whole number.

Sec. 26-840 Resort Design Criteria

Proposed resort developments shall meet all of the design criteria in the following provisions.

- (1) **Minimum development area required:** The minimum area for consideration of a new resort development is three contiguous acres of buildable area and 400 feet of lot width.
- (2) **Access:** Any such development, which fronts on a Principal arterial, minor arterial, or collector roads shall be served by a frontage/backage road as determined by the Planning Commission/Board of Adjustment based on information from the City Engineer.
- (3) **Open Space Requirements:** New resorts must contain open space meeting all of the following criteria:
 - a) At least 50 percent of the total project area must be permanently preserved as open space; however, 25 percent of the open space must be suitable area for recreational use. Creation of stormwater ponds or rain gardens on area originally considered upland shall not be deducted from the buildable area.
 - b) The land area of all dwelling units/sites and accessory structures, the space between buildings in a cluster, and areas of 25 feet around each structure, all road right-of-way and all land covered by impervious surfaces, road surfaces, parking areas or structures, are developed areas and shall not be included in the computation of minimum open space;
 - c) Open space must include areas with physical characteristics unsuitable for development in their natural state, areas containing significant historic sites or unplatted cemeteries;
 - d) Open space may include outdoor recreational facilities for use by owners of dwelling units or sites, by guests staying in units or sites and by the general public;
 - e) Open space may include subsurface sewage treatment systems if the use of the space is restricted to avoid adverse impacts on the systems;
 - f) The appearance of open space areas, including topography, vegetation and allowable uses, shall be preserved by use of restrictive deed covenants, permanent easements, public dedication and acceptance or equally and permanent means;
 - g) The shore and bluff impact zones, based on normal structure setbacks, shall be included as open space. At least 60 percent of the shore impact zone area must be preserved in its natural state; and
 - h) A shoreland vegetation buffer plan designed and implemented meeting the standards in Article 19.
 - i) **Stormwater Management:** A stormwater management plan designed by a Minnesota-licensed professional engineer meeting the standards in Article 20 of this Chapter shall be submitted to the Department, and implemented.
- (4) **Centralization and Design of Facilities:** Centralization and design of facilities and structures must be done according to the following standards:
 - a) Resorts shall be connected to both publicly owned water supply and sewer systems, if available. On-site water supply and sewage treatment systems must be centralized and designed and installed to meet or exceed applicable standards or rules of the Minnesota Department of Health, MPCA and Article 31 of this Chapter. On-site sewage treatment systems must be located on the

most suitable areas of the development and sufficient lawn area free of limiting factors must be provided for a replacement soil treatment system for each sewage system;

- b) Dwelling units or sites must be clustered into one or more groups and located on suitable areas of the development. They must be designed and located to meet or exceed the following dimensional standards for the relevant shoreland classification: setback from the Ordinary High Water Level, elevation above the surface water features and maximum height.
- c) Shore recreation facilities, including but not limited to swimming areas, docks and watercraft mooring areas must be centralized and located in areas suitable for them. Evaluation of suitability must include consideration of land slope, water depth, aquatic and shoreland vegetation, soils, depth to groundwater and bedrock or other relevant factors. Boating facilities shall be located adjacent to the deepest water available. Continuous docking space shall only be used by transient lodgers at the resort, except for the allowance of one dock for the primary service provider. Launching ramp facilities including a small dock for loading and unloading equipment may be provided for use by occupants of dwelling units/sites. Non-moored watercraft shall be stored so they are not visible from the lake.
- d) Structures, parking areas and other facilities must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color or other means acceptable to the Planning Commission/Board of Adjustment, assuming summer leaf-on conditions. Vegetative and topographic screening must be preserved, if existing, or may be required to be provided.
- e) Roads and cul-de-sacs must be wide enough to meet current Fire Code widths of 20 feet wide and 66 feet in diameter at the cul de sac, or approved by the local fire authority.
- f) Accessory structures and facilities must meet the required principal structure setback and must be centralized.

(5) Sewage systems: No sewage treatment system shall be installed or modified without approval by the Department.

Sec. 26-841 Maintenance and Administration Requirements

All new resort development, resort expansions and resort conversions, if applicable, shall meet all of the following maintenance and administration requirements:

- (1) Open space protection:** Before final approval, adequate provisions must be developed for preservation and maintenance in perpetuity of open spaces and for the continued existence and functioning of the establishment. A one-time fee for purposes of monitoring and enforcing terms and conditions of any open space governing instruments may be assessed.
 - a) Deed restrictions, covenants, permanent easements, public dedication and acceptance or other equally effective and permanent means must be provided to ensure perpetual preservation and maintenance of open space. The instruments must include all of the following protections:
 - i. Vegetation and topographic alterations other than to prevent personal injury or property damage and for restoration efforts based on an approved shoreland vegetation buffer plan shall be prohibited;
 - ii. Construction of additional buildings, impervious surfaces, or storage of vehicles and other materials shall be prohibited; and
 - iii. Uncontrolled beaching of watercraft shall be prohibited.
 - iv. Dumping, storage, processing or landfill of solid or other wastes shall be prohibited.
- (2) Development organization and functioning:** Unless an equally effective alternative community framework is established, all shared capital resorts shall use an owners association with the following features:

- a) Membership shall be mandatory for each dwelling unit or site purchaser and any successive purchasers;
- b) Each member shall pay a pro rata share of the association's expenses and unpaid assessments can become liens on units or sites;
- c) Assessments shall be adjustable to accommodate changing conditions;
- d) The resort shall be responsible for insurance, taxes and maintenance of all commonly owned property and facilities.
- e) The resort is responsible for the enforcement of all rules, regulation, restrictions, and easements, and must notify the Department of all violations immediately. Any changes to management documents must be filed with the Department.
- f) The shared capital resort must file by March 1st annual reports with the Department detailing all use of the facility and all dwelling units. The report shall separately break out personal use and rental use on a dwelling unit basis. Failure to do so will result in suspension and permit revocation of all applicable permits.
- g) No shared capital camp sites, dwelling sites, or camping facilities, etc. shall be allowed.
- h) Proposed shared capital resorts which exceed PUD density shall identify within their management documents which dwelling units are to be abated upon failure to qualify as a resort.

Sec. 26-842 New Resorts

The creation of new resorts is allowed provided they meet all of the requirements of this Article including the following standards:

- (1) Structure setbacks and maximum height must meet the following standards:
 - a) Minimum structure setbacks for new structures must be at least:

Table 26-842A New Resort Minimum Structure Setbacks

<u>Public Waters Lakes Classes</u>	<u>OHWL setback (feet)</u>
<u>General Development Lakes</u>	<u>125</u>
<u>Recreational Development Lakes</u>	<u>150</u>
<u>Natural Environment Lakes</u>	<u>200</u>
<u>Public Waters River Classes</u>	
<u>General Development Rivers</u>	<u>100</u>
<u>Natural Environment Rivers</u>	<u>150</u>

- b) Height. Maximum height of any structure cannot exceed 35 feet.

Sec. 26-843 Structure Replacement Within an Existing Resort

Resorts are allowed to maintain and replace any non-conforming structures, so long as the establishment continues to operate as a resort and provided all the following standards are met:

- (1) Pursuant to Minnesota Statutes, Chapter 103F.227, Subd. 3, resort owners may:
 - a) Maintain structures, including the replacement of aging or outdated components or systems of the structure, while not increasing the structure's footprint on the land; and,
 - b) Replace structures damaged or lost to fire or natural disaster.
 - i. This applies only when an application for a building permit is made within 180 days of the damage or loss.

- ii. Structural replacement under this Article must not result in a structure that is any larger than the original structure or any closer to the shoreline of a public water.
- (2) Pursuant to Minnesota Statutes, Chapter 103F.227, Subd. 4, a resort owner may increase a structure footprint to minimally meet federal, state, or local dwelling standards or codes. Structural expansion under this subdivision must not result in a structure that is any larger than required to meet standards or codes or a structure or any portion that is any closer to the shoreline of a public water than prior to the expansion.
- (3) A sketch plan complete with proposed scope of work, shall be submitted with any permit application.
- (4) A shoreline buffer meeting the standards in Article 19 of this Chapter shall be approved by the Department, and implemented.

Sec. 26-844 Resort Expansion

A resort may expand so long as it continues to operate as a resort, the information required in Sections 26-836 and 837 is provided, and the following criteria are met:

- (1) Resorts licensed by, and in good standing with, the State of Minnesota as of August 15, 2005 will be allowed to expand up to 6 dwelling units during the life of the resort (not per owner) provided that the resort has not gone through the conditional use permit process and consists of less than 20 dwelling units.
 - a) There is available additional density as calculated in Section 26-839, and the impervious surface limits provided in Article 20 are not exceeded.
 - b) At least 60 percent of the shore impact zone shall be preserved in or restored to its natural state or, alternatively, in front of each structure for its entirety, a buffer strip consisting of native vegetation of trees, shrubs, understory and forbs extending from the shoreline landward 35 feet shall be created according to a plan approved by the local government.
 - c) For those resorts established after August 15, 2005 structure setbacks and maximum heights shall meet the standards in Section 26-842. For those resorts established prior to August 15, 2005, structure setbacks and maximum height shall meet the standards in Section 26-310.
 - d) On-site water supply and sewage treatment systems shall be designed and installed to meet or exceed applicable standards or rules of the Minnesota Department of Health, the Minnesota Pollution Control Agency, and those in Article 31. On-site sewage treatment systems shall be located on the most suitable areas of the development, and sufficient area free of limiting factors must be provided for a replacement soil treatment system for each sewage system. Alternative onsite sewage treatment processes, such as the use of aerobic treatments systems to prolong the life of drainage fields, may be allowed if they meet the standards listed in Minnesota Rules 7080.
 - e) Erosion control and stormwater management for resorts must meet the standards in Article 20 of this Chapter.
 - f) If required, a marina permit must be obtained from the DNR as under DNR Rules part 6115.0211 for the development.
- (2) Except as provided in (1) of this Section above, all expansions of resorts shall meet the standards in this Section.

Sec. 26-845 Resort Conversions

Resorts may be converted to a residential development, or shared capital resort if all of the following standards are met:

- (1) For conversions to residential developments, proposed conversions shall be evaluated using the same procedures and standards in Article 27. All inconsistencies between existing features of the development and these standards shall be identified and corrected. For conversions to residential lots, all inconsistencies between existing features of the development and the standards required in Article 11 of this Chapter and requirements in the Chapter 44 must be identified and corrected.

- (2) Dwelling unit or dwelling site densities shall meet the standards in Article 27 for conversion to residential developments and the standards in Article 11 for conversions to residential lots.
- (3) Deficiencies involving water supply and sewage treatment, structure color, impervious coverage, open space, and shore recreation facilities shall be corrected as part of the conversion or as specified in the conditional use permit.
- (4) Shore and bluff impact zone deficiencies shall be corrected as part of the conversion. Where applicable, these improvements must include the following:
 - a) Removal of extraneous buildings, docks, boat launching areas and ramps, or other facilities located in shore or bluff impact zones;
 - b) Remedial measures to correct erosion sites and improve vegetative cover and screening of buildings and other facilities as viewed from the water to meet shoreland vegetation buffer standards in Article 19 of this Chapter.
 - c) For conversions to shared capital resorts all pertinent requirements of Section 26-841 and the subdivision requirements of Chapter 44, if applicable, shall be met.

Secs. 26-846—26-861. Reserved

ARTICLE 33 SIGNS

Sec. 26-862 Purpose and Intent

- (1) **Purpose.** The purpose of this section is to establish reasonable regulations for the design, construction, installation and maintenance of all exterior signs in land use districts where signs are allowed in order to:
- a) Balance the right of individuals to identify their businesses and convey messages with the community's right to restrict unregulated billboards, sign construction, or placement;
 - b) Further the objectives of the Crosslake Comprehensive Plan;
 - c) Protect the public health, safety and welfare;
 - d) Reduce traffic hazards;
 - e) Facilitate the creation of an aesthetically pleasing and harmonious community and preserve the characteristics of the commercial, rural and residential character of the community;
 - f) Protect property values; and
 - g) Promote economic development.

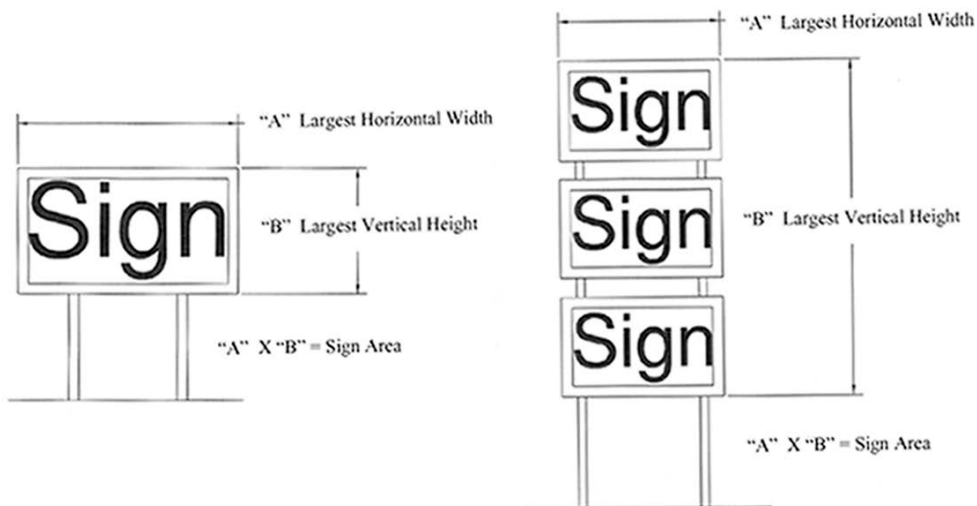
Sec. 26-863 Administration

- (1) **Permit required.** With the exception of signs listed in Section 26-863 (2) below, no sign shall be erected, altered, reconstructed, maintained or moved in the city without first securing a permit from the Department.
- (2) **Exemptions.** The following signs shall not require a permit:
- a) The changing of the display surface on a painted or printed sign only.
 - b) On-premises real estate and contractor/financial/institutional signs six square feet or less in size.
 - c) Campaign signs.
 - d) Generic real estate, off-premises directional signs.
 - e) Signs advertising the sale or lease of the real property upon which the sign is displayed.
 - f) Signs identifying the property owner and/or tenant and /or facility name located on the premises in a residential district.
 - g) "Private Property" signs; "No Hunting" signs; on-site directional, regulator and parking signs; and warning signs. Such signs shall not be considered in calculating the sign area of permitted signs. No such signs shall exceed three square feet in area, and shall not exceed eight feet in height.
 - h) Historical signs. No historical signs shall exceed eight square feet in area and shall not exceed eight feet in height. No sign shall be recognized as an historical sign unless authenticated in writing from the Crosslake Area Historical Society recognizing the historical significance of the event, structure, or site being memorialized.
 - i) Yard/garage sale signs.
 - j) Two additional temporary signs for community events (not to exceed 30 sq ft total) which shall be removed no later than 10 days after the event.
- (3) **Removal.** In the event of the failure of the owner or person, company or corporation having control of any sign, or the owner of the property on which the sign is located, to remove or repair the sign within 60 days after the use is terminated, a notice shall be given pursuant to this section and the sign may be removed by the city at the expense of the owner or manager of the sign, or the owner of the property upon which the sign stands.
- (4) **Prohibited signs.** The following signs are prohibited:

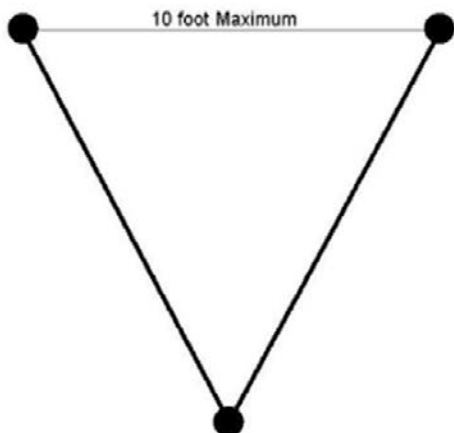
- a) Any sign, signal, marking or device which is an imitation of or resembles any official traffic control device or emergency vehicle signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device;
- b) New billboards (off-premises signs) erected after March 6, 2003;
- c) Signs with reflective or glowing material.
- d) All off-premises signs except real estate open house signs and yard/garage sale signs.
- e) Signs painted, attached, or in any other manner affixed to trees, rocks, or similar natural surfaces, or attached to public utility poles, bridges, towers, or similar public structures;
- f) Portable signs larger than six square feet;
- g) Roof-mounted signs;
- h) Changeable copy signs.
- i) Electronic signs.
- j) Real estate directional signs that are not white with black letters reading "Property for Sale" with a black, directional arrow not to exceed a total of three square feet in size.
- k) New blue directional special service signs erected by Crow Wing County.

Sec. 26-864 Sign Requirements

- (1) Signs, logos, or other advertising materials are permitted on awnings or canopies when they are constructed of a durable, non-glowing material. This signage or advertising material shall be included in the calculation of total sign area for wall fascia or attached signs.
- (2) Any lighting used for signs, awnings or canopies must be directed downward and the source of illumination (lenses and filaments) screened from view.
- (3) **Height.** Unless otherwise regulated within this division, no freestanding or attached sign shall be higher than 15 feet in a 39-mile-per-hour or less zone and 20 feet in a 40-mile-per-hour or higher zone, as measured from the average existing grade underneath the sign to the highest point of the sign, including all supporting members.
- (4) Existing billboards erected on or before March 6, 2003, shall be considered legal nonconforming signs and shall be regulated pursuant to Section 26-869 of this Article.
- (5) **Freestanding signs.** Freestanding signs shall be supported by one or more columns or uprights, which are firmly embedded in the ground. Exposed guy wires, chains or other connections shall not be used to support a freestanding sign.
- (6) **Illuminated signs.** Internally illuminated signs are prohibited. The lighting for externally lit signs shall be directed downward and away from adjacent properties and public road rights-of-way. Lights used for external lighting of signs shall be shielded or screened from any roadway to prevent distraction to driver vision. The source of illumination shall not be visible. Light emanating from a business or property shall not exceed the light maximums established in this Section 26-739 of this Chapter as measured at the property line.
- (7) **Sign area.** Sign area is the maximum area enclosed within a connected geometric shape completely enclosing all individual signs. (See diagram below.)



- (8) **Signs with two exposures.** The area of the sign will be calculated by using the area of one side of the sign; however, both sides of the sign may be used for advertising. If site conditions dictate, the Administrator may permit the area of the sign with two exposures to be on separate sign faces that must be connected at one point and not more than ten feet apart at the furthest extension in order to optimize the sign exposure. (See diagram here.)



- (9) **Wall fascia or attached signs.** Wall fascia, suspended sign or attached signs shall be firmly attached to the exterior wall of the building and shall not project more than two feet from the building, nor be higher than the eave line of the building. The sign surface shall be composed of non-glow and non-reflective materials.
- (10) **Window signs.** Interior window signs shall not be considered in computing the allowable sign size. Lighted signs are allowed.
- (11) **Holiday decorations.** Decorations or banners, and similar items used to celebrate holidays are exempt from the Article.
- (12) **Real Estate signs.**
- a) In all land use districts, one temporarily Real Estate sign advertising sale, rental, or lease may be located on a property adjacent to a road or street. On riparian properties, one additional Real Estate sign may be located facing a lake or river.

- b) Temporary on-premises Real Estate signs shall not be located on public rights-of-way, in public waters, on docks, or other structures over public waters.
 - c) The height of temporary Real Estate signs shall not exceed six feet
 - d) The area of temporary Real Estate signs shall not exceed six square feet.
 - e) In lieu of the sign specified in 26-864 (12) a) above, one temporary Real Estate sign may be placed on a new development or subdivision advertising the sale of the combined lots, units, or tracts provided the sign does not exceed 32 square feet in size and the height does not exceed ten feet.
 - f) Temporary off-premises Real Estate directional signs are allowed at road intersections provided:
 - i. The sign has a white background with black letters, reading "Property For Sale" with a black, directional arrow;
 - ii. The sign does not exceed a total area of three square feet;
 - iii. Only one such directional sign per Real Estate company is allowed at each road intersection; and,
 - iv. Temporary off-premises Real Estate directional signs shall not create traffic hazards, restrict driver visibility, or interfere with the effectiveness of any official traffic-control device.
 - g) The time limit for placement of a temporary Real Estate sale sign is three years, or 2 months after the respective property is sold, rented, or leased, whichever is less.
 - h) A one-inch by three-inch label shall be affixed to all temporary Real Estate signs sign listing the name, company, address, and phone number of the sign owner.
 - i) Permanent signs naming or identifying a development shall require a sign permit.
- (13) Yard/garage sales.** Placement of a yard/garage sale sign on residential property is allowed provided it is not in place for more than 12 days per year. Each yard/garage sale sign shall not be more than six square feet in size and shall contain the date of sale and the location of the sale and the name, address, and phone number of the sign owner. Signs shall not be placed where they create a traffic hazard and must be removed immediately after the sale.
- (14) Contractor/financial/institutional signs.** Signs pertaining to construction and other construction related services are allowable without permits on the premises of the project. Only one sign per business is allowed per lot and shall not be more than six square feet in size for residential properties. Only one sign per business is allowed per lot and shall not be more than 32 square feet in size for commercial properties. These signs shall only be placed on the premises of the project site. Each sign must be removed within ten days after completion of construction.
- (15) Campaign signs.** Signs, posters or banners which pertain to an upcoming election of a candidate and/or political issue shall be permitted in all districts, provided the property owner has given permission to place the sign on the premises. Such signs or posters shall remain in place no longer than 90 days before and ten days after the election for which they are posted, or in the case of general state elections, from August 1 preceding the election until ten days after the election unless otherwise provided pursuant to Minnesota Statutes, Chapter 211B.045. Such signs or posters shall not be placed within public road rights-of-way or where they may create traffic hazards.
- (16) Church, synagogue, other religious institutions.** Any sign, symbol, logo, tablet, plaque, or similar memorial or informational material shall be limited to a cumulative total of 250 square feet on the premises. One freestanding sign shall be permitted for display of the organization name, affiliation, hours of worship, and similar general information. A second freestanding sign may be permitted only if the cumulative street frontage exceeds 250 lineal feet. No sign shall exceed 150 square feet. Temporary signs to market events or special ceremonies may be displayed for a period not to exceed 14 continuous days.

(17) Community sign. A community information sign with changeable copy may be permitted to advertise and promote civic and special events of community significance. The maximum size of the sign shall be 128 square feet.

(18) No more than two sides per sign. No sign shall have more than two faces on which text, graphics or other material, which delivers a message, may be displayed.

Sec. 26-867 Nonresidential Area Signs

(1) Signs within nonresidential areas shall comply with all the provisions relating to signs.

(2) Nonresidential sign standards.

- a)** Up to ten percent of any building facade area, which directly abuts a public road right-of-way, may be dedicated to signs. Facade area used to calculate allowable signs must only include that area associated with the respective building or business use. Only one freestanding sign per lot or one freestanding sign per building for multi-use buildings shall be allowed, whichever is a smaller number. Nonresidential uses that depend on patrons arriving by watercraft may have two freestanding signs with a limit of one placed on the roadside of the property and one placed on the lakeside of the property.
- b)** No advertising signs or supporting facilities for signs may be placed in or upon public waters. Signs conveying information or safety messages may be placed in or on public waters by a public authority or under a permit issued by the Crow Wing County sheriff.
- c)** Signs placed on the lakeside of a property must be designed and sized to be the minimum necessary to convey needed information. They must only convey the location and name of the establishment and the general types of goods or services available. The signs must be located higher than ten feet above the ground, must not be located in the shore impact zone, and must not exceed 32 square feet in area.
- d)** The setback for all on-premises signs shall be a minimum of five feet from a public road right-of-way.
- e)** The sign for each permitted use shall be no more than ten percent of the facade. The permitted sign area for wall fascia or attached signs may be split up into several signs on the facade or used for one sign. In multi-tenant buildings, each tenant may place a separate sign on that portion of the building facade that corresponds to the interior portion of the building that the tenant occupies. Such tenant sign area shall be limited to ten percent of the area of the facade occupied by such tenant.
- f)** A sign protruding from the front of the building more than two feet shall have a maximum area of 20 square feet.
- g)** All signs must be coordinated to create a consistent and uniform appearance. Multiple tenant, freestanding signs must have a singular border/sign structure to tie all tenants together. Buildings with multiple tenant spaces may have separate wall fascia signs or attached signs that shall not exceed the maximum sign area for the facade of each respective tenant space.
- h)** The sign area allowed for a freestanding sign shall be dependent upon the speed limit of the roadway in front of the building. Buildings located in a 40-mile-per-hour zone or higher shall have a maximum sign area of 128 square feet. Buildings located in an area with a speed limit of 39 miles per hour or less shall have a maximum sign area of 75 square feet.

(3) Temporary signs.

- a)** Two temporary signs/banners/pennants at a time may be allowed per property or business, whichever is less, with a total sign area not to exceed 30 square feet. and not to exceed a cumulative total of 60 days per calendar year.

- b) A temporary sign that is portable (e.g., flipper sign) and is six eight square feet or less in area shall be permitted; however the signs shall not obstruct pedestrian or driver visibility and shall not be illuminated.

Sec. 26-868 Legal Nonconforming Signs

- (1) It is recognized that signs exist which were lawful before this Article was enacted, which would be prohibited, regulated, or restricted under the terms of this Article or future amendments to this Chapter. It is the intent of this Section that nonconforming signs shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other signs or uses prohibited elsewhere in the same land use district. It is further the intent of this Section to permit legal nonconforming signs existing on the effective date of this Chapter, or amendments thereto, to continue as legal nonconforming signs, provided such signs are safe, are maintained so as not to be unsightly, and have not been abandoned or removed subject to the following provisions:
 - a) No sign shall be enlarged or altered in a way that increases its nonconformity.
 - b) Should such sign or sign structure be destroyed by any means to an extent greater than 50 percent of its replacement cost and no land use permit has been applied for within 180 days of when the property was damaged, it shall not be reconstructed except in conformity with the provisions of this Section.
 - c) Should such sign or sign structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the land use district in which it is located after it is moved.
 - d) No existing sign devoted to a use not permitted in the land use district in which it is located shall be enlarged, extended or moved except in changing the sign to conform with the standards of that district.
 - e) When a structure loses its legal nonconforming status all signs devoted to the structure shall be removed and all signs painted directly on the structure shall be repainted in a neutral color or a color that will harmonize with the structure.
- (2) Requests for variances from the standards in this Article shall use the process set forth in Article 8 of this Chapter.

Secs. 26-869—26-897. Reserved

ARTICLE 34 TELECOMMUNICATION AND OTHER TOWER STANDARDS

Sec. 26-898 Purpose and Intent

The purpose of this performance standard is to establish predictable and balanced regulations for the siting, screening, construction and engineering of wireless communication equipment in order to accommodate the growth of wireless communication systems within the city, while protecting the public from adverse impacts on the city's aesthetic resources, and protecting the public welfare by:

- (1) Providing for the appropriate location and development of communication towers to serve the residents and businesses in the city;
- (2) Minimizing adverse visual impact of towers through careful design, siting and vegetative screening;
- (3) Avoiding potential damage to adjacent properties from tower failure through engineering and careful siting of the tower structure;
- (4) Maximizing the use of any new tower structure to reduce the number of towers needed;
- (5) Complying with the Federal Telecommunications Act of 1996.

Sec. 26-899 Applicability

It shall be unlawful for any person, firm, or corporation to erect, construct in place, or place any tower facility without first receiving permit(s) from the City. Nor may any person, firm, or corporation alter, modify, transform, add to or change in any way an existing tower facility without first receiving permit(s) from the City.

Sec. 26-900 Tower Facilities Generally Allowed

The following tower facilities will be generally allowed within the City without having to make application or meeting the general standards of this article:

- (1) Antenna(s) incidental to residential use;
- (2) Routine maintenance of existing tower facilities or modification of lighting to meet the standards in Section 26-910; and;
- (3) The addition of antenna(s) to a tower facility that meets the standards of this article and does not increase the height of the tower facility.

Sec. 26-901 Administrative Permit

The following tower facilities may be given an administrative permit from the Department after completing the application requirements and meeting the standards of this article:

- (1) Tower facilities that are located outside Shoreland and Residential Districts, unlit, camouflaged, monopole tower, and do not extend more than 10 feet above the average height of the tree canopy or 99 feet above the average ground level;
- (2) The addition of antenna(s) on existing structures such as but not limited to buildings, flagpoles, church steeples, cupolas, ball field lights, power line support device that does not require modifications to the structure; and
- (3) The addition of antenna(s) to existing lighted tower facility if the tower facility is modified to meet the lighting standards of Section 26-910 and do not increase the height of the tower facility.

Sec. 26-902 Conditional Use Permit

The following tower facilities require a conditional use permit approved by the Planning Commission/Board of Adjustment and may be granted a conditional use permit after completing the application requirements, having conditions placed on the tower facility, and findings of fact that support the tower facility:

- (1) Tower facilities that are located inside Shoreland and Residential Districts, unlit, camouflaged, monopole tower, and do not extend more than 10 feet above the average height of the tree canopy or 99 feet above the average ground level, whichever is less;
- (2) Tower facilities that are located outside Shoreland and Residential Districts, unlit, from 100 feet 199 feet in height and are designed to accommodate several levels of antennae.

Sec. 26-903 General Standards

- (1) **Setback.** The tower facility shall have a minimum distance to the parcel and or recorded easement boundary, equal to the height of the tower plus 10 feet.
- (2) **Fencing .** The tower facility shall be protected by a security fence a minimum of six feet in height to prohibit access by unauthorized persons.
- (3) **Signage.** The owner's name, telephone number and site ID number shall be posted on the gate of a perimeter fence. No other advertising or identification sign of any kind is permitted on the tower facility, except applicable warning and equipment information as required by the manufacturer or by Federal, State, or local authorities.
- (4) **Lighting.** The light source for any necessary security lighting shall feature down-directional, sharp cut-off luminaries that ensure there is no spillage of illumination off the parcel or easement boundary.

Sec. 26-904 Permit Application Requirements

- (1) The Department may contract with an independent technical expert to review technical materials submitted by the applicant, and/or to determine if additional information is necessary. The tower facility applicant shall pay the cost of such review and/or independent analysis.
- (2) Name and address of the tower facility owner, record landowner of parcel and any duly appointed agents of the parties.
- (3) A visual study depicting where within a one mile radius any portion of the proposed tower facility will be visible.
- (4) Site plan(s) drawn to a scale of one inch equals 20 feet or less, specifying the location of tower facility, support structures, transmission buildings and/or other accessory uses, access, parking, fences, signs, lighting, and all adjacent land uses within 240 feet of the base.
- (5) Elevation drawings of "before" and "after" simulating and specifying ground levels, the location and height of antenna(s), support structures, equipment buildings and/or other accessory uses, fences and signs of the tower facility.
- (6) Map showing the search radius for the antenna location and the proposed broadcast coverage obtained by the tower facility, including a narrative describing a search radius of not less than one mile for the requested site, clearly explaining why the site was selected, identifying and locating landing and takeoff areas of aircraft within the search radius, locating all existing tower facilities, and identifying all other structures that may be potential co-location sites. In addition, the applicant must demonstrate that the selected site will meet gaps in service that cannot be addressed by existing sites and that the service gaps exist due to unique topographic, land ownership or other environmental issues that can only be resolved by construction of a higher tower. In addition, the applicant shall demonstrate whether there will be a reduction of the number of towers required to gap service if a higher tower is approved.
- (7) A letter that requires the tower facility owner and successors to allow co-location of antenna on the tower facility if an additional user(s) agrees in writing to meet reasonable industry terms and conditions for shared use.
- (8) A copy of the FAA determination or a signed statement that the proposed tower facility has not been found to be a hazard to air navigation under Part 77, Federal Aviation Regulations, or that no compliance with Part 77 is required, and the reasons therefore.
- (9) A copy of the FCC's license or a signed statement from the proposed operator of the tower facility attesting to the fact that the tower facility complies with current FCC regulations, including compliance with the regulations of the FCC with regard to maximum radio frequency and electromagnetic frequency

emissions, or a statement from the applicant that no such compliance is necessary, and the reasons therefore.

- (10) Tower design and their antennas shall be certified by a licensed professional engineer to ensure that they conform to applicable state structural building standards.
- (11) The applicant shall submit proof, in the form of a signed affidavit, demonstrating a good faith effort to lease or purchase space on an adjacent existing tower facility. The affidavit shall state why space is not available such as:

 - a) The planned tower facility would exceed the structural capacity of the tower facility and the structural capacity cannot reasonably be increased;
 - b) The planned tower facility would cause interference with the usability of other existing or planned equipment at the tower facility; and/or
 - c) Existing tower facility cannot accommodate the planned antenna at a height necessary to function reasonably.
- (12) The owner of the tower facility shall provide performance security as specified in Section 26-72 to the Department in an amount equal to one and one-half times the cost to remove the tower facility and restore the site. This amount shall be determined by the Planning Commission/Board of Adjustment based on input from an independent technical expert.
- (13) All wetlands within 50 feet of the proposed infrastructure related to tower construction and access shall be delineated. A letter or report shall be submitted to Department by the wetland professional performing the work which describes the presence or absence of wetlands.

Sec. 26-905 Conditional Use Permit Criteria

The Planning Commission/Board of Adjustment shall consider the following criteria in determining whether to issue a Conditional Use Permit:

- (1) Height of the proposed tower facility;
- (2) Capacity of the tower structure for additional antenna equipment to accommodate expansion or to allow for co-location of another provider's equipment;
- (3) Proximity of the tower to residential structures and residential land use district boundaries;
- (4) Nature of uses on adjacent and nearby properties;
- (5) Surrounding topography;
- (6) Surrounding tree coverage and foliage;
- (7) Design and siting of the tower with particular reference to design characteristics and location that have the effect of reducing or eliminating visual obtrusiveness;
- (8) Proposed ingress and egress;
- (9) Availability of suitable existing towers and other structures as discussed in Section 26-904, (7), and;
- (10) Impact to the existing aesthetics and character of the surrounding area.
- (11) Level of adherence to the provisions set forth in Section 26-898 of this article.

Sec. 26-906 Existing Tower Facilities

Existing tower facilities may continue in use and perform routine maintenance for the purpose now used and may not alter, convert, modify, transform, vary, add to or change in any way the approved use or form of the tower. Existing tower facilities shall be considered for the co-location of other antenna(s). The owner of an existing tower facility shall file an annual notification in writing to the Department as to the continuing operation of every tower facility constructed. Failure to do so shall be determined to mean that the tower facility is no longer in use and considered abandoned.

Sec. 26-907 Routine Maintenance

All tower facilities shall be maintained in a safe and clean manner. The tower facility owner shall be responsible for maintaining a graffiti, debris and litter free site. The landscape plan shall be maintained for the life of the tower facility. Trimming the tops of trees on site shall be allowed, only to maintain the average height of the

canopy used to establish tower facility height. All tower facilities shall be subject to periodic inspection to ensure continuing compliance with all conditions of the application submitted and approval requirements.

Sec. 26-908 Time Limit for Tower Facility Construction

Construction of an approved tower facility must be completed within two years following the date of the approval. Landscaping must be installed within the first growing season immediately following construction.

Sec. 26-909 Abandonment and Removal

Tower facilities that are not in use for 180 consecutive days shall be considered abandoned and shall be removed by the owner within 180 days. Removal includes the complete tower facility including related infrastructures, footings and other underground improvements to a depth of 36 inches below existing grade, and restoration to pre-existing vegetative cover. Failure to do so shall be just cause for City to take legal action to remove the tower facility and restore the site.

Sec. 26-910 Lighting Standards for Tower Facilities

- (1) The tower facility owner shall provide a lighting plan and photometric study indicating the size, height, location and wattage of all tower facility lighting sources. This study must also include a graphic indicating the spread and degree/intensity of light from each source/fixture.
- (2) Tower facility owner shall reduce the impact of current and future obstruction lighting requirements, as much as technology and FAA and FCC rule will allow. Visual impact shall be reduced by the use of techniques such as, but not limited to, directional lighting, tilting, shields, etc. Maximum intensity of lighting, if necessary, shall be the minimum required by FAA and/or FCC in order of preference, a tower facility shall have:
 - a) Only incandescent red lighting at night, both side and beacon lights;
 - b) Minimum required intensity white strobe lighting daytime; red incandescent nighttime lighting;
 - c) Minimum required intensity white strobe lighting daytime; minimum required intensity red strobe nighttime lighting; then
 - d) Minimum required intensity white strobe daytime lighting; minimum required intensity white strobe nighttime lighting.
- (3) The light source for any necessary security lighting shall feature down-directional, sharp cut-off luminaires to direct, control, screen or shade in such a manner as to ensure that there is no spillage of illumination off-site.

Secs. 26-911—26-920. Reserved

ARTICLE 35 - ANIMALS IN RESIDENTIAL DISTRICTS

The standards in this Article shall apply to the keeping of animals in Shoreland and Rural Residential 5 Land Use Districts.

Secs. 26-921 Limitations on Animals in Residential Districts

- (1) Household pets which do not constitute a public nuisance are allowed in all Land Use Districts.
- (2) Agricultural animals shall be allowed in the Shoreland and Rural Residential 5 Land Use Districts subject to the following performance standards:
 - a) One animal unit is allowed per 2.5 acres land.
 - b) No more than .25 animal units shall be allowed on parcels less than 2.5 acres of land.
 - c) The keeping or pasturing of such animal unit does not pollute the waters of the State or the ground water under the land.
 - d) No such animal unit shall be kept or pastured within 100 feet of any other dwelling.
 - e) All animal units shall be kept or pastured meeting the required lake setback to the OHWL of a public water.
 - f) Accumulation of animal wastes or manure shall not be allowed.

Secs. 26-922—26-959. Reserved

ARTICLE 36 RESERVED

Secs. 26-960—26-994. Reserved

ARTICLE 37 RESERVED

Secs. 26-995—26-1022. Reserved

ARTICLE 38 RESERVED

Secs. 26-1023—26-1060. Reserved

ARTICLE 39 RESERVED

Secs. 26-1061—26-1081. Reserved

ARTICLE 40 RESERVED

Secs. 26-1082—26-1122. Reserved

ARTICLE 41 RESERVED

Secs. 26-1123—26-1141. Reserved

ARTICLE 42 WIND ENERGY CONVERSION SYSTEMS (WECS)

Sec. 26-1142 Purpose and intent

The purpose of this performance standard is to establish predictable and balanced regulations for establishment of commercial and noncommercial WECS within the city, while protecting the public from adverse impacts on the city's aesthetic resources, and protecting the public welfare by:

- (1) Providing for the appropriate location and development of WECS to serve the residents and businesses in the city;
- (2) Minimizing adverse visual impact of WECS through careful design, siting and vegetative screening; and
- (3) Avoiding potential damage to adjacent properties from turbine failure through engineering and careful siting of the WECS structure.

Sec. 26-1143 Application

Wind conversion systems may be allowed as a conditional use within land use districts in the city where they are allowed, subject to the regulations and requirements of this Section, provided that:

- (1) The property upon which the system is to be located is at least five acres in size;
- (2) The system is not located within the shoreland areas of any public water body or located waterward of the OHW of any public water bodies.

Application for WECS shall be reviewed and processed in accordance with the conditional use permit procedures established in Article 7 of this Chapter.

Sec. 26-1144 Plan drawing

All commercial applications for a WECS conditional use permit shall be accompanied by a certificate of survey and all residential applications shall be accompanied by a detailed site plan drawn to scale and dimensioned, displaying the following information:

- (1) **Site plan/certificate of survey.**
 - a) Lot lines and dimensions.
 - b) Location and height of all buildings, structures, above ground utilities and trees on the lot, including both existing and proposed structures.
 - c) Locations and height of all adjacent buildings, structures, aboveground utilities and trees located within 350 feet of the exterior boundaries of the subject property.
 - d) Existing and proposed setbacks of all structures located on the subject property.
- (2) **Elevation drawing.** An elevation drawing of the premises accurately depicting the proposed WECS and its relationship to structures on adjacent lots.

Sec. 26-1145 Compliance with National Electrical Code

WECS electrical equipment and connections shall be designed and installed in adherence to the National Electrical Code.

Sec. 26-1146 Manufacturer's warranty

Applicant shall provide documentation or other evidence from the dealer or manufacturer that the WECS has been successfully operated in atmospheric conditions similar to the conditions within the city. The WECS shall be warranted against any system failures reasonably expected for operation in severe weather conditions.

Sec. 26-1147 Design standards

- (1) Height.** The permitted maximum height of a WECS shall be limited to a maximum system height of 200 feet above the natural ground upon which the WECS is placed.
- (2) Setbacks.** No part of a WECS shall be located within any required front, side or rear yard setback. WECS towers shall be setback a minimum of 230 feet from all property lines or the engineered fall down radius plus a 50 percent safety margin, whichever is greater. A letter stating the fall down radius from the tower manufacturer shall be submitted to the planning and zoning office. WECS shall not be located within 230 feet of an aboveground utility line. Substations shall be located outside of the road right-of-way.
- (3) Rotor size.** All WECS rotors shall not have rotor diameters greater than 26 feet.
- (4) Rotor clearance.** WECS shall have a blade-arc clearance minimum of 30 feet over any structure or tree within a 250-foot radius.
- (5) Rotor safety.** Each WECS shall be equipped with both a manual and automatic braking device capable of stopping the WECS operation in high winds (40 mph or greater).
- (6) Shadow flicker.** The WECS shall be designed such that the project shall minimize shadow flicker onto adjacent existing residences. Mitigation measures, which may include landscaping, shall be incorporated into any conditional use permit. A shadow flicker study shall be required where shadow flicker may interfere with residences on adjacent properties and describe measures that shall be taken to eliminate or minimize the problem.
- (7) Lightning protection.** Each WECS shall be grounded to protect against natural lightning strikes in conformity with the National Electrical Code.
- (8) Tower.** Towers shall be painted in a non-contrasting color consistent with the surrounding area such as pale gray or white to reduce visual impact.
- (9) Tower access.** To prevent unauthorized climbing, WECS towers must comply with one of the following provisions:
 - a) Tower climbing apparatus shall not be located within 12 feet of the ground.
 - b) A locked anti-climb device shall be installed on the tower.
 - c) Towers capable of being climbed shall be enclosed by a locked, protective fence at least six feet high.
- (10) Signs.** WECS shall have one sign, not to exceed two square feet posted at the base of the tower and said sign shall contain the following information:
 - a) "Warning High Voltage."
 - b) Manufacturer's name and address.
 - c) Emergency phone number.
 - d) Emergency shutdown procedures.
- (11) Lighting.** WECS shall not have affixed or attached any lights, reflectors, flashers or any other illumination, except for illumination devices required by Federal Aviation Administration (FAA) regulations.
- (12) Electromagnetic interference.** WECS shall be designed and constructed so as not to cause radio and television interference. The applicant shall notify all communication tower operators within five miles of the proposed WECS location upon application to the city for permits. The Administrator may require the submittal of an interference study for commercial and noncommercial WECS located in sensitive areas.

- (13) **Noise emissions.** Noise emanating from the operation of WECS shall be in compliance with the noise standards regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations NPC 1 and 2, as amended.
- (14) **Utility company interconnection.** No WECS shall be interconnected with a local electrical utility company until the utility company has reviewed and commented upon it. The interconnection of the WECS with the utility company shall adhere to the National Electrical Code.

Sec. 26-1148 Meteorological equipment

Temporary meteorological equipment located upon a temporary tower used on an interim basis to gather wind and meteorological data to determine feasibility of the WECS shall require the processing of a conditional use permit and shall comply with the following standards:

- (1) The tower shall be placed on the property for no longer than 18 months from the date of the conditional use permit issuance. Any abandoned or obsolete temporary tower shall be removed within 30 days from the cessation of operation at the site.
- (2) The tower shall be temporary by nature and shall not have permanent foundations.
- (3) The tower shall meet the minimum wind and ice load design required by the State of Minnesota Building Code.
- (4) The tower shall be protected against unauthorized climbing.
- (5) The tower shall be setback 230 feet from all property lines or a distance equal to the engineered fall down radius plus a 50 percent safety margin, whichever is greater, from any lot line, recreational field, and dwelling, school, business or other habitable structure.
- (6) The tower shall be grounded and shielded to protect against natural lightning strikes, in conformity with the National Electrical Code.
- (7) No tower shall have affixed or attached lights, reflectors, flashers or any other illumination, except for those devices required by the Federal Aviation Administration.

Sec. 26-1149 Land use permit required

A land use permit shall be required for the installation of a WECS in the city.

Sec. 26-1150 Aggregated projects

Aggregated projects may jointly submit a single application and be reviewed under joint proceedings, including notices, hearings, reviews and appropriate approvals. Permits will be issued and recorded separately. Joint applications will be assessed fees as one project.

Sec. 26-1151 Infrastructure

The applicant shall identify all Crow Wing County and City roads or streets to be used for the purpose of transporting commercial WECS, substation parts, cement, and/or equipment for construction, operation or maintenance of the WECS and/or substation and obtain applicable weight and size permits from impacted road authorities prior to construction. The Administrator may require a pre-construction survey, in coordination with the impacted local road authorities to determine existing road conditions. The survey shall include photographs and a written agreement to document the condition of the public roadways and facilities. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable road authorities sufficient to restore the roads to preconstruction conditions.

Sec. 26-1152 Ornamental wind devices

Ornamental wind devices that are not a WECS shall be exempt from the provisions of this division and shall conform to other applicable provisions of this chapter.

Sec. 26-1153 Inspection

The city hereby reserves the right upon issuing any WECS conditional use permit to inspect the premises on which the WECS is located.

Sec. 26-1154 Abandonment

Any WECS or tower which is not used for 12 successive months shall be deemed abandoned and shall be dismantled and removed from the property at the expense of the property owner. All WECS and accessory facilities, including the foundation, shall be completely removed within a year of the discontinuation of use for WECS projects.

(Comp. Ords. of 5-9-2011, § 8.50(subd. 20.O))

Secs. 26-1155—26-1175 Reserved

ARTICLE 43 DEFINITIONS

Sec. 26-1176. Purpose

For the purposes of this Chapter, certain terms and words are hereby defined. The word PERSON indicates a firm, association, organization, partnership, trust, company or corporation as well as the individual. The present tense includes the future tense and the singular number shall include the plural and plural shall include the singular. The words MUST and SHALL are mandatory and the word MAY is permissive; the words USED or OCCUPIED include the words INTENDED, DESIGNED or ARRANGED TO BE USED OR OCCUPIED. The words LOT, PLOT, or PARCEL are interchangeable. Specific definitions used within the Chapter, unless another meaning is clearly given, are listed below:

Sec. 26-1177 Definitions.

ACCESS LOT, ALTERNATIVE

Parcels of land that provide access to public waters for owners of riparian lots within subdivisions. These shall be used where the Planning Commission/Board of Adjustment determines that direct riparian access is not feasible due to the presence of protected vegetation, wetlands, or other critical fish or wildlife habitat.

ACCESS LOT, CONTROLLED

Any lot, tract, or parcel of land, however designated or described, intended to be used to provide accesses to public waters for owners of nonriparian lots.

ACCESS PATH

An area designated to provide ingress and egress to public waters.

ACCESSORY STRUCTURE

A structure which is subordinate to and on the same lot as the principal structure and does not include living quarters. Such structures include sheds, storage shelters, pole buildings, detached garages, and similar structures.

ACCESSORY USE

A use incident and subordinate to the main use of the premises. An accessory use cannot exist without the establishment of a primary use.

ADJACENT PROPERTY

Any portion of a lot or larger tract of land that is not over one-quarter (1/4) mile from the concerned premises, or has common property line with the concerned premises. A lot or larger tract of land that is squarely across a road, other than a Principal or minor arterial, from the concerned premises, shall be construed as having a common property line. A lot or larger tract of land that corners the concerned property shall be considered as having a common property line at such cornering point.

ADMINISTRATIVE FEE

A fee charged by the Department as set by the City Council to compensate for time spent involving the investigation and prosecution of violations, including additional expenses incurred during the investigation.

ADMINISTRATOR

The individual appointed by the Crosslake City Council to direct the City of Crosslake Planning and Zoning Department and administer this Chapter.

ADULT USES

Adult body painting studios, adult book stores, adult car washes, adult hotels or motels, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult health/sports clubs, adult

sauna/steam room/bathhouses, adult companionship establishments, adult rap/conversation parlors, adult novelty businesses, adult motion picture arcade, adult modeling studios and other premises, enterprises or establishments, businesses, or places open to some or all members of the public at or in which there is an emphasis on the presentation or display, depiction or description of "specified sexual activities" or "specified anatomical areas" which the public could see. This definition does not apply to the practice of medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry by state licensed or registered persons. Activities classified as obscene, as defined by Minnesota Statutes Section 617.241, are not lawful and are not included in the definition of adult uses.

AGENT

Any person acting on behalf of a landowner in dealing with activities under the jurisdiction of the Chapter, including but not limited to realtors, contractors or attorneys.

AGGREGATED PROJECTS

Those wind energy projects which are developed and operated in a coordinated fashion, but which have multiple entities separately owning one or more of the individual WECS within the larger project. Associated infrastructure such as power lines and transformers that service the facility may be owned by a separate entity, but are also included as part of the aggregated project

AGRICULTURAL USE

The use of land for the growing and/or production of crops or livestock products for the production of income, including incidental retail sales of produce or animal products.

ALLEY

A public way used primarily as a service access to the rear or side of a property which abuts on a road.

ANIMAL UNIT

A unit of measure to compare differences in the production of animal wastes which has as a standard the amount of waste produced on a regular basis by a slaughter steer or heifer. Animal units are calculated by dividing the average animal weight for a species by 1,000 pounds. For purposes of these regulations, the following equivalents apply:

	Animal Unit (AU)
1 mature dairy cow	1.4
1 slaughter steer or heifer	1.0
1 Horse	1.0
1 Swine over 55#	0.4
1 Sheep	0.1
1 Swine under 55#	0.05
1 Turkey	0.018
1 Chicken	0.01

APARTMENT

A multifamily structure with dwelling units rented or leased by the month or year.

APPLIANCE

Washers, dryers, electric and gas ranges or stoves, refrigerators, freezers, dehumidifiers, water heaters, residential furnaces, dishwashers, garbage disposal trash compactors, microwave ovens, air conditioners and heat pumps.

ANTENNA

Any structure or device used for the purpose of collecting or radiating electromagnetic waves including but not limited to directional antennas such as panels, microwave dishes, satellite dishes, and omni-directional antennae such as whip-antennae.

CITY ATTORNEY

The Attorney for the City of Crosslake, Minnesota.

AUDITOR - TREASURER

The County Auditor-Treasurer for Crow Wing County, Minnesota

BASE FLOOD ELEVATION

The elevation of the "regional flood." The term "base flood elevation" is used in the flood insurance survey.

BASEMENT

Any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.

BED AND BREAKFAST RESIDENCE

A dwelling in which six or fewer guest rooms are rented within the principal structure on a nightly basis for less than one week and where at least one meal per day is provided in connection with the sleeping accommodations. The operator of the residence lives on the premises or in an adjacent premise.

BEDROOM

A room or unfinished area within a dwelling that might reasonably be used as a sleeping room as determined by the Department.

BERM

A hill of land that acts as a visual barrier between a lot and adjacent properties, alleys or streets, or that provides a barrier to the flow of stormwater from one property to another property or a waterway.

BEST MANAGEMENT PRACTICES (BMP)

Erosion and sediment control and water quality management practices that are the most effective and practical means of controlling, preventing, and minimizing degradation of surface water, including avoidance of impacts, construction-phasing, minimizing the length of time soil areas are exposed, prohibitions, and other management practices.

BILLBOARD

See sign, off premises

BIORETENTION

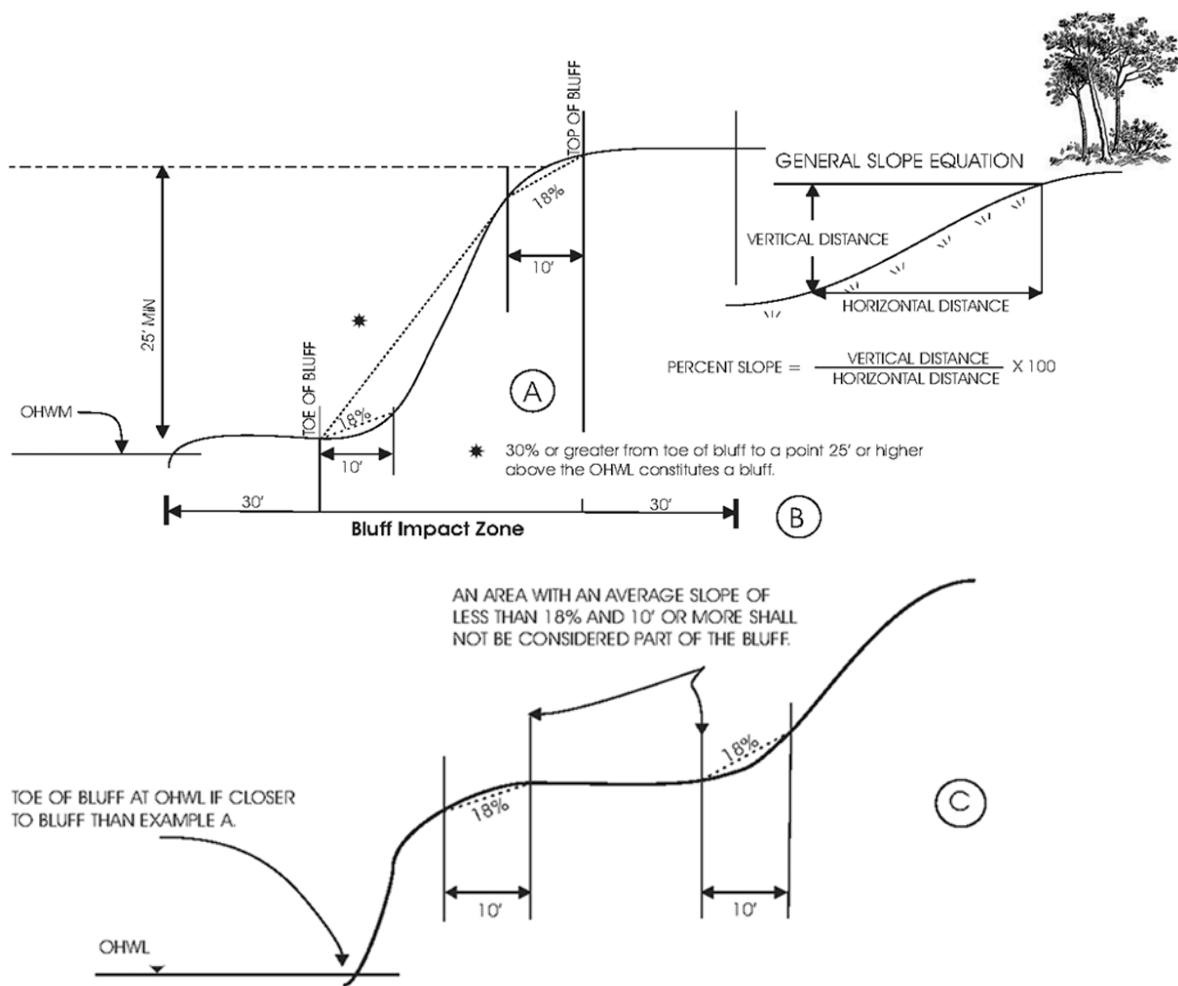
Areas that capture sheet flow runoff from impervious surfaces and treat the stormwater using a combination of microbial soil processes, infiltration, evapotranspiration, and plants.

BLUFF

A topographical feature such as a hill, cliff or embankment having all of the following characteristics:

- (1) Part or all of the feature is located in a shoreland area;
- (2) The slope rises at least 25 feet above the toe of the bluff;
- (3) The grade of the slope from the toe of the bluff to the top of the bluff averages 30 percent or greater;
and
- (4) The slope must drain toward the water body.

(see diagrams below)



BLUFF IMPACT ZONE

A bluff and land located within 30 feet of the bluff. (see diagrams above)

BLUFF, TOE

For the purpose of measuring setbacks, the point at the bottom of a bluff that is the lower end of a 10 foot segment with an average slope of 18 percent or is the OHWL, whichever is higher. (see diagrams above)

BLUFF, TOP

For the purpose of measuring setbacks, the point at the upper end of a bluff that is the higher end of a 10 foot segment with an average slope of 18 percent. (see diagrams above)

BOARD OR COUNTY BOARD

The Crow Wing County Board of Commissioners

BOATHOUSE

A structure designed and used solely for the storage of boats or boating equipment.

BOUNDARY LINE ADJUSTMENT:

A procedure for changes in property lines through the attachment of land to a contiguous lot, tract, or parcel. A boundary line adjustment is intended to modify or correct the location of a boundary line or to remedy adverse topographical features or encroachments. A boundary line adjustment may be allowed provided any residual tract of land or any existing structures does not become noncompliant with the provisions of this Chapter.

BROADCAST

To convey, generate, transmit or receive electromagnetic signals regardless of frequency, power level or communications use.

BUFFER

A strip of land on a riparian parcel adjacent to a public water **and landward of a beach, retaining wall, riprap area, or other recreational use area** upon which vegetation is to be maintained in its natural state, and not be mowed, cut or removed consistent with the standards set forth in the Department's Shoreline Rapid Assessment Model.

BUILDABLE AREA

The minimum required area remaining on a newly created parcel of land or platted lot after all, public road rights-of-way, road easements, setbacks, and wetlands are subtracted. In the Shoreland District, all land below the ordinary high water level (OHWL) of public waters, bluffs, areas with slopes greater than 25 %, and floodways shall also be subtracted.

BUILDING ENVELOPE:

Area of a lot on which structures can be built meeting setbacks to public waters, road-right-of way, easements, bluffs, lot lines, wetlands, and subsurface sewage treatment systems.

BUSINESS

Any establishment, employment or enterprise wherein merchandise is manufactured, exhibited, stored or sold, or where services are offered for compensation.

CAMOUFLAGE

A covering or disguise of any kind to hide or conceal.

CAMPER

A structure capable of providing shelter and mounted on a self-propelled vehicle.

CAMPGROUND OR RECREATIONAL CAMPING VEHICLE PARK

A commercial development that is used for the purpose of providing sites for nonpermanent overnight use by campers using tents, trailers, recreation camping vehicles, or other temporary shelters.

CEASE AND DESIST ORDER

A document issued upon discovery of a potential violation or actual violation to prevent additional violations or a continuation of a violation.

CERTIFICATE OF COMPLIANCE

A document written after a compliance inspection, certifying that an existing sewage treatment system is in compliance with applicable MPCA 7080 requirements at the time of inspection.

CERTIFICATE OF INSTALLATION

A document issued by the Department after the initial inspection and certifying that a new septic system meets the performance standards of MPCA 7080.

CERTIFICATE OF SURVEY

A graphic representation of any parcel, tract, or lot of real property whose primary purpose is to show the results of a boundary survey which is certified and signed by a licensed surveyor.

CITY

City of Crosslake, Minnesota

COLLECTOR ROAD, MAJOR/MINOR

A road that serves as a principal connection between a minor arterial or principal arterial and minor roads.

COMMERCIAL USE

The principal use of land or buildings for the sale, lease, rental, trade of products, goods or services..

COMMISSIONER

The Commissioner of the Department of Natural Resources or their authorized representative.

COMMON INTEREST COMMUNITY

Contiguous or noncontiguous real estate that is subject to an instrument which obligates persons owning a separately described parcel of the real estate or occupying a part of the real estate pursuant to a proprietary lease, by reason of their ownership or occupancy to pay for (i) real estate taxes levied against; (ii) insurance premiums payable with respect to; (iii) maintenance of; or (iv) construction, maintenance, repair or replacement of improvements located on one or more parcels or parts of the real estate other than the parcel or part that the person owns or occupies.

COMMON OPEN SPACE

A portion of a development that:

- (1) Is permanently set aside to preserve elements of the natural landscape for public or private use;
- (2) Will not be developed or subdivided; and
- (3) Is generally owned in common by the individual owners in the development or by a permanently established management entity.

COMPREHENSIVE PLAN

The Comprehensive Land Use Plan (titled "Crosslake Community Plan") for the City of Crosslake, Minnesota. A compilation of goals, policy statements, standards, programs and maps for guiding the physical, social, and economic development of the City.

CONDITIONAL USE

A land use that would not be appropriate generally in a land use district, but may be allowed with appropriate restrictions as provided by official controls upon a finding that:

- (1) Certain conditions as detailed in this Chapter exist, and
- (2) The use or development conforms to the comprehensive land use plan and
- (3) Is compatible with the existing neighborhood.

CONDOMINIUM

A common interest community in which:

- (1) Portions of the real estate are designated as units,
- (2) The remainder of the real estate is designated for common ownership solely by the owners of the units, and,
- (3) Undivided interests in the common elements are vested in the unit owners.

CONFORMING

To be, act, use, or exist pursuant to this Chapter and any regulations or standards promulgated under this Chapter, and with any special conditions or requirements imposed by this Chapter, and with any special conditions or requirements imposed in the issuance of any permits under this Chapter.

CONSERVATION DEVELOPMENT

A method of subdivision characterized by common open space and compact residential structure unit lots that may or may not be clustered. The purpose of a conservation development is to create greater community value through open space amenities for homeowners and protection of natural resources, while allowing for the residential densities consistent with prevailing densities.

CONVENTIONAL DEVELOPMENT

A method of subdivision characterized by lots that are spread evenly throughout a parcel in a lot and block design. Conventional developments have a one primary residence per lot configuration.

CORRECTIVE ACTION

The steps taken to return a development, structure, or use to a condition that complies with the standards of this Chapter and any conditions required by the Department or the Planning Commission/Board of Adjustment, or no longer poses a threat to public health, safety, welfare, and the environment; or is no longer a public nuisance.

COUNTY

Crow Wing County, Minnesota.

COUNTY RECORDER

The County Recorder and Registrar of Titles for Crow Wing County, Minnesota

CUL-DE-SAC

A permanent road terminating at one end, which is circular in design, without connecting with another road

DECK

A horizontal, unenclosed platform which is attached or functionally related to a dwelling, and may or may not have attached railings, seats, trellises, or other features.

DEPARTMENT

The City of Crosslake Planning and Zoning Department.

DEVELOPMENT

Any manmade change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

DEVELOPMENT REVIEW TEAM (DRT)

A committee whose responsibility it is to provide preliminary review of applications for variances, conditional uses, and development proposals.

DIRT MOVING

Any movement, excavation, grading, or filling of dirt on a lot.

DISPOSAL OR DISPOSE

The discharge, deposit, injection, dumping, spilling, leaking or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

DNR

Minnesota Department of Natural Resources.

DRIVEWAY

A private road serving no more than two residential lots.

DUMP

An area used for disposal of wastes.

DUPLEX RESIDENTIAL LOT

A lot designed to accommodate a two-family dwelling or two separate dwelling units.

DWELLING, MULTI-FAMILY

A building containing more than four dwelling units, including units that are located one over the other.

DWELLING, SINGLE-FAMILY

A detached residence designed for or occupied by one family only.

DWELLING, TWO-FAMILY

A residence designed for or occupied by two families only, with separate housekeeping and cooking facilities for each.

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 timeshare accommodations such as motel, hotel and resort rooms and cabins.

EASEMENT

A non-possessory interest held by one person or unit of government in the land of another whereby the non-possessory person is given partial use of the land or restricts the use of the land for a specified purpose.

ENGINEER

A registered professional engineer licensed in the State of Minnesota.

EQUAL DEGREE OF ENCROACHMENT

A method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

EXPANSION

Any increase in a dimension, size, area, volume, or height, or increase in the area of use, or placement of a structure.

EXTRACTIVE USE

All forms of, but not limited to, gravel, sand, topsoil, quarry rock, mineral, peat, humus, sub-surface insitu-leach extraction, petroleum and any other similar uses in which material is removed from the ground.

FAILING SYSTEM

Any subsurface sewage treatment system that discharges sewage to a seepage pit, cesspool, drywell or leaching pit, and any system with less than the required vertical separation as described in Minnesota Rule 7080.1500 Subps. 4(D & E).

FALL ZONE

The area defined as the furthest distance from the tower base, in which a tower will collapse in the event of a structural failure.

FAMILY

One or more persons, each related to the other by blood, marriage, adoption or foster care, or a group of no more than three persons not so related but maintaining a common household and using common kitchen facilities.

FENCE

Any partition, structure, wall or gate erected as a dividing marker, barrier or enclosure.

FILLING

The act of depositing any rock, soil, gravel, sand or other material so as to fill or partially fill a water body, watercourse, wetland, or other area.

FIREPIT

For the purposes of this ordinance, a firepit located in the shoreland impact zone 1 cannot exceed 5 feet in diameter or include an impervious area surrounding the firepit.

FLOOD

A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.

FLOOD FREQUENCY

The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.

FLOOD FRINGE

That portion of the Floodplain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study for ~~the City of Crosslake~~ Crow Wing County.

FLOODPLAIN

The beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood.

FLOOD PRONE AREA

Any land susceptible to being inundated by water from any source (see "Flood").

FLOODPROOFING

A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

FLOOD PROTECTION

A combination of structural provisions, changes or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

FLOODWAY

The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining Floodplain which are reasonably required to carry or store the regional flood discharge.

FOOTING PLACEMENT INSPECTION

An inspection conducted after a permit for a structure has been issued but before construction begins when there is evidence on the ground (such as footing forms or footing trenches) as to where the structure will be located so as to verify that all required setbacks will be met.

FOUNDATION

A concrete, concrete and concrete block, or treated wood portion of a structure which totally encloses the perimeter of the structure, supports the bearing loads of the super-structure and penetrates the ground to provide frost protection.

FRONTAGE/BACKAGE ROAD

A local road parallel to and adjacent to a principal or minor arterial, designed to provide direct access to land in lieu of direct access from a principal or minor arterial.

GAS STATION

A commercial land use where gasoline, liquid propane (L.P.) or diesel fuel is stored, pumped and sold to the public. The term "gas station" includes a convenience store if fuel is dispensed at the location.

GROUND WATER

The water contained below the surface of the earth in the saturated zone including and without limitation all waters whether under confined, unconfined or perched conditions in near surface unconsolidated sediment or region or in rock formations deeper underground. The term ground water shall be synonymous with underground water.

GROUP CARE FACILITY

A facility which provides residential services for individuals that are handicapped, aged, disabled, or undergoing rehabilitation. This includes uses such as homes for the physically handicapped, mentally retarded, chemically dependent, foster children, maternity shelters and half-way houses.

GROUP HOUSING

A housing project consisting of a group of three or more buildings or family unit spaces constructed on a parcel of ground of one acre or more in size.

GUEST AUXILIARY COTTAGE

A structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

GUEST- AUXILIARY QUARTERS

An accessory structure that contains a dwelling unit that may contain sleeping spaces and/or kitchen and/or bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

HEIGHT OF BUILDING

The vertical distance between the mean natural grade at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or mean height between the eaves and the ridge for gable, hip, mansard, gambrel, or other pitched or hipped roofs.

HOME BUSINESS

A use of a residential property for commercial use by the inhabitants thereof and/or employees which may be conducted inside as well as outside the primary residence.

HOME OCCUPATION

A use of commercial nature conducted by an occupant of a dwelling entirely within the dwelling or accessory buildings, where the use is clearly incidental and secondary to the use of the dwelling for residential purposes.

ICE RIDGE, ANNUAL

A linear mound of lakebed materials pushed up onto the lakeshore by the action of ice within a calendar year.

ICE RIDGE, HISTORIC

A linear mound of lakebed materials pushed up onto the lakeshore by the action of ice over a period of two or more years upon which well-established herbaceous and woody vegetation is growing.

IMMINENT THREAT TO PUBLIC HEALTH OR SAFETY

A subsurface sewage treatment system that creates the potential to immediately and adversely affect or threaten public health and safety as described in Minnesota Rule 7080.1500 Subp. 4(A). At a minimum, this includes discharge of sewage or sewage effluent to the ground surface, agricultural or other drainage systems, ditches, storm water drains or discharges directly to surface water, sewage backup into a dwelling, electrical hazards, or sewage tanks with unsecured or weak maintenance covers.

IMPERVIOUS SURFACE

A constructed hard surface that prevents or retards entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development, including rooftops; sidewalks; patios; parking lots; storage areas; concrete, asphalt, or gravel driveways; and other similar surfaces.

INDUSTRIAL USE, LIGHT

The production, manufacture, warehousing, storage, or transfer of goods, products, commodities or other wholesale items; locally supplied sawmills; electronics manufacturing; welding shops; auto repair; and similar uses.

INTENSIVE VEGETATION CLEARING

The complete removal of trees, shrubs or ground cover in a contiguous patch, strip, row or block.

INTERIM USE

A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

LANDSCAPING

The placement of trees, shrubs, grass, walls and earth mounds or the utilization of existing natural vegetative cover.

LAND USE DISTRICT

An area or areas within the limits of the City for which the regulations and requirements governing use are uniform. District boundaries are shown on the official land use district map.

LAND USE DISTRICT MAP

The map showing the various land use districts into which the incorporated areas of the City are divided.

LAND USE PERMIT

A permit issued by the Department authorizing certain works to be done pursuant to the standards of the Chapter.

LICENSED FAMILY DAY CARE, LICENSED GROUP FAMILY DAY CARE, LICENSED CHILD CARE CENTER

A facility holding a license pursuant to Minnesota Statutes, Chapter 245A and/or Minnesota Rules, Chapter 9502 or Chapter 9503, as amended.

LOCAL ROAD OR STREET

A road which serves primarily to provide access to adjacent lands and provides service to travel over relatively short distances as compared to collectors or other roads.

LOT

A parcel of land designated by plat, metes and bounds, registered land survey, auditors plat, or other accepted means and separated from other parcels or portions by said description for the purpose of use, occupancy, sale, lease, or separation.

LOT AREA

Square footage or acreage included within the boundaries of a parcel or platted lot. For riparian lots, land above the Ordinary High Water Level.

LOT FRONTAGE

The boundary of a lot which abuts on a public road right-of-way. An access easement to a public road right-of-way with a width meeting the minimum dimensional requirements for lot frontage meets the lot frontage requirement.

LOT, RIPARIAN

A lot that abuts public waters.

LOT, NON-RIPARIAN

A lot that does not abut public waters.

LOT OF RECORD

A lot which is one unit of a subdivision plat duly approved and filed, or one unit of an auditor's subdivision, or registered land survey, or a lot created by metes and bounds, any of which was recorded in the office of the County Recorder prior to February 6, 1992.

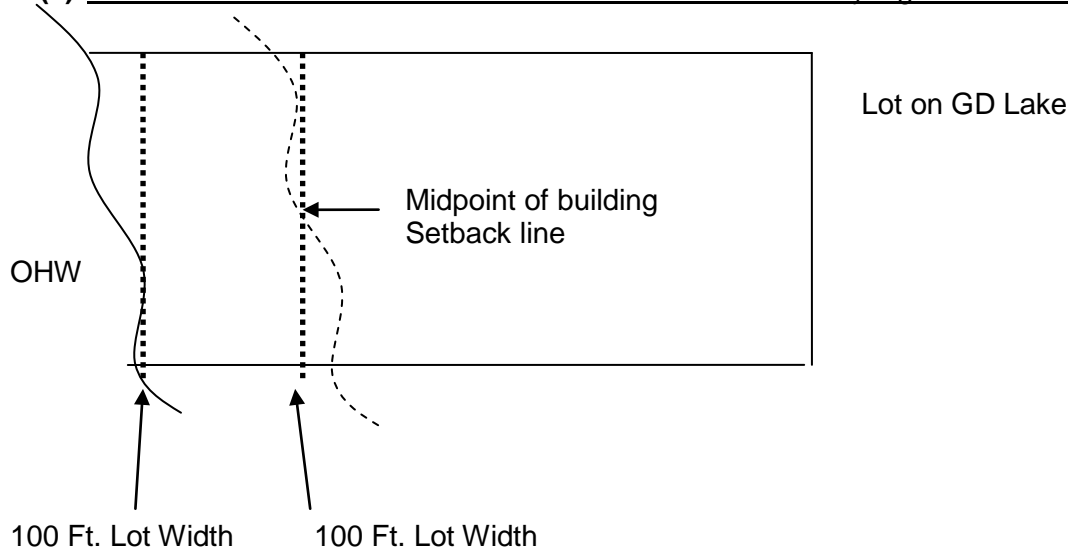
LOT WIDTH, NON-RIPARIAN

On a lot that does not abut public waters, the shortest distance between side lot lines as measured at the midpoint of the longest axis of the lot.

LOT WIDTH, RIPARIAN

On a lot that abuts public waters, the minimum distance between:

- (1) Side lot lines measured at the midpoint of the building setback line; and
- (2) The minimum distance between side lot lines at the ordinary high water level.



LOWEST FLOOR

The lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor.

MAINTENANCE

- (1) Normal upkeep of a structure including but not limited to the replacement of windows, siding, external roof surfaces, or exterior finish such as paint or stain.
- (2) Normal upkeep of a property including but not limited to mowing, raking, gardening, and pruning.

MANUFACTURED HOME

A structure transportable in one or more sections, which in the travel mode, is eight body 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 residential structure dwelling with or without a permanent foundation.

MANUFACTURED HOME PARK

Any site, lot, field or tract of land upon which two or more occupied manufactured homes are located, either free of charge or for compensation, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.

METES AND BOUNDS

A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and describing the bearings and distances of the lines forming the boundaries of the property, or a description which delineates a fractional portion of a section, lot or area by described lines or portions thereof.

MIDSIZED SUBSURFACE SEWAGE TREATMENT SYSTEMS

Systems designed to treat 5000 to 10,000 gallons of effluent per day. These systems require operating permits.

MINIMALLY MEET THE STANDARDS OR CODES

As applied to resort cabins, the replacement structure does not add new architectural elements, such as more bedrooms, that did not exist in the original structure.

MOBILE HOME

A factory built dwelling that is not a manufactured home and used generally for year-round occupancy as a single family dwelling constructed for movement from place to place occasionally; generally less than 17 feet wide; generally requiring a special tow vehicle together with a special towing permit for travel on public highways; also used as temporary office space.

MOBILE HOME DEVELOPMENT

A residential area permitted by Conditional Use Permit for mobile homes to be erected on each separate lot therein.

MOBILE HOME PARK

A parcel of land which has been planned and improved for the rental placement of two or more mobile homes and licensed by the State of Minnesota.

MOTEL/HOTEL

A commercial business with a central management to provide lodging and may provide related facilities such as restaurants, bars and other recreational amenities. The term "motel/hotel" includes a bed and breakfast and boardinghouse designed with over six separate bedrooms.

MOTOR VEHICLE

An automobile, truck or any other vehicle that is self propelled or driven otherwise than by human power, not including railways.

MPCA

Minnesota Pollution Control Agency.

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.

NPDES

National Pollution Discharge Elimination System authorized by Section 402 of the Federal Water Pollution Control Act Amendment of 1972.

NUISANCE

Pursuant to Minnesota Statutes, Chapter 412.221, subds. 23 and 24; 429.031, subd. 8; and 145A.01 et seq., the term "nuisance" is anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses, such as excessive smoke, odor, noise, heat, vibration, glare, traffic generation, visual impact and other similar interferences or offenses.

OBSTRUCTION

Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure or matter in, along, across or projecting into any channel, water course or regulatory Floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

OPEN SPACE

A portion of a development site that is permanently set aside for public or private use and will not be developed.

OPERATOR

The person responsible for the overall operation of a facility or business.

ORDINARY HIGH WATER LEVEL (OHWL)

The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the Ordinary High Water Level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the Ordinary High Water Level is the operating elevation of the normal summer pool.

OUTLOT

A lot remnant or any parcel of land included in a plat, which may be used as open space. An outlot may be a large tract that could be subdivided in the future, may be too small to comply with the minimum size requirements of zoning and subdivision ordinances, or otherwise unsuitable for development.

OWNER

Any individual, firm, association, syndicate, partnership, public or private corporation, trust or other legal entity having sufficient property interest in a property to commence and maintain proceedings under this Chapter, or the owner of record or the person or persons who own a facility or part of a facility.

PARCEL

See Lot

PARKING SPACE, OFF-STREET

Parking area not within a public way but accessible from a public way that is maintained and sized to be occupied by one automobile.

PATIO

An open recreation area adjacent to a dwelling, or free standing, that is covered with a pervious or an impervious surface such as asphalt, paving stones, wood, or other approved material.

PERMIT

Authorization issued by the Department under the standards of this Chapter permitting the construction of a structure, or a parcel of land to be used for a prescribed purpose.

PERMITTED USE

A land use conforming to the character of a land use district which may require a land use permit issuable by the Department.

PERMITTEE

A person who has received an approved permit from the Department to carry out any of the activities for which a permit is required under the provisions of this Chapter.

PERSON

Any human being, municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association or other organization, any receiver, trustee, assignee, agent or other legal entity.

PERVIOUS SURFACE

A surface that allows inflow of rainwater into the underlying construction or soil.

PLANNING COMMISSION/BOARD OF ADJUSTMENT

The Planning Commission and Board of Adjustment for the City of Crosslake, Minnesota as created by this Chapter.

PLAT

A map or drawing, conforming to Minnesota State Statutes 505 and 515, which graphically delineates the boundaries and dimensions of land parcels for the purpose of identification and record or title.

POLLUTANT

The meaning given it in Minnesota Statutes, Chapter 115A.

PRACTICAL DIFFICULTY

As used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this chapter; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

PREMISES

A structure or structures or part of a structure, together with its attendant real estate. May cover one store in a shopping center or the entire shopping center, depending on the subject of discussion; may apply to one apartment within an apartment house or the entire apartment house; may apply to part of a tract of real estate or a whole tract, or several tracts considered together, with or without structures on any part thereof.

PRINCIPAL USE OR STRUCTURE

The primary purpose for which land or a building is arranged, designed, intended, or used. All uses or structures that are not accessory uses or structures.

PRIVATE ROAD

Any vehicular way which is not an existing federal, state, county, or city roadway; or is not shown upon a certificate of survey, minor subdivision, or plat approved pursuant to law, or is not dedicated to public use.

PUBLIC NUISANCE

A condition which unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of the neighborhood or any considerable number of members of the public.

PUBLIC PARK

A park, reservation, open space, playground, beach or recreation and/or community center in the City owned, leased, or used wholly or in part by a city, county, state, school district, or federal government for recreational purposes.

PUBLIC WATERS

Lakes, rivers, streams and wetlands designated under Minnesota Statutes, section 103G.005, subdivision 15, any lakes or wetlands listed in the DNR Public Waters Inventory, and any other lakes, rivers, streams, or wetlands listed in Appendix A of this Chapter.

PUBLIC UTILITY

Persons, corporation, or governments supplying gas, electric, transportation, water, sewer, or land line telephone service to the general public. For the purposes of this ordinance, commercial wireless telecommunication services shall not be considered public utility uses.

REAR LOT ZONE (RLZ)

Land located between the structure setback line and the landward boundary of the shoreland district.

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 towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this Chapter, the term recreational vehicle shall be synonymous with the term "travel trailer/travel vehicle."

REGIONAL FLOOD

A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 1% chance or 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.

REGISTERED LAND SURVEY

A method of surveying Torrens, or Registered, land following the procedures in Minnesota Statutes, Chapter 508.47, as amended.

REGULATORY FLOOD PROTECTION ELEVATION (RFPE)

The Regulatory Flood Protection Elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the Floodplain that result from designation of a floodway.

REPETITIVE LOSS

Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds 25% of the market value of the structure before the damage occurred.

RESORT, TRADITIONAL

A commercial establishment that includes lodges, dwelling units, dwelling sites, structures or enclosures kept, used, maintained or advertised as, or held out to the public to be, a place where sleeping accommodations are furnished to the public, and having for rent three or more cabins, rooms, dwelling units or enclosures. Resorts must be primarily service-oriented for transient occupancy for guests seeking recreation. All cabins, rooms, dwelling units or enclosures must be included in the resort rental business and rates set by resort. The entire parcel of land must be owned, controlled and managed by the single business entity which comprises the commercial establishment. In order to qualify as a resort pursuant to this definition, the commercial establishment shall also be fully licensed and permitted under the appropriate state and local regulation.

RESORT, SHARED CAPITAL

A commercial establishment that includes lodges, dwelling units, dwelling sites, structures or enclosures kept, used maintained or advertised as, or held out to the public to be, a place where sleeping accommodations are furnished to the public, and having for rent three or more cabins, rooms, dwelling units or enclosures. Resorts must be primarily service-oriented for transient occupancy for guests seeking recreation. All cabins, rooms, dwelling units or enclosures must be included in the resort rental business, at rates set by the resort, with personal use not exceeding 42 calendar days in any given year with the only exception being service provider dwellings. The entire parcel of land must be controlled and managed by the single business entity which comprises the commercial establishment. In order to qualify as a resort pursuant to this definition, the commercial establishment shall also be fully licensed and permitted under the appropriate state and local regulation.

RESPONSIBLE GOVERNMENT UNIT (RGU)

The local unit of government with the authority to conduct environmental review processes.

RESTRICTED ACCESS

A driveway between a road and a parking area.

RIGHT-OF-WAY

Land dedicated for public use including, but not limited to, streets, pedestrian ways and authorized utilities.

ROAD

A public way which affords primary means of access by pedestrians and vehicles to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane or other designation

ROTOR DIAMETER

The diameter of the circle described by the moving rotor blades.

RUNOFF

That portion of precipitation draining from an area as surface flow.

RUN-ON

That portion of precipitation draining onto an area as surface flow.

SCHOOL

A building or space that is principally used as a place where persons receive educational instruction.

SEASONALLY SATURATED SOIL

The highest elevation in the soil that is in a reduced chemical state due to the soil pores filled with water causing anaerobic conditions. Saturated soil is determined by the presence of redoximorphic features in conjunction with other established indicators, and determined by other scientifically established technical methods or empirical field measurements acceptable to the permitting authority in consultation with the commissioner of the MPCA.

SEMI-PUBLIC USE

The use of land by a private, nonprofit organization to provide a public service that is ordinarily open to some persons outside the regular constituency of the organization.

SENSITIVE RESOURCE MANAGEMENT

The preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over groundwater or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding or occurrence of flora or fauna in need of special protection.

SENSITIVE SHORELAND DISTRICT

A land use district established to accommodate limited residential uses, agricultural uses, and forest management activities in the shoreland zone while conserving sensitive land areas on which more intensive development would adversely affect water quality, wetlands, lakes, shorelines, slopes, wildlife habitat, biological ecosystems, or scenic and natural values.

SETBACK

The minimum horizontal distance between a structure, sewage treatment system or other facility and the Ordinary High Water Level, sewage treatment system, top of bluff, road, highway, property line or other facility.

SEWER SYSTEM, CITY OR MUNICIPAL (SEWERED)

Municipally owned and maintained utilities including pipelines, conduits, pumping stations, force mains and all other construction devices, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of common, State-approved off-site treatment.

SHADOW FLICKER

The flickering shadow caused when rotating turbine blades come between the viewer and the sun, causing a very brief moving shadow.

SHORE IMPACT ZONE 1 (SIZ 1)

Land located between the ordinary high water level (OHWL) of public waters and a line parallel to it at a distance of 50 percent of the required structure setback.

SHORE IMPACT ZONE 2 (SIZ 2)

Land located between shore impact zone 1 and the structure setback line.

SHORELAND BUFFER ZONE (SBZ)

The area between:

- (1) The area between 500 and 1000 feet from the ordinary high water level (OHWL) of protected waters lakes, or
- (2) The area between 150 and 300 feet from the ordinary high water level (OHWL) of protected waters rivers or streams.

SHORELAND DISTRICT

Land located within the following distances from the ordinary high water level (OHWL) of public waters:

- (1) 1,000 feet of a lake or pond, or;

- (2) 300 feet of a river or stream or the landward side of a floodplain delineated by ordinance on a river or stream, whichever is greater.

SHORELAND PROTECTION ZONE (SPZ)

The area between the ordinary high water level (OHWL) of a public water and a line parallel to the OHWL at:

- (1) 500 feet from a lake or pond, or;
(2) 150 feet of a river or stream or the landward side of a floodplain delineated by ordinance on a river or stream, whichever is greater.

SHORELINE RAPID ASSESSMENT MODEL (SRAM)

A process and criteria incorporated herein by reference and used by the Department to determine the extent of natural vegetation present on a lot, the degree of natural protection that a shoreline has, and options for landowners to bring their shoreline into compliance in conjunction with permit or variance applications.

SIGN

A name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public and which directs attention to a product, service, place, activity, person, institution or business.

SIGN, ABANDONED

A sign that advertises an activity no longer available on the premises where the sign is displayed, has not been available for a continuous period of at least six months, and may have been for a business, lessor, owner, use, or product.

SIGN AREA

The entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border, not including support posts. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or devices.

SIGN, AREA IDENTIFICATION

Any free-standing sign identifying the name of a neighborhood, a residential subdivision, a multiple residential complex, a shopping center or area, an industrial area, an office complex or any combinations of the above involving three or more principal buildings.

SIGN, BUSINESS IDENTIFICATION

A sign which directs attention to a business or to a commodity, service or entertainment conducted, sold or offered upon the premises where such a sign is located.

SIGN, CHANGING MESSAGE

A commercial sign that uses movement of or change of lighting to depict action create a special effect or rapidly change the message of the sign, including signs that provide public service messages such as time, temperature or notices.

SIGN, CONSTRUCTION

A sign placed at a construction site identifying the project or the name of the project, engineer, contractor, developer, financier or other involved parties.

SIGN EXTENSION

A temporary addition or enlargement on a sign face that extends beyond the approved sign dimensions.

SIGN FACE

That part of a flat surface advertising device on which advertising is displayed and which provides visibility from one geographic direction.

SIGN, FREESTANDING

Any self-supporting sign which is placed in the ground and not affixed to any part of any building.

SIGN, GOVERNMENT

Any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, street, property, facility or recreational trail.

SIGN, HOME OCCUPATION

A sign designating a home business operated from residential property.

SIGN, ILLUMINATED

A sign illuminated in any manner by an artificial light source.

SIGN, INCIDENTAL

A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot which the sign is located shall be considered incidental.

SIGN, INFLATABLE

A sign which uses helium, air or other gases as the primary support for the sign structure.

SIGN, NAMEPLATE

A sign indicating the name, address and other non-commercial messages on residentially zoned property.

SIGN, OFF PREMISES

A sign which advertises a product, service, business or event that is not available or does not take place on the same premises as the sign, including billboards.

SIGN, POLITICAL

Shall mean a temporary sign advertising election issues or the candidacy of person running for office.

SIGN, REAL ESTATE

Shall mean a temporary sign placed upon property for the purpose of advertising to the public the sale or lease of said property.

SIGN, RUMMAGE OR GARAGE SALE

Shall mean the infrequent, temporary display and sale of used personal property by a tenant or owner on his residential premises.

SIGN, "V"

Shall mean a commercial sign consisting of two essentially equal faces, positioned at an angle extending less than 90 degrees which are essentially connected (maximum eight foot separation at closest point).

SIGN, WALL

Shall mean a commercial sign painted on the outside of a building, or attached to, and erected parallel to the face of a building and supported throughout its length by such building.

SIGN, WINDOW

Shall mean a sign painted, stenciled, or affixed on a window or door, which is visible from a right-of-way.

SIGNIFICANT HISTORIC SITE

Any archaeological site, standing structure or other property that meets the criteria for eligibility the National Register of Historic Places or is listed in the State Register of Historic Sites or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, Section 307.08. A Historic Site meets these criteria if it is presently listed on either Register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are considered to be Significant Historic Sites.

SITE(s)

Any designated area within a campground, RV Park or resort used for the purpose of permanent or temporary camping including vacant property used for similar purposes.

SOIL AND WATER CONSERVATION DISTRICT (SWCD)

The Soil and Water Conservation District for Crow Wing County, MN

SPECIAL FLOOD HAZARD AREA

A term used for flood insurance purposes synonymous with "One Hundred Year Floodplain."

STATE

The State of Minnesota

STEEP SLOPE

Land having average slopes over 12 percent, as measured over horizontal distances of 50 feet or more that is not a bluff.

STRUCTURE

Anything constructed, placed or erected by humans, including but not limited to homes, garages, accessory buildings, manufactured housing, recreational vehicles left on a site for more than 14 consecutive days, signs, driveways, parking lots, commercial buildings, storage buildings, deck, fences, and fish houses.

STRUCTURE, TEMPORARY

A travel trailer, recreational vehicle, camper, or other structure without any foundation or footings which can be readily moved when a designated time period, activity, or use for which the temporary structure was erected has ceased.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

- (2) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” For the purpose of this ordinance, “historic structure” shall be as defined in 44 Code of Federal Regulations, Part 59.1.

TOWER FACILITY (IES)

Structures 35 feet or more in height and that may include a tower, antenna(s), equipment building(s), anchor points and other related equipment used by broadcast services and/or wireless telecommunications services.

TOWER HEIGHT

The vertical distance from the point of contact with the ground to the highest point of the tower including all antenna or other attachments.

TOWER, MONOPOLE

A tower consisting of a single pole, constructed without guy wires and/or ground anchors.

TRACT OF LAND

A parcel which may be:

- (1) An acreage designated by aliquot part description (fractional description);
- (2) A government lot;
- (3) A lot in a plat recorded in the Office of the County Recorder, or;
- (4) A metes and bounds description recorded in the Office of the County Recorder

TRAILER, TRAVEL

A recreational vehicle-built on a single chassis with a rigid walled shelter, mounted on wheels and have a gross trailer area not exceeding 400 square feet.

TYPE 1 SYSTEMS (STANDARD SYSTEMS)

Septic systems that utilize trenches, beds, mounds, at-grades, chambers, dual field or graywater systems and provide treatment of effluent strengths for most domestic strength waste. Standard systems must be placed on natural, undisturbed soils and installed in a manner that allows for at least 36 inches of verticals eparation between the bottom of the systems distribution media and periodically saturated soils or bedrock.

TYPE 2 SYSTEMS

Septic systems designed as holding tanks, privies and septic systems installed within floodplains.

TYPE 3 SYSTEMS

Septic systems that deviate from 7080.2210 to 7080.2240. A system built on fill or disturbed soil is an example of this type of system.

TYPE 4 SYSTEMS

Septic systems that utilize registered treatment or pretreatment technologies in order to meet various treatment requirements that standard system s may not accomplish. These systems require operating permits.

TYPE 5 SYSTEMS

Septic systems associated with collector systems, treatment of high strength wastes, nutrient removal and groundwater mounding. These systems require operating permits.

UTILITIES

All utility service providers whether the same is government owned facilities or furnished by private utility companies to include, but not limited to, landline telephone, gas and electric.

VARIANCE

Any modification or variation of official controls where it is determined that, by reason of exceptional circumstances, the strict enforcement of the official controls would cause a practical difficulty.

VICINITY MAP

Also known as a key map or location map. A map or sketch which shows the area proposed to be platted in relation to known geographical features, i.e. town centers, lakes, roads.

WALKWAY

A continuous path no wider than four feet created of a material other than natural groundcover vegetation at grade level.

WASTE

Solid waste, demolition debris, sewage sludge, household hazardous waste and hazardous waste.

WASTE DISPOSAL

The handling and disposing of Solid Wastes as defined within the regulations of the Minnesota Pollution Control Agency.

WATER COURSE

Any perennial or intermittent stream, river, or drainage in which surface water drains from surrounding land or another water course.

WATER ORIENTED ACCESSORY STRUCTURE

A small above ground building or other improvement, except stairways, fences, docks and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to the public waters than the normal structure setback. Examples of such structures and facilities include equipment storage buildings, gazebos, screen houses, fish houses, pump houses, patios, and detached decks.

WATER-ORIENTED COMMERCIAL USE

The use of land for commercial purposes, where access to and use of surface water feature is an integral part of the normal conducting of business. Marinas, resorts and restaurants with transient docking facilities are examples of such use.

WETLAND

Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following three attributes:

- (1) Have a predominance of hydric soils; and,
- (2) Are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and,
- (3) Under normal circumstances support a prevalence of such vegetation.

WIND ENERGY CONVERSION SYSTEM (WECS)

An electrical generating facility comprised of one or more wind turbines and accessory facilities, including, but not limited to, power lines, transformers, substations and meteorological towers that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on site or distributed into the electrical power grid.

WIND TURBINE

Any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind.

WIRELESS TELECOMMUNICATION

Any ground or roof mounted structure of more than 35 feet in height above average ground level built for the purposes of supporting, elevating or attaching antenna(s) for broadcasting of cellular, personal communications, specialized mobilized radio, enhanced specialized mobilized radio, paging, and similar services. For all sections of this Chapter, wireless telecommunication shall not be considered a public utility.

YARD

A maintained open space surrounding a residential structure and associated accessory structures.

Secs. 26-1178—26-1204. Reserved

ARTICLE 44 RESERVED

Secs. 26-1205—26-1226. Reserved.

ARTICLE 45 RESERVED

Secs. 26-1227—26-1260. Reserved

ARTICLE 46 RESERVED

Secs. 26-1261—26-1302. Reserved

ARTICLE 47 RESERVED

Secs. 26-1303—26-1321. Reserved

ARTICLE 48 RESERVED

Secs. 26-1322—26-1342. Reserved

ARTICLE 49 RESERVED

Secs. 26-1343—26-1369. Reserved

ARTICLE 50 RESERVED

Secs. 26-1370—26-1393. Reserved

ARTICLE 51 RESERVED

Secs. 26-1394—26-1411. Reserved

ARTICLE 52 RESERVED

Secs. 26-1412—26-1441. Reserved

ARTICLE 53 RESERVED

Secs. 26-1442—26-1451 Reserved

APPENDIX A—CROSSLAKE PUBLIC WATERS LAKES AND RIVERS

LAKES:

DNR ID:	Lake / River Name:	Classification:	Ordinary High Water Elevation (NGVD 29) *	Base Flood Elevation (NGVD 29) *	Regulatory Flood Protection Elevation
18-226	Goodrich	GD	1237.5	1240.1	1241.6
18-227	O'Brien	GD	1236.1	1237.6	1239.1
18-228	Unnamed	NE			
18-229	Bass	NE	1214.6	1216.6	1218.1
18-230	Grass	NE			
18-260	Unnamed	NE			
18-261	Pine (Big)	GD	1197.1	1199.94	1201.44
18-262	Cranberry	NE			
18-263	Unnamed	NE			
18-264	Bass	NE			
18-265	Command	NE			
18-266	Little Pine	GD	1229.57	1231.0	1232.5
18-268	Loon	GD	1229.57	1231.0	1232.5
18-269	Island	GD	1229.57	1231.0	1232.5
18-267	McClain	NE	1232.7	1234.7	1236.2
18-270	Hen (Rush)	GD	1229.57	1231.0	1232.5
18-271	Daggett	GD	1229.57	1231.0	1232.5
18-272	Unnamed	NE			
18-273	Unnamed	NE			
18-274	Unnamed	NE			
18-275	Lily Pad	NE			
18-276	Dew Drop	NE			
18-277	Pecks Puddle	NE			
18-278	Pleasant	NE			
18-279	Little Beaver	RD			
18-280	Tiff	NE	1227.2	1229.2	1230.7
18-281	Tamarack	NE			
18-282	Rock	NE	1234.3	1236.3	1237.8
18-284	Velvet	RD	1221.0	1223.0	1224.5
18-285	Big Bird	NE			
18-286	Art	NE			
18-287	Greer	RD	1204.6	1207.12	1208.62
18-288	Ox	GD = South** NE = North**	1232.2	1234.2	1235.7
18-309	Fawn	RD	1215.8	1217.8	1219.3
18-310	Lower Whitefish	GD	1229.57	1231.0	
18-311	Rush	GD	1229.57	1231.0	1232.5
18-312	Cross	GD	1229.57	1231.0	1232.5

DNR ID:	Lake / River Name:	Classification:	Ordinary High Water Elevation (NGVD 29) *	Base Flood Elevation (NGVD 29) *	Regulatory Flood Protection Elevation
18-313	Henry	NE			
18-314	Duck	RD			
18-315	Big Trout	GD	1229.57	1231	1232.5
18-638	Unnamed	GD			
18-639	Unnamed	GD			
18-640	Arla's Pond	GD			
18-680	Harbor (Rush)	GD	1229.57	1231	1232.5

***-- Lakes without listed Ordinary High Water or Base Flood Elevations:** Lakes without these listings in the above table either have missing data or have not yet been established. This table will be updated as more current data becomes available.

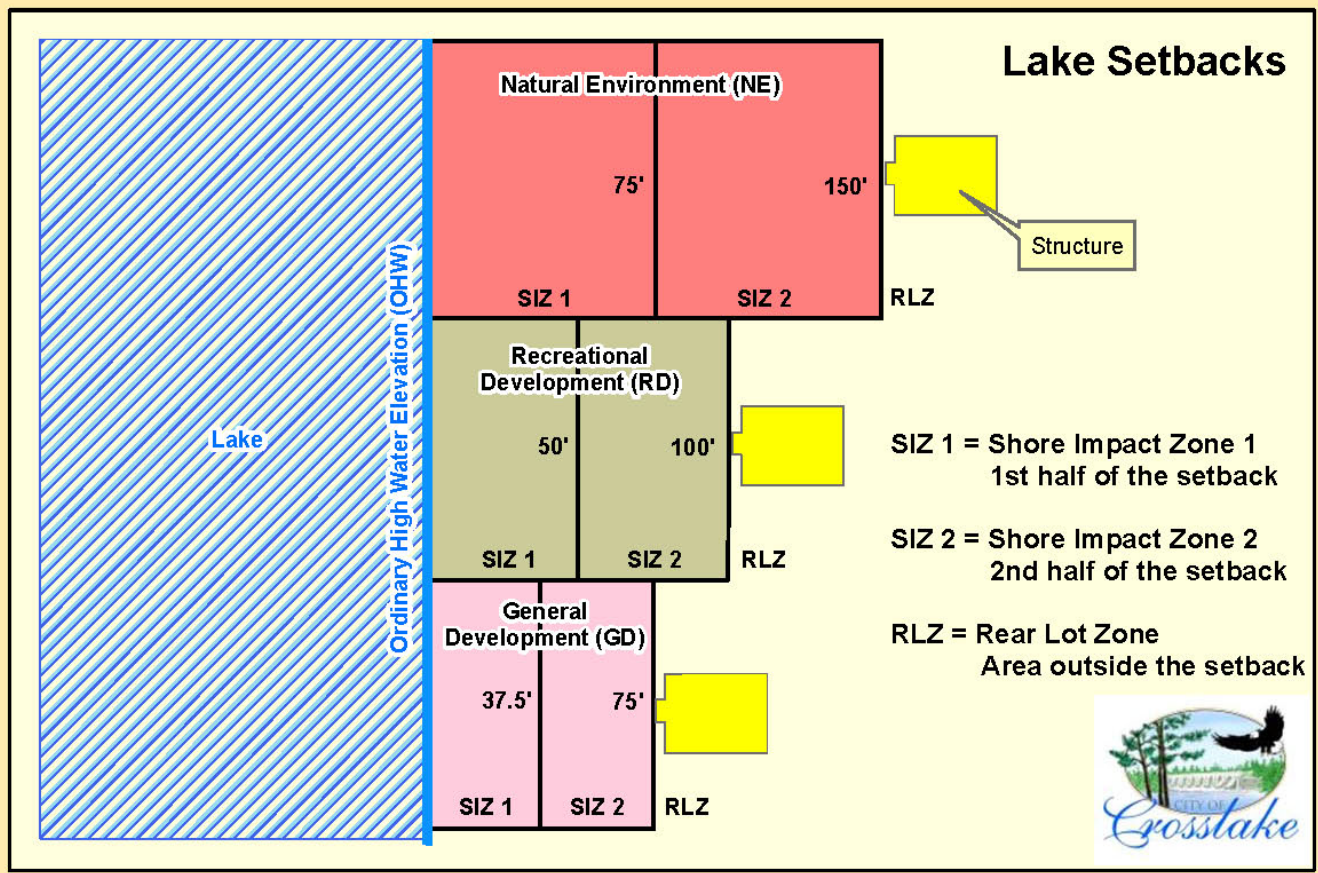
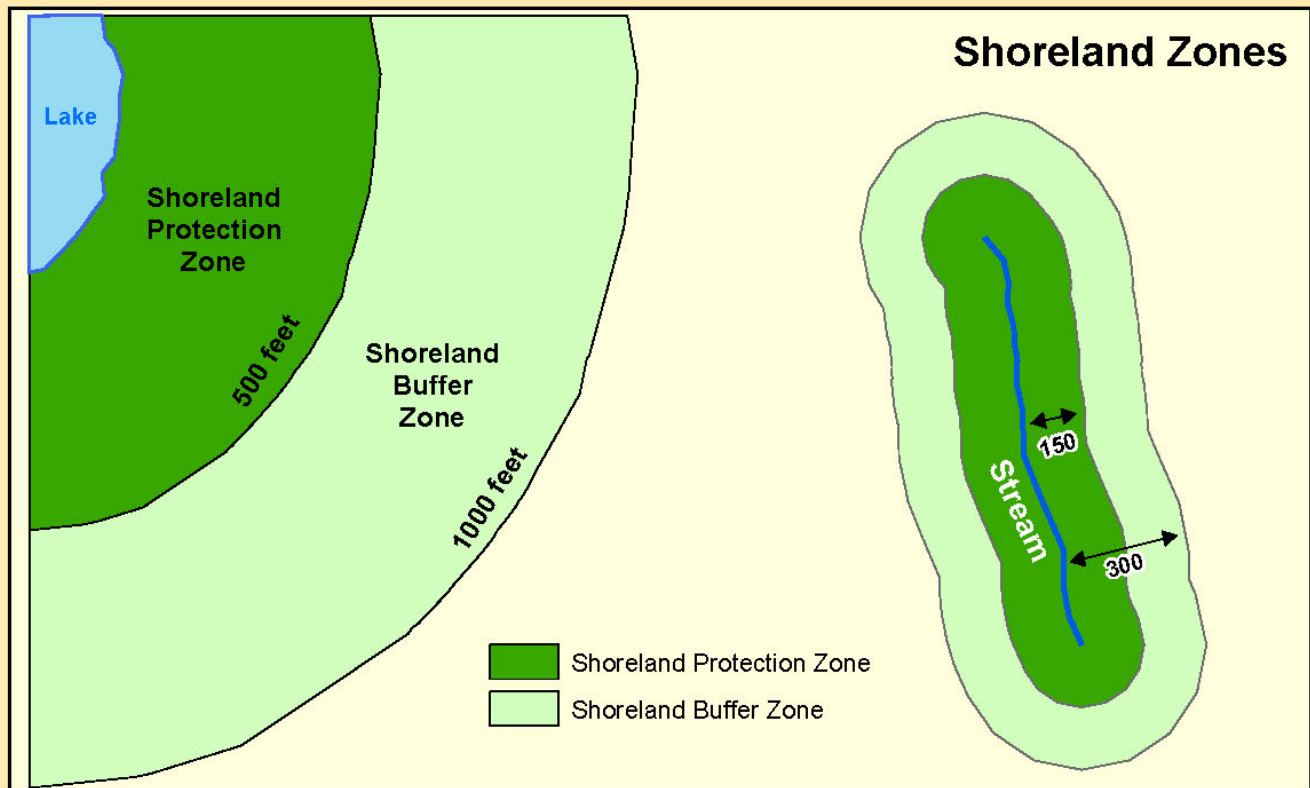
****-- Ox Lake Classification:** For purposes of the above table, the following described portion of the shoreline of Ox Lake in Sections 4 and 5, Township 137, Range 27, Crow Wing County, Minnesota, shall be classified as General Development: Beginning at a point on the West shore of Ox Lake where the South line of Lot 6, Block 1 in the plat of Ox Lake Crossing intersects said shore; thence Southerly and Easterly along said shore to its intersection with the Southwesterly line of Lot 22, Block 3, in the plat of Ox Lake Landings; thence continuing along said shore to its intersection with the North line of Lot 13, Block 4, said Ox Lake Landings and there terminating. All other shoreline of Ox Lake, including islands, shall be classified as Natural Environment.

RIVERS:

Pine River	GD
Daggett Brook	GD
Unnamed to Pine River (from basin 18-287)	NE
Unnamed to Pine River (from basin 18-653)	NE
Unnamed to Ossawinnamakee (from basin 18-277)	NE

APPENDIX B—SHORELAND DISTRICTS

Appendix B - Shoreland District



APPENDIX C—CROSSLAKE SHORELAND RAPID ASSESSMENT MODEL

Appendix C: SHORELINE RAPID ASSESSMENT MODEL



The City of Crosslake's Shoreline Rapid Assessment Model (SRAM) is a tool for quickly and objectively determining the degree of natural vegetation along a shoreline and the amount of natural buffer required to meet Ordinance requirements. With this model, the Shore Impact Zones (SIZ-1 & SIZ-2) are evaluated for natural vegetative cover and a cumulative score is tallied. Vegetative restoration that may be necessary must be performed according to Article 19.

Shoreline:

Condition of Shoreline	Score:
Stable shoreline	0
< 25% of shoreline is eroding or unstable	-1
25-50% of shoreline is eroding or unstable	-2
50-75% of shoreline is eroding or unstable	-3
> 75% of shoreline is eroding or unstable	-4

Ground cover:

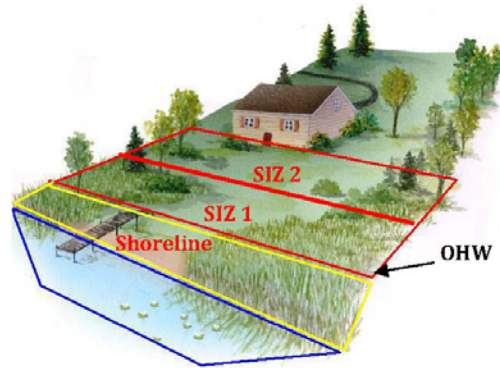
% Naturally Vegetated Cover in SIZ 1	Points:
< 25% natural ground cover	1
25-50% natural vegetative cover	3
50-75% natural vegetated cover	5
> 75% natural vegetated cover	7

% Naturally Vegetated Cover in SIZ 2	Points:
< 25% natural ground cover	1
25-50% natural vegetative cover	2
50-75% natural vegetative cover	3
> 75% natural vegetated cover	4

Trees / shrubs:

% Naturally Vegetated Cover in SIZ 1	Points:
< 25% of surface is covered by shrubs and trees	1
25-50% of surface is covered by shrubs and trees	3
50-75 % of surface is covered by shrubs and trees	5
> 75% of surface is covered by shrubs and trees	7

% Naturally Vegetated Cover in SIZ 2	Points:
< 25% of surface is covered by shrubs and trees	1
25-50% of surface is covered by shrubs and trees	2
50-75 % of surface is covered by shrubs and trees	3
> 75% of surface is covered by shrubs and trees	4



If score is 0-5:

- Leave a 20' No Mow Buffer & possible other mitigation efforts

If score is 6-10:

- Leave a 15' No Mow Buffer

If score is 11-15:

- Leave a 10' No Mow Buffer

Above buffers shall allow for an access area to lake, per Ordinance requirements

Landowner _____ Permit or Parcel Number _____

Score _____ (Max Score = 22)

Crosslake Planning & Zoning Department Staff _____

B. i. d.

PART I - CODE OF ORDINANCES
Chapter 26 - LAND USE

ARTICLE 7 CONDITIONAL/INTERIM USE PERMITS

Sec. 26-185 Conditional Use Permit

Land uses shown as Conditional Uses in the Land Use Tables in Article 10.3, shall be allowed only after a Conditional Use Permit application has been made to and approved by the Planning Commission/Board of Adjustment. An Application for a conditional use permit shall be filed with the Department including:

- a. A certificate of survey signed by a Registered Land Surveyor licensed in the State of Minnesota, unless the Administrator determines otherwise. A negative determination, signed by the Administrator, shall be made in writing and forwarded to the applicant and the Planning Commission/Board of Adjustment setting forth the facts upon which the determination was made. Required certificates of survey shall indicate information pertinent to the application which may include the following:
 - a) Graphic scale;
 - b) North point;
 - c) Bearing/coordinate system;
 - d) Date of Preparation;
 - e) Legal description of subject parcel boundary and resulting parcels;
 - f) Property boundary with sufficient survey and mathematical data to locate and retrace the boundary;
 - g) Location of right of ways, public roads and easements of record;
 - h) Structure setbacks including all pertinent dimensions;
 - i) Area of parcel(s) in square feet and acres;
 - j) Total area of riparian parcel and area above ordinary high water elevation level;
 - k) Buildable area of parcel(s);
 - l) Building envelope;
 - m) Location, square footage and height of all existing and proposed structures/additions;
 - n) Location of all wells (existing and proposed) and septic systems;
 - o) Location and size of all existing and proposed driveways, roads and easements;
 - p) Nonconforming structure setbacks including all pertinent dimensions;
 - q) Bluff or steep slopes including all pertinent dimensions and setbacks;
 - r) Shoreline and ordinary high water elevation line, if riparian;
 - s) Location of delineated wetlands;
 - t) Impervious coverage calculation
- b. Grading and storm water plans utilizing the current certificate of survey as a base for the subject property depicting the following:
 - a) Existing contours at two (2) foot intervals.
 - b) Drainage plan, including the configuration of drainage areas and calculations.
 - c) Surface water ponding and treatment areas.
 - d) Erosion control measures.
- c. After determining that the application is complete, the Administrator, shall forward the application and supporting documentation to the Planning Commission/Board of Adjustment for consideration at their next meeting.

Sec. 26-186 Public Hearing

The Planning Commission/Board of Adjustment shall hold at least one public hearing on an application for a conditional use permit pursuant to Minnesota Statutes, Chapter 462.357, subd. 3 and its adopted rules of business. The Administrator must submit hearing notices for proposed variances to the Department of Natural Resources sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

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Sec. 26-187 Delayed Action

In considering the application for a Conditional Use, the Planning Commission/Board of Adjustment may adjourn the hearing to a future time and defer action or consideration until further information desired from the applicant is submitted. The applicant shall be formally notified of the information needed or reason for tabling the item. The provisions for action on an application shall be in compliance with Minnesota Statutes, Chapter 15.99 and Section 26-74 of this Chapter.

Sec. 26-188 Determination

In considering an application, the Planning Commission/Board of Adjustment shall determine and make findings for approval or denial on:

- (1) The impact of the proposed use on the health, safety, and general welfare of the occupants in the surrounding neighborhood;
- (2) The ability of the proposed use to meet the standards of this Chapter.
- (3) The ability of the proposed use to meet goals and policies adopted within the Crosslake Comprehensive Plan;
- (4) The effect of the proposed use on property values and future development of the land in the surrounding neighborhood;
- (5) The effect of the proposed use on public utility, public services, roads and schools;
- (6) The effects of the proposed use on the environment including its impact on groundwater, surface water and air quality;
- (7) The adequacy of water supply, public sewer or subsurface sewage treatment system facilities, erosion control and stormwater management are provided pursuant to applicable standards;

Sec. 26-189 Conditions May Apply

The Planning Commission/Board of Adjustment, in approving any such application, may impose additional conditions to the granting of the permit that shall fulfill the purposes of this Chapter. Such conditions may include, but are not limited to, the following:

- (1) Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted.
- (2) Special provisions for the location, use of structures, sewage treatment systems, water craft launching and docking areas, and vehicle parking areas.
- (3) Performance security as prescribed in Section 26-72 of this Chapter.
- (4) Provisions to insure that the conditional use will not be detrimental to the use and enjoyment of the environment or of other properties.
- (5) Buffers between potentially conflicting uses or along shorelines.
- (6) Designated length of time in which work must be completed.

Sec. 26-190 Special Review Criteria for Floodplain Conditional Use Permits

In reviewing Conditional Use applications in Floodplain areas, the Planning Commission/Board of Adjustment shall consider all relevant factors specified in other sections of these standards, and:

- (1) The danger to life and property due to increased flood heights or velocities caused by encroachments.
- (2) The danger that materials may be swept onto other lands or downstream to the injury of others or they may block bridges, culverts or other hydraulic structures.
- (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- (5) The importance of the services provided by the proposed facility to the community.
- (6) The requirements of the facility for a waterfront location.

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- (7) The availability of alternative locations not subject to flooding for the proposed use.
- (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- (9) The relationship of the proposed use to the comprehensive plan and Floodplain management program for the City.
- (10) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (11) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
- (12) Such other factors which are relevant to the purposes of these standards.

Sec. 26-191 Conditional Use Permit Decision

After reviewing the application, considering all pertinent facts, and hearing testimony at the public hearing, the Planning Commission/Board of Adjustment shall determine if the conditional use requested be approved, denied, or modified. The Planning Commission/Board of Adjustment shall prepare written findings of fact to support its decision. A copy of the decision and findings of fact shall be forwarded to the applicant. If the conditional use is approved by the Planning Commission/Board of Adjustment, the Department shall cause a copy of the conditional use to be recorded with the land records for the subject property in the Office of the County Recorder. A copy of the final decision granting a conditional use within a shoreland or floodplain area shall be sent to the Commissioner of the Department of Natural Resources within 10 days of final action.

Sec. 26-192 Status of Conditional Use Permit

Any use permitted under the terms of a conditional use permit shall be established and conducted in conformity with the terms and conditions designated in connection with the approval of the permit and all other applicable provisions of this Chapter. A conditional use permit shall remain in effect so long as the conditions agreed upon are observed. Nothing in this Article shall prevent the City Council from enacting this Chapter or any other Chapter or Ordinance to change the status of a conditional use.

Sec. 26-193 Amendments to Conditional Use Permits

Amendments to approved conditional use permits or requests for changes in conditions attached to conditional use permits shall be referred to the Planning Commission/Board of Adjustment and processed in the same manner as new conditional use permits.

Sec. 26-194 Appeals of Planning Commission/Board of Adjustment Decision on Conditional Use Permits

Acting in its capacity as the Planning Commission, all Planning Commission/Board of Adjustment decisions under this Chapter regarding conditional use permits are final. Any aggrieved person or department, board, or commission, County, or Department of the State of Minnesota may appeal such Planning Commission/Board of Adjustment decision by writ of certiorari to the Minnesota Court of Appeals.

Sec. 26-195 Revocation of Conditional Use Permit

The Planning Commission/Board of Adjustment, subsequent to a public hearing, may revoke a conditional use permit if any conditions imposed as part of granting the conditional use permit request, are violated.

Sec. 26-196 Interim Use Permits

- (1) Applications for interim uses as designated in the land use tables in Section 26-281 shall be processed in the same manner as conditional uses under this Article with the exception that the Planning

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Commission/Board of Adjustment shall make a recommendation to the City Council. The City Council shall take final action on the interim use application.

(2) The Planning Commission/Board of Adjustment may recommend approval of an interim use of property to the City Council if:

- a) the use conforms to the land use district regulations;
- b) the date or event that will terminate the use can be identified with certainty;
- c) permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- d) the user agrees to any conditions that the governing body deems appropriate for permission of the use.

(3) Any interim use may be terminated by a change in zoning regulations.

Secs. 26-197—26-221. Reserved

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ARTICLE 8 VARIANCES/APPEALS

Sec. 26-222 Applications

Application for variances shall be filed with the Department. The Department shall forward to the Planning Commission/Board of Adjustment:

- (1) A copy of the application and additional information determined by the Administrator to be pertinent to the application; and,
- (2) A Certificate of Survey shall be required showing:
 - a) Property boundary with dimensions shown including square footage of parcel;
 - b) Buildable area;
 - c) Location, size and height dimensions of all existing and proposed structures/additions;
 - d) Location of all wells (existing and proposed) and septic systems;
 - e) Location and size of all existing and proposed driveways, roads and easements;
 - f) Nonconforming structure setbacks including all pertinent dimensions;
 - g) Two foot contours;
 - h) Existing and proposed impervious surface calculations;
 - i) Bluff or steep slopes;
 - j) Ordinary high water elevation;
 - k) Delineated Wetlands;
 - l) Stormwater Management Plan according to Article 20 of this Chapter;
 - m) No-Maintenance Shoreline Buffer according to Article 19 of this Chapter;
- (3) The Administrator shall have the discretion to determine whether an application may be forwarded to the Planning Commission/Board of Adjustment without an accompanying Certificate of Survey. A determination by the Administrator that a Certificate of Survey is not necessary shall be made in writing on a form approved by the City Council for this purpose. The form shall specifically set forth the facts upon which the determination was made, and a copy of said form, signed by the Administrator, shall be forwarded to the City Council and to the Planning Commission/Board of Adjustment.

Sec. 26-223 Public Hearing

Acting in its capacity as the Board of Adjustment, the Planning Commission/Board of Adjustment shall hold at least one public hearing on an application for a variance pursuant to Minnesota Statutes, Chapter 462.357, subd. 3 and its adopted rules of business. The Planning Commission/Board of Adjustment may hold additional public hearings when it determines that such hearings will be in the public interest. The Administrator must submit hearing notices for proposed variances to the Department of Natural Resources sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

Sec. 26-224 Delayed Action

In considering the application for a Variance, the Planning Commission/Board of Adjustment may adjourn the hearing to a future time and defer action or consideration until further information desired from the applicant is submitted. The applicant shall be notified in writing of the information needed or reason for tabling the item. The provisions for action on an application shall be in compliance with Minnesota Statutes, Chapter 15.99 and Section 26-74 of this Chapter.

Sec. 26-225 Variance Criteria

- (1) Variances shall only be permitted in accordance with Minnesota Statutes, Chapter 462.357 subd. 6.
- (2) No variance shall be granted that would allow any use that is prohibited in the land use district in which the subject property is located.

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- (3) In considering a variance request, the Planning Commission/Board of Adjustment must determine that practical difficulties exist according to the following factors:
- a) Is the variance request in harmony with the purposes and intent of this Chapter?
 - b) Is the variance consistent with the Crosslake Comprehensive Plan?
 - c) Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
 - d) Is the need for a variance due to circumstances unique to the property and not created by the property owner?
 - e) Will the issuance of a variance maintain the essential character of the locality?
 - f) Does the need for a variance involve more than economic considerations?
- (4) Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, Chapter 216C.06, subd. 14, when in harmony with the Chapter.
- (5) The Planning Commission/Board of Adjustment may permit as a variance the temporary use of a one family dwelling as a two family dwelling.

Sec. 26-226 Conditions May Apply

- (1) If the variance criteria in Section 26-225 have been met, the Planning Commission/Board of Adjustment, in approving any such application, may require additional conditions and mitigating requirements to protect the public health, safety, or the environment, as may be reasonable under all circumstances concerned therewith, to be imposed as a condition for granting of the permit that shall fulfill the purposes of this Chapter. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. Such conditions may include, but are not limited to, the following:
- a) Mitigation actions to off-set environmental consequences of variance approval according to Articles 19 and 20;
 - b) Increased setbacks from the ordinary high water level;
 - c) Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted according to Article 19;
 - d) Special provisions for the location, design, size and use of allowed structures, sewage treatment systems, and vehicle parking areas;
 - e) Performance security as prescribed in Section 26-72 of this Chapter.
 - f) Extension of the time frame upon which the variance must be substantially completed.
- (2) The Department may conduct follow up inspections as necessary to insure that the conditions established by the Board of Adjustment are met.
- (3) Failure to comply with variance conditions as imposed by the Planning Commission/Board of Adjustment is a violation of this Chapter punishable under Section 26-71.

Sec. 26-227 Variance Decision

After reviewing the application, considering all pertinent facts, and hearing testimony at the public hearing, the Planning Commission/Board of Adjustment may approve, deny, or modify the variance request. The Planning Commission/Board of Adjustment shall prepare written findings of fact to support its decision. A copy of the decision and findings of fact shall be forwarded to the applicant. If the variance is approved, the Administrator shall cause a copy of the variance to be recorded with the land records for the subject property in the Office of the County Recorder. Variances must be substantially completed within two years of receiving approval. A copy of the final decision granting a variance within a shoreland or floodplain area shall be sent to the Commissioner of the Department of Natural Resources within 10 days of final action.

Sec. 26-228 Appeals of Administrative Actions to the Planning Commission/Board of Adjustment



Perfectly Natural Woodworking, Inc.

P.O. Box 492

Crosslake, MN 56442

December 16, 2013

Ms. Charlene Nelson
City Clerk
City of Crosslake
37028 County Road 66
Crosslake, MN 56442

Dear Ms. Nelson,

I am writing to request that, during the revision process of the City of Crosslake's Code of Ordinances, a combination of retail and building of furniture in the same location be added to allowable uses within the Downtown Commercial zoned district.

Per the attached letter requesting an appeal hearing by the City of Crosslake Planning and Zoning Commission, the addition of this allowable use to the Code of Ordinances would be of benefit to the City of Crosslake both economically and aesthetically.

Regards,

Timothy S. Horvath
President

Perfectly Natural Woodworking, Inc.

TSH:mb

Att

Cc: Mr. Chris Pence

DEC 16 2013

ORIGINAL

CITY OF CROSSLAKE, MINNESOTA
CODE OF ORDINANCES
CHAPTER 26 – LAND USE – 2014 (NEW)
1/28/14

The new 2014 Land Use ordinance Provides a text presentation that is more streamlined and efficient with:

- There is a*
- Comprehensive Table of Contents in the first ten pages ^{*of the new ordinance*} – there is no Table of Contents ^{*or index*} in the old existing Ordinance
 - The new Ordinance has 159 pages including the ten page Table of Contents – the “old” existing Ordinance has 339 pages without a Table of Contents or an index
 - The new Ordinance is well organized in 3 parts with the first Part I – “Administrative” articles and sections followed by Part II “Land Use Districts,” Part III “Development Standards,” and Appendices A, B, and C
 - Zoning Districts have been renamed “Land Use Districts” in the new Ordinance
 - A Shoreland Zoning District was created that includes all land within 1,000 feet from lakeshore and 300 feet from the shores of streams and creeks
 - Land Use Districts have been reduced from 16 districts to 7 districts in the new Ordinance
 - Space is more efficiently used with an effective use of tables and drawings in the new Ordinance
 - The new Ordinance proposes standards for storm water management, dirt moving standards, vegetation removal, impervious surface requirements and use of shoreline rapid assessment modeling for shoreline buffers
 - The new Ordinance proposes standards for the regulation of Individual Sewage Treatment Systems (ISTS) and Midsized Sewage Treatment Systems (MSTS) that are currently being revised by the County that Crosslake must adopt to be at least as restrictive as the County’s
 - Performance standards are consolidated in articles and sections rather than being spread throughout as in the “old” Ordinance
 - Definitions have been consolidated in Part III, Article 43 rather than being spread throughout
 - It is the intent that this new Ordinance will meet standards developed by Crow Wing County
 - It is the intent that this new Ordinance will meet standards developed by Minnesota Statutes as administered by the DNR
 - It is understood that this new Ordinance will be continuously refined with use and further development of standards by Crow Wing County and State of Minnesota
 - The “old” Ordinance reportedly contains significant conflicts within individual articles and sections that must interfere with discussions of reaching an advanced version of ordinance issues
 - Continued development of the pertinent issues can be best pursued with the new Ordinance as its structure is more sound and understandable than the “old” Ordinance

Darrell Schneider

From: Terry Gottwaldt [gottwaldtpt@gmail.com]
Sent: Friday, January 31, 2014 4:09 PM
To: dschneider@crosslake.net; john.moengen@crosslake.net; wessels@crosslake.net
Subject: Crosslake Land Use Ordinance

Dear Sirs

This letter is in reference to The above ordinance but is less about the ordinance and more about the process.

Some of us who maybe affected by this ordinance do not live year round in Crosslake, the local area, or even in the state in the winter months so we are not around to hear what is going on. The only reason I found out is I over paid my Crosslake communications bill and keep getting a credit notice along with a newsletter. Since I know it's a credit i usually don't open it, but when I did and found out about the ordinance rewrite it was long after both of the public meetings were over. I realize that contacting people that might be affected would be impractical and I would not expect the city to try. However even if those affected from out of town did know about it, coming up to Crosslake, possibly after work probably with no place to stay or trying to drive back to town in the dark in the winter would be an inconvenience at least or not possible for others at all.

Another issue is that I believe this is not the first time some of us will come up in the spring to find out a new ordinance or change to one was passed over the winter that will affect us.

I understand that many of us are not constituents but some of us do pay a fair amount of property taxes and have done so for some time with little strain on the city or county services. Some of us feel like we are not just second class citizens but not even considered at all. Or that the city is "trying to pull a fast one " over the winter when we are gone. I'm sure that is not the case but it sometimes comes out that way.

I also understand that not all city business can wait until the summer and that this issue is some distance down the road already. But for things that affect out of towners it would be nice if it were done in June after school is out and people are back up for the weekends. Then it would seem like the city is interested in educating us before hand and listening to our concerns. A cheap sandwich board out in front of the city hall announcing the topic for a couple weeks and then a meeting held on a Saturday (yes a Saturday)when people would be up . It would make some of us tax payers feel a lot more included. At least think about it for the future. Thank you for your time, Paul Gottwaldt

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Perfectly Natural Woodworking, Inc.

P.O. Box 492

Crosslake, MN 56442

December 16, 2013

Ms. Charlene Nelson
City Clerk
City of Crosslake
37028 County Road 66
Crosslake, MN 5442

Dear Ms. Nelson,

I am writing to request a hearing date with the City of Crosslake Planning and Zoning Commission to appeal the decision made by Chris Pence on 12/12/13. Mr. Pence determined that my company, Perfectly Naturally Woodworking, Inc.(PNW), would not be allowed to manufacture and sell fine furniture in the building located at 35534 County Road 66 (PID 120212400I00009) pursuant to City of Crosslake Code of Ordinances Section 26-418, which prohibits industrial use within areas that are zoned Downtown Commercial (DC).

The appeal is based on the following:

- The building located at 35534 County Road 66 has been vacant for at least three years. This is a highly visible location and a vacant building at this site creates a very unfavorable first impression to those entering the downtown area of Crosslake.
- The front portion of the building will be dedicated to retail sales, which is a permitted use according to the City of Crosslake Code of Ordinances Section 26-414 (12).
- Providing another viable retail business at this location would generate increased traffic that has diminished with the loss of retail outlets on this area of County Road 66.
- Light manufacturing of this type would not be a detriment to the area. The building located at 35534 County Road 66, is free-standing, concrete-block construction, therefore noise and dust containment would be maximized. PNW also utilizes state-of-the-art in-house dust collection providing redundant systems for dust containment. Light industry facilities typically have less environmental impact than those associated with heavy industry, and zoning laws are more likely to permit light industry near residential areas.
- Noise pollution to the surrounding buildings would not be an issue because there are no common walls. The building, as previously stated, is a free-standing, concrete-block constructed building.
- Fire Chief, Chip Lohmiller, has toured the building and determined that no fire hazard exists to neighboring businesses because there is no common roof or attic space and the construction of the

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building, again, is concrete block. Per Chief Lohmiller's recommendation, PNW will be installing a monitored alarm system to allow for rapid response.

- PNW has a vested interest in being a "good neighbor" to surrounding businesses because the owner of PNW also owns Aunt Bea's Pantry, which is located immediately to the south of the building.

Thank you for your consideration and attention to this matter.

Regards,

Timothy S. Horvath
President
Perfectly Natural Woodworking, Inc.

TSH:mh

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Fwd: CL revision of ordinances

1 message

Chris Pence <chris.pence@crowwing.us>
To: Sue Maske <Sue.Maske@crowwing.us>

Fri, Jan 3, 2014 at 2:06 PM

I sent Rod back an email with the ordinance attached - please list as a comment - Thanks

Chris Pence
Land Services Supervisor
Land Services Department
Environmental Services Division
322 Laurel Street
Brainerd, MN 56401

Office: (218) 824-1125
Fax: (218) 824-1126
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----- Forwarded message -----

From: **Environmental Services** <environmental.services@crowwing.us>
Date: Fri, Jan 3, 2014 at 1:49 PM
Subject: Fwd: CL revision of ordinances
To: Chris Pence <chris.pence@crowwing.us>

----- Forwarded message -----

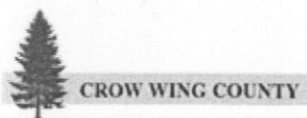
From: **Rod Nelson** <lerone01@comcast.net>
Date: Fri, Jan 3, 2014 at 1:04 PM
Subject: CL revision of ordinances
To: environmental.services@crowwing.us

JAN - 3 2014

It's difficult to send in any comments when the suggestions are not included for our opening....Please email me a

copy of them. Thanks Rod Nelson in Mpls....

JAN - 3 2014



Sue Maske <sue.maske@crowwing.us>

Fwd: Ordinance revisions / edits

1 message

Chris Pence <chris.pence@crowwing.us>
To: Sue Maske <Sue.Maske@crowwing.us>

Mon, Jan 6, 2014 at 10:33 AM

Please put in CL ordinance comments - did you also include the comments from Dave Scrupp from last week?

Chris Pence
Land Services Supervisor
Land Services Department
Environmental Services Division
322 Laurel Street
Brainerd, MN 56401

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Fax: (218) 824-1126
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----- Forwarded message -----

From: **Matt Kuker** <Matt.Kuker@psdlanddevelopment.com>

Date: Mon, Jan 6, 2014 at 10:24 AM

Subject: Ordinance revisions / edits

To: Chris Pence <chris.pence@crowwing.us>

Cc: Aaron Herzog <aaron.herzog@crosslake.net>, Andy Holm <ajholm@crosslake.net>, Gary Heacox <garyheacox@gmail.com>, Joel Knippel <joelnina@crosslake.net>, Mark LaFon <travelwithmark@yahoo.com>, Scott Johnson <ssjohn0219@gmail.com>, Dan Vogt <djvconsultingllc@gmail.com>, Darrell Schneider <darrell.schneider@crosslake.net>

Chris,

JAN 06 2014

After reading through the draft ordinance numerous times, I have identified some things that

need to be looked at or changed (in my opinion). They are listed by section, and what my thoughts were on them. I have also Cc'd the rest of the P&Z Commission, I will be in attendance of the public meeting tonight, see you then.

Ordinance items listed in number order:

26-70 Should the 2 year period be from approval or from issuance, if a person were to have something approved in the spring and the weather makes it non conducive to start until the thaw a person would be wasting days waiting on the weather. If it is a project of any size it may take 24 months to complete it.

26-71, 3 All ordinance requirements should be defined in a high level. I think the property owners have violated some ordinances in the past since they were not clearly defined. If an item is important enough to prosecute violators, I think it would be important enough to clearly define before hand.

26-71, 4 The City of Crosslake P&Z dept in the past has drug their feet in handling things, if they continue to not act immediately when item need to be clarified or information is requested, the property owner is able to be charged with 1 count for each additional day the issue is not resolved if the City is not timely.

26-71, 8 If fees are to be charged, it should be done after it is determined that a complaint has merit.

26-74, 4 Any city request for a time extension should be done only if it is reasonably necessary, also there should only be 1 extension request honored, otherwise the city could just put something on a back burner and choose not to deal with it.

26-75, 4 Any fees paid to the city in error WILL be refunded.

26-106, 4 Heading needs to be bold type.

26-107, 1-6 Inconsistent use of bold headers.

JAN 06 2013

26-137 There should be a sub letter C) that states: "or other damage that has deemed a structure not habitable and issues cannot be corrected using normal construction methods".

26-189, 1 This is inconsistent with similar properties that are located within city limits.

26-189, 6 This subsection should be removed since this is not consistent with normal standards, any out of the norm issue should be addressed with a CUP.

26-193, 3 Strike this section, this should be allowed since the work in question would have been done before this new ordinance is adopted.

26-222, 2, m Add the following: "if deemed reasonable and necessary"

26-311, 4 Add: "not including any pervious surface that has been used"

26-313, 8 This should be addressed in the DRT, I do not know if something as specific as a stairway should be called out, what's next? The orientation and spacing of siding or the size of windows, stone, brick, etc

26-375, 2 Good should be more defined, I think the use of acceptable would fit better

26-513, 4 These standards of clearing vegetation should apply to all lakeshore. Do the weeds on municipal properties filter the runoff any less? If there is a rule in place it should encompass all newly disturbed areas.

26-518, E Please provide the backup that the storm water buffers reduce the chemical and runoff as perceived in this draft ordinance. Just because the DNR states this I do not believe it. These are the same people that charged a person for shooting a Mtn Lion while at the same time they said they did not exist in MN. Also their correction on the Asian Carp issue is laughable, still planning after years, they might figure it out after they have infested these waters.

26-548 Anything that affects the landowner at this level should have more oversight and checks and balances than just the Administrator, this should go in front of the board.

26-549, 2 Strike this subsection, it can be handled by the described percentage.

26-549, 16 Add: "unless the driveway is constructed with approved pervious materials".

JAN 06 2013

26-70 Precast requirements should be listed here, I just built a building in Ramsey with bricks inlaid in the precast, you cannot tell the difference of which bricks were laid on site and

which came embedded in the precast.

26-863, 5 I feel there should be electronic lighted reader signs allowed. 1/2 of my last projects required them, I feel that it is more important to bring new businesses to town. Many would pass on a site that they could not utilize a lighted reader sign to bring in new customers. I would place thresholds on the size and brightness, but I think you should look at this again.

Note: I am not too concerned about the "Conservation Development Density" portion, any developer would buy the adjacent properties and knock them down before anyone would agree to these conditions. Increasing the land area would bring the impervious surface ratio down to fall under the set thresholds, that way they would side step this steep list of issues. It would be cheaper to knock down houses when compared to the long list of requirements stated in this section.

Thanks,

Matt

Matt Kuker

PSD, LLC

Chief Operating Officer

7533 Sunwood Dr

Suite 220

Ramsey, MN 55303

Email matt.kuker@psdlanddevelopment.com

Cell 612-282-9466

Office 763-427-5955

Fax 763-427-4151

JAN 06 2013

City of Crosslake
Chapter 26 City Ordinance
Land Use Revisions/Review

JAN 06 2014

Date: January 3, 2014

From: Steve Roe, Crosslake City Council

- 1.) Numbering and Naming appears to be compatible with other Chapters of the Ordinance.
- 2.) Landscape projects – Assumed that the permits are still required for the landscaping activities.
- 3.) Zoning maps are part of the **Comprehensive Plan**. If any part of this is to be changed should there not be a separate process used before it is accepted by the City Ordinance. It took us several years to gain acceptance of the current zoning. I don't think that we can just change them without public formal review.
- 4.) Lighting – It appears to only be part of the commercial requirements. We also intended it to be part of the residential regulations also. Cannot be in the shore impact zone. General Lighting Ordinance applies.
- 5.) Signage – Looks good. Lighting of same should be downcast. Should be tied to the lighting portion of this ordinance –
- 6.) Reorganization of the Chapter 26 – We have regressed to an organization that we previously had. The attempt had been made to incorporate rules that apply to each zoning district by district. We now propose to change zoning districts and add to the confusion of which rule applies where.
- 7.) Shoreland Residential District (SRD) – Article 11 is not clear in the index. What are we going to call it? This is a proposed name change for the district to be consistent with DNR standards and the County Ordinance.
- 8.) The page formats are not compatible with the rest of the Ordinance Book.
- 9.) Resorts – Why have so many pages dedicated to this subject when Crosslake is experiencing a decline in resorts. We have less every year and only about 3 at this time.
- 10.) Planned Unit Development – Dropped in your proposed revision. This is a very difficult type of development and should be given thoughtful space in the revised Chapter 26. I believe that we will see more of this type of development in the future.
- 11.) Shore Impact Zone (SIZ) – Needs more attention as a no construction or alteration area.
- 12.) Wind Generators - are currently not allowed in residential areas with small lots. Tower standards and tower for wind generators may be in conflict. Cannot fall on neighboring properties.
- 13.) Exterior Wood Burners – Used for heating and are not allowed in residential areas except for those grandfathered. Seems to have been dropped.
- 14.) Ox Lake definition dropped – A caution that this lake is part General Development and part Natural Environment.
- 15.) Guest Quarters/Guest Cottage – Currently a bad piece of nomenclature. In a more definitive mode they might be called Living Quarters external to the main residential structure. **GUEST QUARTERS** is bad terminology, can we change it? It implies that they can be built for personal use.

- 16.) Bluff definition – An item that has given us much difficulty. Whitefish is a reservoir with varying water levels. I live on a property with a bluff, in my 73 years we have lost about 5 to 7 feet at the top of the bluff. We need to be sure that we dictate the care of these steep slopes and appropriate setbacks from same. Erosion is a real issue where bluffs are concerned.
- 17.) Exterior Wood Burning furnaces for structure heating – These have been prohibited from use in high density residential areas. Any reference to them seems to have been dropped from the revision proposal. I know of situations where citizens were forced to move away from their home as the smoke was devastating, the female resident died of respiratory failure.

----- Forwarded message -----

From: **Environmental Services** <environmental.services@crowwing.us>
Date: Tue, Dec 31, 2013 at 12:54 PM
Subject: Fwd: Ordinance Revision Draft
To: Chris Pence <chris.pence@crowwing.us>

----- Forwarded message -----

From: **Ann Schrupp** <dschrupp@crosslake.net>
Date: Tue, Dec 31, 2013 at 12:15 PM
Subject: Ordinance Revision Draft
To: environmental.services@crowwing.us
Cc: dschneider@crosslake.net

Chris, was scanning the revised ordinance, chapter 26 and noticed a couple things missing.

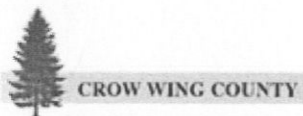
JAN - 7 2014

1-Fence Standards. Our current version of Chapter 26, section 670 is not up to date. At the 12-10-2012 Council meeting, the council approved a recommendation from the PZ department to allow fences to be placed on the property line assuming the neighboring owners would agree. We wanted to maximize the owners use of the property. If not, then the 1 foot setback applied. The ordinance was never updated after this and as a result, the Draft version does not contain this either. You can pull up the meeting minutes to review.

2- Temporary Fences. Same meeting, language was to be added to allow for certain periods of time. Did not make it in the current ordinance or the Draft copy.

One last question, I thought we had minutes of all P & Z minutes on the Crosslake website...older meetings, prior to your time. I did not keep copies of all the things we discussed/approved and it might be a good idea for someone to review these documents to find out what other ordinance revisions may have been missed. Can we get these minutes out there to review?

Regards, Dave Schrupp



Sue Maske <sue.maske@crowwing.us>

Fwd: Crosslake City tower ordinance

1 message

Chris Pence <chris.pence@crowwing.us>
To: Sue Maske <Sue.Maske@crowwing.us>

Wed, Jan 8, 2014 at 9:54 AM

More comments.

Chris Pence
Crow Wing County Land Services Supervisor
Land Services Department
Phone: 218-824-1123
Fax: 218-824-1126

Let me know if I was helpful!
<http://www.surveymonkey.com/s/LandServ2013>

Begin forwarded message:

From: "Paul Hoge" <phoge@crosslake.net>
Date: January 8, 2014 at 9:45:43 AM CST
To: <Chris.pence@crowwing.us>
Cc: "Mike Lyonais" <mlyonais@crosslake.net>, "Darrell Schneider" <dschneider@crosslake.net>, "Gary Heacox" <garyheacox@gmail.com>, "John Moengen" <jupnorth@uslink.net>, "Mark Wessels" <wessels@crosslake.net>, "Steve Roe" <roetreat@crosslake.net>, "Ann Schrupp" <dschrupp@crosslake.net>, "James Talbott" <rjtalbott2@crosslake.net>, "Mike Myogeto" <mikecyn@crosslake.net>, "Mike Winkels" <mikejoe1012@crosslake.net>, "Steve Kollmann" <stevenkollmann63@gmail.com>
Subject: Crosslake City tower ordinance

It would be in the cities best interest to keep Sec. 26-1084 in the ordinances for the City of Crosslake.

Sec. 26-1084. Zoning district.

(a) Telecommunications towers as defined in the performance standards that exceed 100 feet in height

shall be located on any publicly owned parcel in the Limited Commercial (LC), Commercial (C) and

Industrial (I) Districts.

JAN 9 - 2014

(b) Towers shall be prohibited in the Medium Density Residential (R-3) Urban

Residential Density (R-4),
and Waterfront Commercial (WC) Districts.

Paul Hoge

General Manager

Crosslake Communications

PO Box 70, 35910 County Road 66

Crosslake, MN 56442

(218) 692-2777

JAN 9 - 2014

1. After the fact permits. Not mentioned in the ordinance is the cost, which makes sense as it may change. Was up to 10X the normal fee and now I understand we moved forward with 3X. How will this deter violators?
2. Pervious pavers should not be allowed to be considered 100% pervious if the DNR does not allow. Our current ordinance allows only 50% and so should the revised ordinance. Proving the absorption ability of a paver driveway year after year will be difficult and should be avoided. Follow the lead of the DNR unless we have scientific evidence, better than what the DNR has, to allow more. We are not experts in this area.
3. Add back the current ordinance language on Outdoor Wood Burning Boilers (Heaters). This was a fairly recent add to the ordinance and we need to keep it. Make is clear this way and avoid using the nuisance language to prevent. No one wants the smoke blowing in their home. If you have a large acreage, you may be able to have one.
4. We made a fairly recent change to allow a certain crushed rock to be considered 50% pervious for use on driveways, etc.. We need to add this back, see chapter 26, section 11.
5. Proposed ordinance does not discuss Hot Tubs. This needs to be added back from Current ordinance, setbacks etc. Do we consider them pervious.
6. Proposed ordinance does not discuss fire pits. This needs to be added back from Current ordinance, setbacks from the lake, etc.
7. DRT Team in proposed ordinance, 26-76 #2. Who makes up this team? What is the process? When will the team meet on a request, when not? What sort of advice are we thinking of giving to citizens and what makes this team qualified to provide such advice? Will the City assume liability for bad advice? Does the citizen pay for this advice? This section needs quite a bit of definition to place controls on the members of this team as to their purpose and charter.
8. Decks 26-311 #2. I believe the use of walkway describes to me a path that is 4 feet wide and infinite length. I think this refers to STEPS? Not sure. Needs clarification, dimensions etc.
9. Fence Standards. Previously communicated to Chris regarding recent changes, not placed in the current ordinance which allowed a fence to be placed on the lot line assuming both neighbors agree.
10. Fence Standards. Previously communicated to Chris regarding recent changes, allowing the use of temporary fencing.
11. Proposed Section 26-798 SSTs.
 - a. AS-BUILT inspections, prior to covering make all the difference in the world. If something changed during the construction process of a new home or upgrade to a

system, how does anyone know that the system, as installed, has the required vertical separation? Especially in our city where a third of the city is water and the lakes could be subject to pollution in the event the installer places the drainfield too close to the highest water level. When do we inspect? What does the inspection consist of? Do we have records of all installed systems? Are we paying special attention to those by a lake?

- b. I believe the effort here is to make sure we comply with all State Regulations regarding septic systems as outlined in 7080-83. We seem to make specific statements in the entire section. Might we be better served if we make a single statement somewhere that says the current State Codes 7080-83 are adopted by the City of Crosslake? Just so no confusion. Might be easier to keep in lock step with the state if we say this.

12. Wind Energy Conversions, 26-1145. Please require a state electrical permit for the installation of a system. A final inspection will make sure the system is installed correctly.

13. General Comment regarding permits. As a volunteer on the commission at one time, I had the opportunity to listen to Citizens and PZ employees when we had confusion on what permits allowed and what the citizen or contractor was planning to do. The cause of the confusion ended up being the drawings the citizen or contractor provided to the city and the city accepted. They lacked labels, dimensions, were grossly out of scale and in the end, could not be verified to what actually was going to take place. I too agree that a survey is not necessary in all applications but it makes sense that the documentation package we accept must allow someone from the city to verify that the scope of work to be completed was completed as agreed. Do we have such a process in place now? Or do we need to clarify what the permit will require so no confusion later on?

JAN 22 2014



Fwd: Proposed Revisions to Crosslake Zoning Ordinance

1 message

Chris Pence <chris.pence@crowwing.us>
To: Sue Maske <Sue.Maske@crowwing.us>

Wed, Jan 15, 2014 at 1:16 PM

More CL Comments -

Chris Pence
Land Services Supervisor
Land Services Department
Environmental Services Division
322 Laurel Street
Brainerd, MN 56401

Office: (218) 824-1125
Fax: (218) 824-1126
www.crowwing.us

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----- Forwarded message -----

From: **Diana Gallaway** <dianagallaway@crosslake.net>
Date: Wed, Jan 15, 2014 at 12:20 PM
Subject: Proposed Revisions to Crosslake Zoning Ordinance
To: Chris Pence <chris.pence@co.crow-wing.mn.us>



Mr. Pence,

JAN 15 2014

Thank you for taking the time to speak with Dean Eggena and myself the other day. It was such a great pleasure to have our ideas heard by the Planning and Zoning Department of Crosslake. It is so good to see you and your staff, the Mayor and the City Council working so diligently to bring our Zoning Ordinance into a working plan for this community. The impact of what you and the council does within this ordinance holds a great impact on the smooth operation and growth of this community.

Although I did not make it to the January 6th meeting where the public was encouraged to make comments and requests to your office, my conversation with you the other day gave support to this request when we spoke. So I am offering the following as a request that these changes be considered within the Zoning of Commercial/Light Industrial.

First and foremost we request that our lumber yard be placed as a "permitted" business within this zone as we have had the business here for 30 years. We also request that any and all construction contracting business be "permitted" as we have operated an installed service of insulation, gutters, and waterproofing from this zone since 2001.

Second, as our neighboring business' have included a construction company in the past, plus current business of a Demolition Land Fill and Crosslake Ready Mix as being more than acceptable to this zoning area and should also be placed as a "permitted" business.

Third, this area should have many other permitted business that would be allowed without a "Conditional Use Permit" such as the following storage and/or pole buildings; retail stores; greenhouses/nursery; light equipment repair shops; auto body repair; wholesaling; vehicle/boat sales; rentals; light manufacturing; sawmill, etc.

This location was chosen by us and the City of Crosslake many years ago to support the business functions noted above that the City may not want within a residential area. We wholly agreed with them and moved to this site with the understanding that this area was for industrial business that needed a site that would work with the large truck traffic required and the noise.

Further, per our conversation, that lot area requirements be changed to 20,000 sq.ft. and a minimum width of 100 ft. with appropriate setbacks (with the consideration that this is for industrial standards not residential) and that all aspects of the land is important whether the business is totally under the cover of a building or the land is being utilized for the contents of the business. This will assist new entrepreneurs that would like to start a business within the City of Crosslake a place to come and be affordable.

My thanks for giving us a voice and considering our suggestions.

Jim Gallaway, Chair
Build-All Lumber Co.
218-838-8220

JAN 15 2014



Fwd: PROPOSED REVISIONS TO CROSSLAKE ZONING ORD.

1 message

Chris Pence <chris.pence@crowwing.us>
To: Sue Maske <Sue.Maske@crowwing.us>

Mon, Jan 13, 2014 at 9:33 AM

Comments for Crosslake ordinance.

Chris Pence
Crow Wing County Land Services Supervisor
Land Services Department
Phone: 218-824-1123
Fax: 218-824-1126

Let me know if I was helpful!
<http://www.surveymonkey.com/s/LandServ2013>

Begin forwarded message:

From: "CROSSLAKE READY MIX" <CRM@CROSSLAKE.NET>
Date: January 13, 2014 at 9:21:39 AM CST
To: <chris.pence@co.crow-wing.mn.us>
Subject: PROPOSED REVISIONS TO CROSSLAKE ZONING ORD.

MY FAMILY AND I WANT TO THANK YOU , YOUR STAFF, THE MAYOR, THE CITY COUNCIL AND THE P & Z COMMISSION FOR YOUR WORK TO REFORM THE CROSSLAKE CITY ZONING ORD. WE FEEL THIS IS THE MOST IMPORTANT CHALLENGE FACING OUR COMMUNITY IN YEARS AND WILL HAVE A PROFOUND IMPACT ON OUR COMMUNITY FOR YEARS TO COME. YOU HAVE OUR FULL SUPPORT .

I ATTENDED THE PUBLIC MEETING ON MONDAY THE 6TH OF JAN. AT THIS MEETING THE PUBLIC WAS ENCOURAGED TO MAKE COMMENTS AND REQUESTS VIA E-MAIL TO YOUR OFFICE.

MY FAMILY OWNES APPROX. 112 ACRES OF LAND ON CO RD 120 ON THE SOUTH END OF THE CITY OF CROSSLAKE. THIS LAND HAS BEEN ZONED INDUSTRIAL IN THE OLD ORD. AND IS PROPOSED TO BE ZONED COMMERCIAL/LIGHT INDUSTRIAL. WE NOW OPERATE A READY MIX CO AND A DEMOLITION LAND FILL ON THIS PROPERTY. THE DEMOLITION LAND FILL HAS BEEN IN BUSINESS FULL TIME FOR APPROX 24 YEARS AND THE READY MIX FOR APPROX 15 YEARS, BEFORE THAT WE OPERATED A SAW MILL , A CONST CO. A BOBCAT DEALER SHIP AND A MFG. CO. WE STARTED WITH 25 ACRES IN 1973 AND HAVE PURCHASED THE OTHER 87 ACRES AS IT CAME FOR SALE. WE DID THIS TO PROTECT OUR BUSINESSES KNOWING THAT A BUFFER FROM RESIDENTIAL USE WOULD BECOME IMPORTANT IN THE FUTURE.

NOW WE FIND THAT OTHERS IN IN OUR COMMUNITY HAVE NEED FOR A DISTRICT WHERE THEY CAN OPERATE THEIR BUSINESS OR HAVE A BUILDING FOR OTHER SIMULAR USES THEY DESIRE. FOR THIS REASON WE ARE REQUESTING THE FOLLOWING.

JAN 13 2014

1. ADD DEMOLITION LAND FILL AS " A " USE
2. ADD SHOOTING RANGE ETC, AS " CU " USE
3. ADD RETAIL STORE AS " P " USE
4. ADD COMMERCIAL GREENHOUSE NURSERY AS " P " USE
5. ADD AUTO REPAIR SHOP ETC AS " P " USE
6. ADD AUTO BODY SHOP AS " P " USE
7. ADD WHOLESALING ETC AS " P " USE
8. ADD LUMBER YARD AS " P " USE
9. ADD VEHICLE, BOAT ETC AS " P " USE
10. ADD CONSTRUCTION CONTRACTING AS " P " USE
11. ADD REPAIR SHOP AS " P " USE
12. ADD CONTRACTOR SERVICES ETC AS " P " USE
13. ADD RENTAL EQUIP AS " P " USE
14. ADD LIGHT EQUIP REPAIR AS " P " USE
15. ADD STORAGE BUILDINGS / STORAGE UNIT RENTAL AS " P " USE

WE FEEL OUR LOCATION ON CO RD 120 IS A GOOD PLACE TO ALLOW THESE USES , THIS LOCATION HAS LITTLE EXPOSURE TO CO RD 3 / 66 WHICH ACTS LIKE MAIN ST IN CROSSLAKE. CO RD 120 IS A FULL 9 TON RD YEAR AROUND ROAD, AND THERE IS LITTLE EXPOSURE TO SENSITIVE ZONING AREAS.

IN SEC. 26-380 COMMERCIAL/LIGHT INDUSTRIAL STANDARDS (2) THE MINIMUM LOT AREA IS PROPOSED TO BE 40,000 SQ. FT. WE REQUEST IT BE 20,000 SQ FT WITH A MIN. WIDTH OF 100 FT AND APPROPRIATE SET BACKS AS IT IS IN THE EXISTING ORD. WE FEEL THIS WILL MAKE THE LOT AFFORDABLE FOR PEOPLE WHO NEED A BUILDING OF APPROX 1400 SQ FT AND UNDER, IF THE NEED IS GREATER MORE THAN ONE LOT CAN BE JOINED TOGETHER. WE FEEL THIS WILL GIVE PEOPLE WHO NOW ARE USING THEIR RESIDENTIAL LOCATION FOR BUSINESS, STORAGE ETC AN AFFORDABLE ALTERNATIVE

I CAN BE REACHED AT 218-692-6834

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER

DEAN EGGENA AND FAMILY

JAN 13 2014

FW: Proposed Crosslake Land Use Ordinance Comments

Environmental Services <Environmental.Services@crowwing.us>

Fri 1/31/2014 8:28 AM

To: Paul Herkenhoff <Paul.Herkenhoff@crowwing.us>; Sue Maske <Sue.Maske@crowwing.us>; Chris Pence <Chris.Pence@crowwing.us>;

4 attachments

D Fischer Chapter 26 comments.doc; Whitefish Water Levels 1981-2014.png; Whitefish Water Levels 1898-1940.png; Whitefish Water Levels 1941-1980.png;

From: Dave Fischer [mailto:fischeronrush@gmail.com]

Sent: Thursday, January 30, 2014 8:02 PM

To: Environmental Services

Subject: Proposed Crosslake Land Use Ordinance Comments

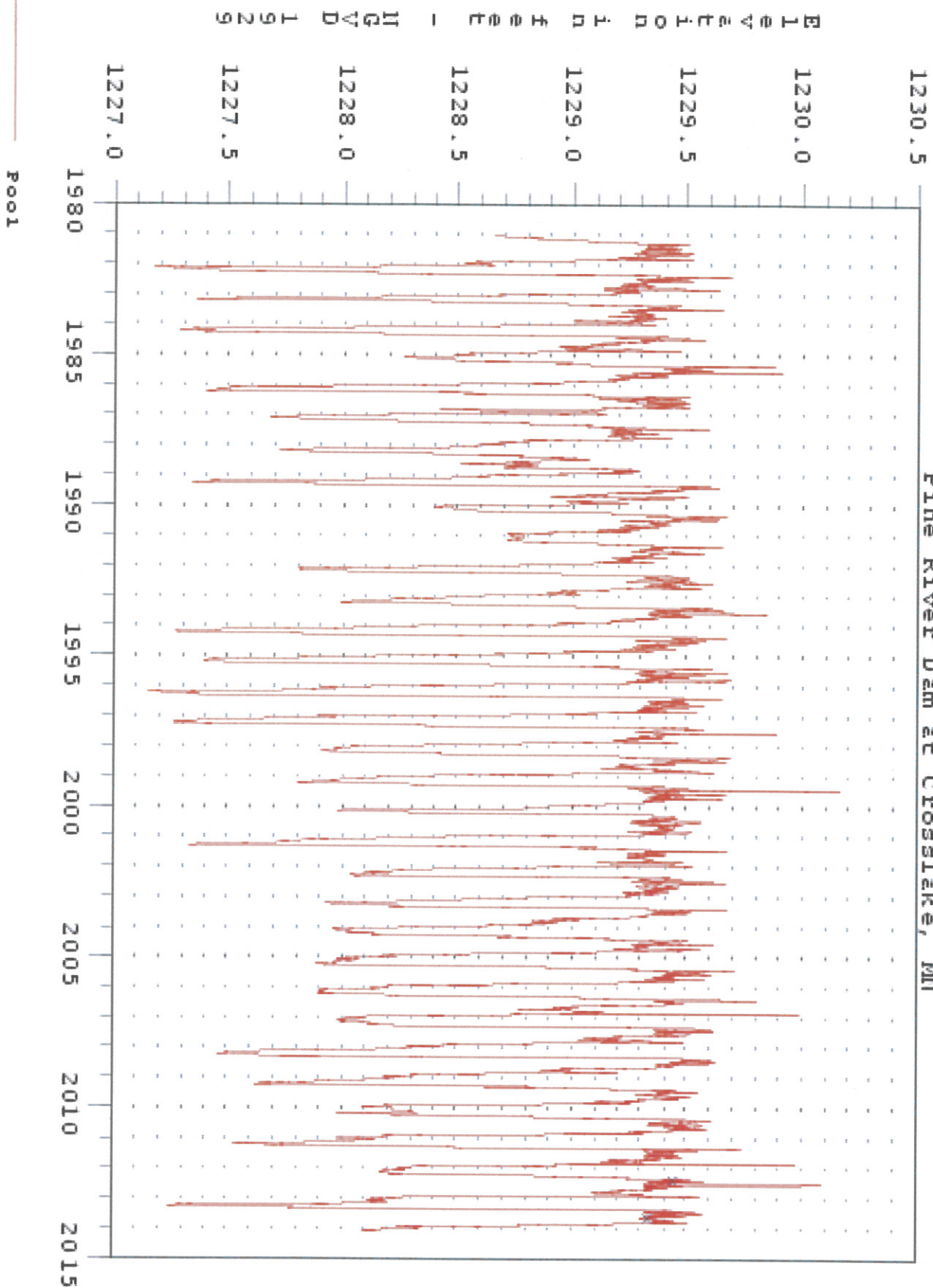
Attached are several comments regarding the Land Use Ordinance. I have also attached three charts from the Army Corps of Engineers showing the historical water levels for the Whitefish Chain. These need to be considered in light of the proposed OHW language which, as I read it, will require any new structure within the shoreline district of the Whitefish Chain lakes to have a minimum basement floor elevation of 1237.7 ft above sea level. Charts can be accessed from <http://www.mvp-wc.usace.army.mil/projects/Pine.shtml>

Several of these items have been discussed at the two public sessions but I wanted to include them just to ensure they are given proper consideration.

Dave Fischer
36412 Rushmoor Blvd
Crosslake, MN 56442

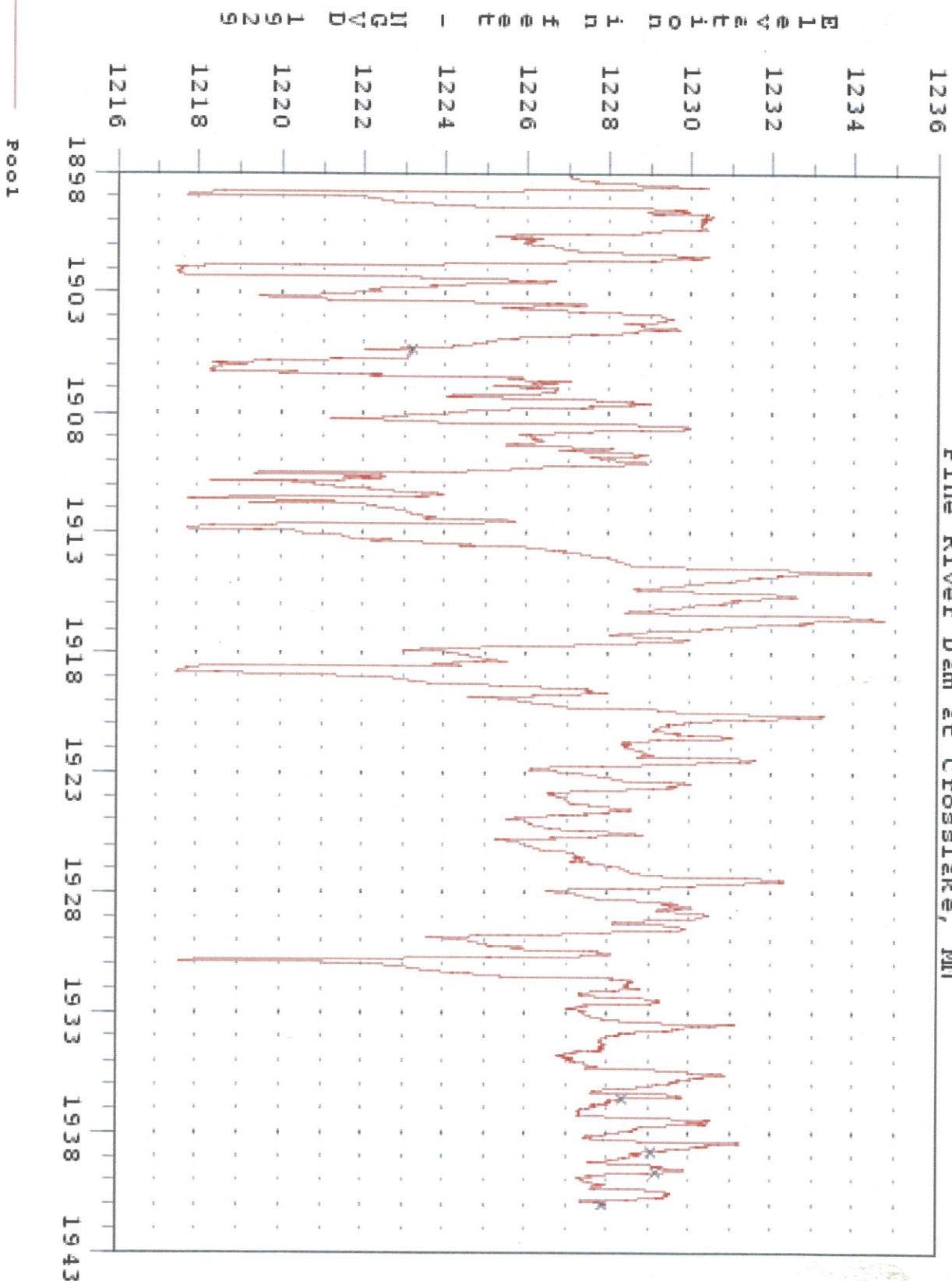
JAN 31 2014

Pine River Dam at Crosslake, MI



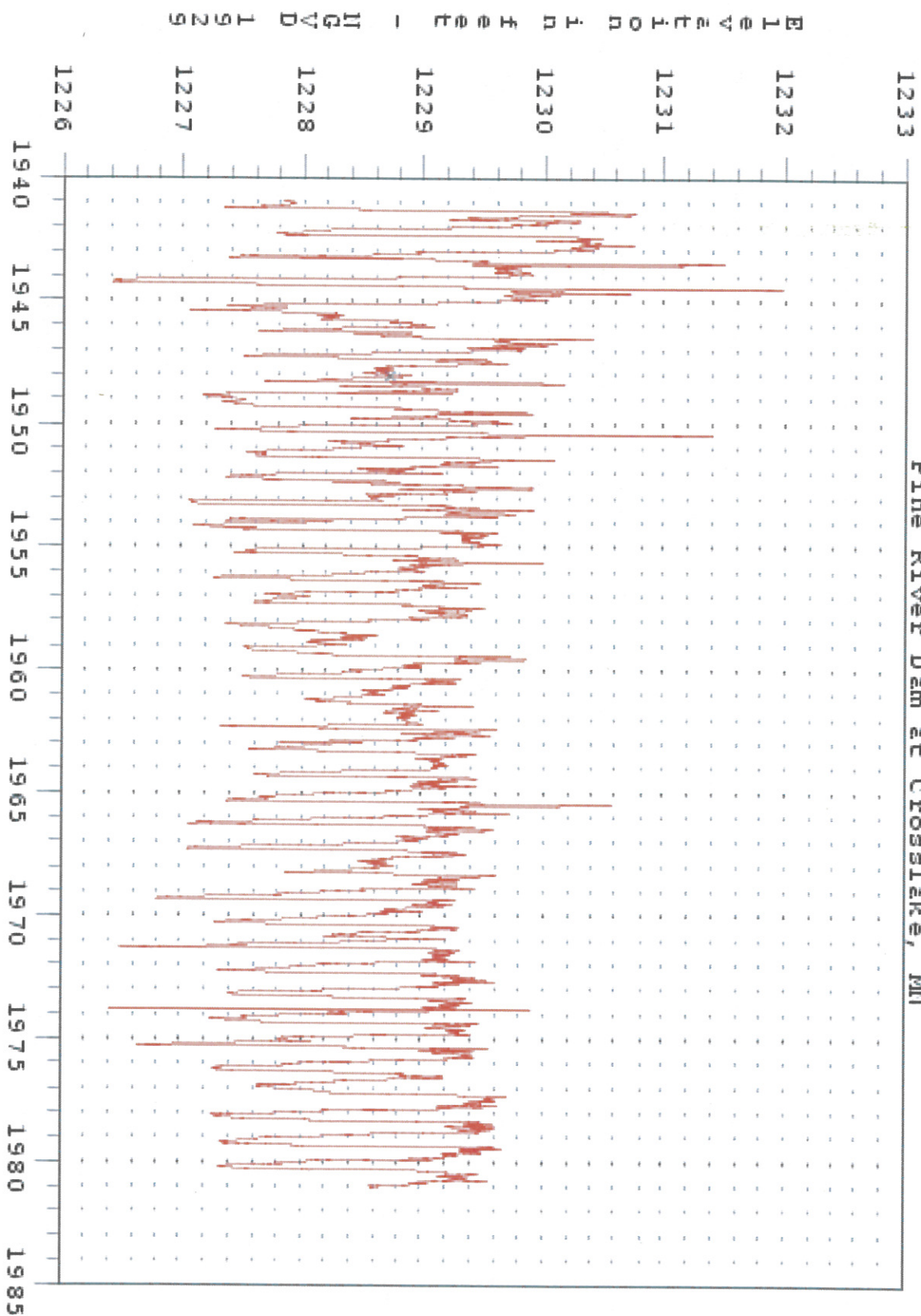
30JAN14 17:56:55

Pine River Dam at Crosslake, MI



JAN 31 2014

Pine River Dam at Crosslake, MN



Comments on Proposed Land Use Ordinance

David Fischer

My general concern is that insufficient consideration was given to evaluating many provisions in the current ordinance to determine if it is in the best long term interest of the citizens of Crosslake to continue those provisions for the future. It appears that the desire to "commonize" the City and County Ordinances was given more importance than preserving parts of the current City Ordinance that are a better "fit" for the City of Crosslake than the current County Ordinance. Some of the following items are good examples:

Towers

Need definition? – Public Utility

Need to include current Section 26-1084 paragraph (a) which requires towers over 100 ft to be on publicly owned land. Also, need to revise zoning districts where towers can be located to include public zoning district

Tower must be designed to accommodate two additional users (current) versus one additional user (proposed)

Currently Towers cannot be located within ¼ mile of OHW of any lake vs proposed ordinance cannot be in shoreland district (1,0000 ft)

Include the following performance standards which are in the current ordinance:

(b) The use of guyed towers is prohibited. Towers must be self-supporting without the use of wires, cables, beams or other means. The design should utilize an open framework or monopole configuration. Permanent platforms or structures exclusive of antennas that serve to increase off-site visibility are prohibited.

(c) The base of the tower shall occupy no more than 500 square feet and no part of the tower shall be larger than the base.

(d) Minimum spacing between tower locations is one mile.

Outdoor furnaces

Need to include current ordinance provisions in proposed ordinance

Auto Salvage Yard

Prohibited by current ordinance. It Should be a prohibited use under proposed ordinance.

Landfills

New landfills prohibited under current ordinance. It should be a prohibited use under proposed ordinance.

Garage/Yard Sales

Yard/Garage Sales are limited to 3 sales per year, 3 days max per sale in current ordinance. This Should carry over to proposed ordinance.

JAN 31 2014

Impervious Surface calculations

Section 26-549 (7) gives 100 % credit for engineered pervious surfaces when calculating impervious surfaces. The Minnesota DNR recommends credit of 50 %. The proposed ordinance should follow DNR recommendations.

Ordinary High Water Level (OHW)

Proposed Section 26-308 (6) High Water Elevations. Needs to be changed to say OHWL established by applicable government entity or, if OHWL has not been officially established, 3 feet above highest known level.

Park Dedication Fee

Are Park Dedication provisions from Current Ordinance for PUD's (or their replacement) in Proposed Ordinance? The ordinance must cover anything that the Current Chapter 44 does not cover.

Signs

Current Ordinance prohibits new blue directional signs erected by Crow Wing County (Sec 26-582) Signs placed by the federal, state, county, city, or other government agency are exempt from this division, with the exception of new, blue directional, special service signs erected by Crow Wing County which are prohibited.

Does this prohibition appear in the proposed ordinance? If not, it needs to be added.

In fact, the complete section on signs from the current ordinance should be included in the proposed ordinance.

January 31, 2014

JAN 31 2014

PUBLIC COMMENTS

			City of Crosslake Code of Ordinance Chapter 26 Revisions Week of 12-23-13 to 12-27-13	
Date Rcv'd	Name	Article Number(s)	Comments	Staff Comments
12/16/2013	Timothy Horvath		Allow a combination of retail and building of furniture in the same location be added to allowable uses within the Downtown Commercial zoned district	The ordinance currently allows retail in the DC District - question is if furniture manufacturing is allowed in the DC District. This has been added as a CUP in the land use tables. The concern over this use is noise and dust - particularly in buildings that share a wall between businesses.

City of Crosslake Code of Ordinance Chapter 26 Revisions Week of **12-30-13 to 1-3-14**

Date	Name	Article Number(s)	Comments	Staff Comments
1/3/2014	Rod Nelson		It is difficult to send in any comments when the suggestions are not included for our opening.	A copy of the ordinance in a PDF was sent to Mr. Nelson via email by Chris Pence
1/3/2014	Steve Roe		Numbering and Naming appears to be compatible with other Chapters of the Ordinance	OK
		Landscaping Project	Assumed that the permits are still required for the landscaping activities	Yes, they require permits. If you look at sections 26-574, 26-575, 26-576 - these are the dirt moving requirements. If look at 26-305 through 26-322 (Article 11) that corresponds to patio, retaining walls, patios, etc. Article 19 (26-513 - 26-519 covers vegetation standards.
		Zoning Map	Zoning maps are part of the Comprehensive Plan. If any part of this is to be changed should there not be a separate process used before it is accepted by the City Ordiance. It took us several years to gain acceptance of the current zoning. I don't think that we can just change them without public formal review.	Any change to the zoning map does require a comp plan amendment. A comp plan amendment requires a public hearing - that is why we are putting out the zoning map and ordinance for review at the same time. The P&Z Commission will then hold a public hearing to consider both. The Council will then consider both items at the meeting in March. This has been discussed with and approved by the city attorney.
		Lighting	It appears to only be part of the commercial requirements. We also intended it to be part of the residential regulations also. Cannot be in the shore impact zone. General Lighting Ordinance applies.	Residential light standards are found in 26-739, #2, #3, and #4 on page 95. This should cover the majority of light pollution issues and be enforceable. Concerns include making sure that this section of the ordinance is enforceable.
		Signage	Looks good. Lighting of same should be downcast. Should be tied to the lighting portion of this Ordinance	Article 26-739 addresses this issue - see especially 26-739 #2 a.
		Reorganization of Chapter 26	We have regressed to an organization that we previously had. The attempt had been made to incorporate rules that apply to each zoning district by district. We now propose to change zoning districts and add to the confusion of which rule applies where	The current ordinance is confusing making it difficult for people to understand the requirements. The proposed ordinance has a table of contents and sets forth clear standards that are easy too find and understand. It also mirrors the county format, which is familiar to builders, landscapers, septic professionals, realtors and others who work in the land use arena. Feedback from citizens, land use professionals and business people has shown that the current city ordinance is difficult to understand.
		Shoreland Residential District (SRD)	Article 11 is not clear in the index. What are we going to call it? This is a proposed name change for the district to be consistent with DNR standards and the County Ordinance.	The current version on-line refers to "Shoreland District" in Articles 10 and 11.

		Page Formats	The page formats are not compatible with the rest of the Ordinance Book	It is different from other chapters in the City Code - but much easier to navigate. The City Council committee provided direction to the consultant to use this format.
		Resorts	Why have so many pages dedicated to this subject when Crosslake is experiencing a decline in resorts. We have less every year and only about 3 at this time	This is keeping with the County Ordinance and there is some waterfront commercial that could potentially be utilized for resort purposes.
		Planned Unit Devel.	Dropped in your proposed revision. This is a very difficult type of development and should be given thoughtful space in the revised Chapter 26. I believe that we will see more of this type of development in the future	PUD's are replaced with Conservation Design and the regulations for this are set forth in Article 27
		Shore Impace Zone	Needs more attention as a no construction or alteration area.	Article 21 is very clear about what can happen in SIZ 1 - specifically , section 26-575. The current ordinance allows dirt moving in the SIZ.
		Wind Generators	Are currently not allowed in residential areas with small lots. Tower standards and tower for wind generators may be in conflict. Cannot fall on neighboring properties	The proposed ordinance uses the same language as the current ordinance that requires a CUP for WECS. Meterological equipment was added to clarify the requirements. Current tower language from the existing ordinance is used in the proposed revision of the ordinance.
		Exterior Wood Burn	Used for heating and are not allowed in residential areas except for those grandfathered. Seems to have been dropped.	This should be regulated as a public nuisance under Chapter 30 of City ordinances.
		Ox Lake definition dropped	A caution that this lake is part General Development and part Natural Environment.	Appendix A - Page 157 explains the split lake class on Ox Lake
		Guest Quarters/ Guest Cottage	Currently a bad piece of nomenclature. In a more definitive mode they might be called Living Quarters external to the main residential structure. GUEST QUARTERS is bad terminology, can we change it? It implies that they can be built for personal use	The lanaguage here will be modified to " Auxiliary Cottage" and "Auxiliary Quarters". The definitions were also changed to reflect auxiliary instead of guest.
		Bluff definition	An item that has given us much difficulty. Whitefish is a reservoir with varying water levels. I live on a property with a bluff, in my 73 years we have lost about 5 to 7 feet at the top of the bluff. We need to be sure that we dictate the care of these steep slopes and appropriate setbacks from same. Erosion is a real issue where bluffs are concerned.	Agreed, the definition of a bluff in the proposed revision is virtually identical to the current ordinance, and the current diagram is used. The current bluff setback is also retained. Sections 26-514 and 26-577 are very clear on what can be done
		Exterior Wood Burn furances for structu heating	These have been prohibited from use in high density residential areas. Any reference to them seems to have been dropped from the revision proposal. I know of situations where citizens were forced to move away from their home as the smoke was devastating, the female resident dies of respiratory failure	This should be regulated as a public nuisance under Chapter 30 of City ordinances.

City of Crosslake Code of Ordinance Chapter 26 Revisions Week of **1-6-14 to 1-13-14**

Date Rcv'd	Name	Article Number(s)	Comments	Staff Comments
1/6/2014	Matt Kuker	26-70	Should the 2 year period be from approval or from issuance, if a person were to have something approved in the spring and the weather makes it non conducive to start until the thaw a person would be wasting days waiting on the weather. If it is a project of any size it may take 24 months to complete it.	Approval and issuance are synonymous in this case. A person should not pull a permit until they are ready to start a project. If they are caught by weather, the Department can issue an extension for a reasonable amount of time to accommodate completion. Otherwise, trying to keep track of when each project actually starts would not be feasible or prudent.
		26-71, 3	All ordinance requirements should be defined in a high level. I think the property owners have violated some ordinances in the past since they were not clearly defined. If an item is important enough to prosecute violators, I think it would be important enough to clearly define before hand.	Article 43 defines the terms used in the ordinance and the point is well taken. A primary purpose of the revision is to make the ordinance clear and easy to understand by property owners. Most property owners want to do the right thing and the ordinance should assist them in knowing what that is.
		26-71, 4	The City of Crosslake P&Z dept in the past has drug their feet in handling things, if they continue to not act immediately when item need to be clarified or information is requested, the property owner is able to be charged with 1 count for each additional day the issue is not resolved if the City is not timely	This only applies after a landowner is given formal notice of a violation and has been afforded opportunity to correct it. It is incumbent on P & Z administration to process violations in a timely manner
		26-71, 8	If fees are to be charged, it should be done after it is determined that a complaint has merit	Changed in the ordinance
		26-74, 4	Any city request for a time extension should be done only if it is reasonably necessary, also there should only be 1 extension request honored, otherwise the city could just put something on a back burner and choose not to deal with it	Per Sec 26-74, 3 the City can only request one extension without the approval of the applicant
		26-75, 4	Any fees paid to the city in error WILL be refunded	Changed in the ordinance
		26-106, 4	Heading needs to be bold type	
		26-107, 1-6	Inconsistent use of bold headers	Changed in the ordinance
		26-137	There should be a sub letter C) that states: "or other damage that has deemed a structure not habitable and issues cannot be corrected using normal construction methods"	This is statutory language - the City cannot modify or change this language.
		26-189, 1	This is inconsistent with similar properties that are located within city limits	This would be a new standard for the city - consistent with DNR rules and County standards for the conditional uses approved subsequent to the adoption of this ordinance
		26-189, 6	This subsection should be removed since this is	This is a site specific condition of the CUP. It addresses the issue raised with Sec 26-70 listed above. There may be cases where an applicant requests additional time to complete a project.

			not consistent with normal standards, any out of the norm issue should be addressed with a CUP	It may also address situations, like work on steep slopes where it is critical that erosion control be completed as soon as possible. The PC/BOA may require a schedule of interim completion deadlines for specific parts of a project.
		26-193, 3	Strike this section, this should be allowed since the work in questions would have been done before this new ordinance is adopted	This doesn't pertain just to existing CUP's but all future ones. This is included to address unforeseen changes in project that arise after a CUP is approved. An applicant may experience different soil condition, want a schedule change, etc.
		26-222, 2 m	Add the following: " if deemed reasonable and necessary"	Article 19 addresses this by providing clear, objective standards a no-maintenance shoreline buffer.
		26-311, 4	Add: "not including any pervious surface that has been used"	This item addresses decks that include a solid top or have a rubber membrane that causes water to run off and not be absorbed by the soil under the deck. Only that portion that is impervious would be counted.
		26-313, 8	This should be addressed in the DRT, I do not know if something as specific as a stairway should be called out, what next? The orientation and spacing of sizing or the size of windows, stone, brick, etc	Any structures located in the shore impact zone are regulated according to MN Rules Chapter 6120 and is a DNR minimum standard. The City has the discretion on which architectural standards to adopt for structures.
		26-375, 2	Good should be defined, I think the use of acceptable would fit better	Noted and changed.
		26-513, 4	These standards of clearing vegetation should apply to all lakeshore. Do the weeds on municipal properties filter the runoff any less? If there is a rule in place it should encompass all newly disturbed areas	The ordinance provisions only apply to uses in the Land Use Ordinance.
		26-518, E	Please provide the backup that the storm water buffers reduce the chemical and runoff as perceived in this draft ordinance. Just because the DNR states this I do not believe it. These are the same people that charged a person for shooting a mtn lion while at the same time they said they did not exist in MN. Also their correction on the Asian Carp issue is laughable, still planning after years, they might figure it out after they have infested these waters.	Scientific research on the amount of impervious surface coverage has found that it is a key indicator of quality of water flowing into our lakes. Research has consistently shown that as the amount of impervious surface increases beyond 15%, water quality begins to decrease. The current ordinance revision would require a stormwater management plan (SMP) for lots that exceed 15% to receive permit approval. If the property exceeds 20%, the parcel would need a SMP and an assessment via the Shoreline Rapid Assessment Model (SRAM). According to the MN Stormwater Manual, a typical SMP removes 1/4 pound of phosphorous per year before it enters the lake. One pound of phosphorous equals approximately 300 pounds of algae. Shoreline buffers are important because they provide stormwater management, soil stability, erosion/sediment control and wildlife habitat.
		26-548	Anything that affects the landowner at this level should have more oversight and checks and balances than just the Administrator, this should	

			go in front of the board	All decisions of the Administrator and the Department can be appealed to the PC/BOA. It would be a very cumbersome process and unduly slow down the process to submit every application for board review. Professional staff should be held accountable for making sound, consistent and fair decisions and providing excellent customer service.
		26-549, 2	Strike this subsection, it can be handled by the described percentage	This pertains to the creation of 10,000 square feet or more of new impervious surface regardless of lot size.
		26-549, 6	Add: "unless the driveway is constructed with approved pervious materials"	Noted and changed.
			Precast requirements should be listed here, I just built a building in Ramsey with bricks inlaid in the precast, you cannot tell the difference of which bricks were laid on site and which came embedded in the precast	This ordinance citation provision pertains to permit expiration.
		26-853, 5	I feel there should be electronic lighted reader signs allowed. 1/2 of my last projects required them, I feel it is more important to bring in new businesses to town. Many would pass a site that they could not utilize a lighted reader sign to bring in new customers. I would place thresholds on the size and brightness, but I think you should look at this sign	The current ordinance does not allow these types of signs and it was decided during this ordinance revision to not change this provision.
		Note:	I am not too concerned about the "Conservation Development Density" portion, any developer would buy the adjacent properties and knock them down before anyone would agree to these conditions. Increasing the land area would bring the impervious surface ratio down to fall under the set thresholds, that way they would side step this steep list of issues. It would be cheaper to knock down houses when compared to the long list of requirements stated in this section	If there is adjacent property available, this is most likely true. Either way, lower density is achieved.
1/7/2014	Dave Schrupp	Chapter 26 26-656	Our current version of Chapter 26, Section 670 is not up to date. At the 12-10-2012 Council meeting the council approved a recommendation from the PZ department to allow fences to be placed on the property line assuming the neighboring owners would agree. We wanted to maximize the owners use of the property. If not, then the 1 foot setback applied. The ordinance was never updated after this and as a result, the Draft version does not contain this either. You can pull up the meeting minutes to review.	Fences should be allowed on property lines. It is not practical to get neighboring property owners to agree on a property line before issuing a permit. It is not required for a neighboring property owner to verify property lines before other permits are issued - this is the same situation. If a property line is in question, that is a civil legal matter. The ordinance will be amended related to temporary fences.

		Chapter 26 26-656	Same meeting, language was to be added to allow for certain periods of time. Did not make it in the current ordinance or the Draft copy.	See above comment.
			I thought we had minutes of all P & Z meetings on the Crosslake website...older meetings prior to your time. I did not keep copies of all the things we discussed/ approved and it might be a good idea for someone to review these documents to find out what other ordinance revisions may have been missed.	The City Clerk has reported that no P&Z comments have ever been placed on-line. We will start doing it effective in 2014.
1/9/2014	Paul Hoge	26-1084	It would be in the cities best interest to keep Sec. 26-1084 in the ordinances for the City of Crosslake	Tower language in the current ordinance is now included in the revised version with a different format to match the format in the revised version.

City of Crosslake Code of Ordinance Chapter 26 Revisions Week of **1-13-14 to 1-17-14**

Date	Name	Article Number	Comments	Staff Comments
1/13/2014	Dean Eggena & Family	Land Use Table for Commercial/ Light Industrial	Add Demolition Land Fill as "A" use Add Shooting Range Etc as "CU" use Add Retail Store as "P" use Add Commercial Greenhouse Nursery as "P" use Add Auto Repair Shop Etc as "P" use Add Wholesaling Etc as "P" use Add Lumber Yard as "P" use Add Vehicle, Boat, Etc as "P" use Add Construction Contracting as "P" use Add Repair Shop as "P" use Add Contractor Services Etc as "P" use Add Rental Equipment as "P" use Add Light Equipment Repair as "P" use Add Storage Bldg/Storage Unit Rental as "P" use	The recommended changes to the land use tables have been added to the ordinance with the exception of demolition landfill being listed as a conditional use.
		26-380 Commercial/ Light Industrial Stnds	The minimum lot area be 20,000 sq. ft. with a miniumum lot width of 100 ft and appropriate setbacks as it is in the exisitng ordinance. We feel this will make the lot affordable for people who need a building of approx. 1,400 sq ft and under. If the need is greater than more than one lot can be joined together	The current Crosslake ordinance requires 20,000 sq feet for the Industrial District and 40,000 square feet for the Light Industrial District. The revised version of the ordinance requires 40,000 square feet for the Commercial/Light Industrial District. Since this is a Commercial/Light Industrial District, it makes sense that the 20,000 square foot lot size apply. This will be changed in the ordinance.
1/14/2014	Crosslake Open House Comments		Why is the new requirement that all buildings be built three feet above the OHW or the highest known water level – that seems too high for Crosslake based on past practice?	The ordinance was revised to reflect that the lowest floor of a structure needs to be elevated above the established regulatory flood protection elevation. If no regulatory flood protection elevation is available, all structures must be elevated so that the lowest floor is three feet above the highest known water level. If highest know water level is not available, all structures must be elevated so that the lowest floor is at least or three feet above the ordinary high water level (OHWL)

			Did the consultant even look at the current Crosslake Ordinance as part of this process? It looks like the county ordinance was used as the template.	The instructions provided to the consultant were to review the current language in Crosslake's Chapter 26 and coordinate the revision with the DNR alternative standards and the CWC Land Use Ordinance. The consultant thoroughly reviewed the current ordinance. It contains a great deal of redundancy and many outdated, inconsistent and ambiguous provisions that directly contradict one another. Moreover, some of the authorizing statutes cited in the current ordinance were repealed or renumbered more than 20 years ago. The reason for similarities to the CWC ordinance is that the County ordinance already includes DNR-approved alternative standards. These standards received extensive scrutiny and public review before adoption and the resulting ordinance is widely accepted by local landowners, contractors, Realtors, and other land use professionals. If adopted, this ordinance will have the most current shoreland, floodplain, and septic system provisions of any city in the State.
			Why are the blue advertising signs that are located in County Road ROW that were prohibited in the old ordinance allowed in the new ordinance?	Off Premise signs are prohibited in Sec 26-863 (4). In addition, language was added in Sec 26-863 (4) K to clarify that blue county signs are prohibited.
			The size allowed for a home business/home occupation sign is 24 square feet and that is too large.	Sign square footage will be reduced to 12 square feet.
			Stairways, lifts and landings need to be located 10 feet from property lines – this needs to be further clarified in the ordinance.	This will be added to Article 11.
			Nomenclature for guest quarters / guest cottage is confusing and should be renamed something like auxiliary living quarters.	Guest Quarters/Guest Cottages will be renamed "Auxiliary Quarters" and "Auxiliary Cottages" - this will also be changed in the definition section.
			When surveys are conducted in Crosslake, the surveyor should set a pin or marker every 100 feet or less.	This is not in the current ordinance but rather in the checklist for submitting surveys. At this point, adding this language to the ordinance is not recommended. Each survey should be handled on a site by site basis. Requiring this for all surveys would cause unnecessary cost to landowners.
			Why so many regulations for resorts when there are only three in town with little probability of new resorts in the future? Shouldn't a resort go through the PUD process	While additional resorts seem unlikely at present, it cannot be guaranteed what changes in land use may take place in the future. PUD's in the proposal are replaced by conservation developments (CD) which afford similar densities but require more contiguous open space, stormwater control, and shoreline protection. The proposed resort standards also afford additional stormwater requirements to protect surface water.
			The current ordinance requires variances to be acted upon within one year of approval – the current ordinance does not address this – why?	Language has been added to the ordinance stating that variances must be substantially completed within two years of approval and also allowing the BOA the opportunity to extend longer as a condition. Language will also include that a variance runs with the property.
			Why are outdoor wood burners not regulated under the proposed ordinance?	This should be regulated as a public nuisance under Chapter 30 of City ordinances.
			Why did you change the tower ordinance?	The existing tower ordinance has been placed back in the proposed ordinance and has been reorganized to accommodate the format changes to the proposed ordinance.
			The City Council approved changes to the fence standards in 2012 – why are they not part of the ordinance revision?	The changes to the fence ordinance approved in 2012 were never incorporated into the current ordinance. Staff have gone back to the City Council minutes from December 2012 and made the appropriate changes to allow a fence on the property line and to set standards for temporary fences.
			I don't agree with the provision in Article 5 that talks about commercial uses expiring after one year if not being used as a commercial use.	The provisions in this article relating to existing commercial uses has been expanded to 5 years.
			The old ordinance banned hoop shed type materials but that is not listed in the new ordinance – why?	Sec 26-751 lists the type of materials that are prohibited to be used on the exterior of buildings - canvas and plastic are listed as prohibited materials
			Why do you give 100% credit on pervious material when the old ordinance allowed only a 50% credit?	100% credit can only be given if the pervious surface is designed and inspected by a Minnesota-licensed professional engineer according to stringent standards in the Minnesota Stormwater Manual. Further, the pervious installation must be certified annually to the Department that it is functioning as designed. This is a very high standard and deserves 100% credit.

			Why are PUD’s eliminated from the new ordinance?	PUD’s in the proposal are replaced by conservation developments (CD) which afford similar densities but require more preservation of contiguous open space, stormwater control to reduce pollution of surface waters, protection of wetlands, and shoreline vegetation protection.
			I did not see in the ordinance a provision that requires DNR notification of approved variances, CUP etc within 10 days and also no language about when they need to be recorded.	For variances, that language is included in Section 26-227. Recording language for CUP’s is in Section 26-191. Language has been added regarding DNR language to this section as well.
			The old ordinance used to limit the number of garage sales per year - why is this not in the new ordinance	This will be added back into the ordinance in the land use tables.
			Why are decks now considered pervious when they have been impervious in the past?	Decks are considered pervious if they are constructed in a manner that allows water to flow between the boards and is constructed over a pervious material such as grass or soil. If a deck is constructed over an impervious surface, the deck is considered impervious also.
			Do you need you need to clarify that stairways, lifts and landings require a 10 foot side yard setback?	Added language in 26-313 to clarify requirements
1/15/2014	Jim Gallaway, Chair Build-All Lumber Company		First and foremost we request that our lumber yard be placed as a "permitted" business within this zone as we have had the business here for 30 year. We also request that any and all construction contracting business be "permitted" as we have operated an installed service of insulation, gutters, and waterproofing from this zone since 2001.	These changes have been made in the ordinance.
			Second, as our neighboring business have included a construction company in the past, plus current business of a Demolition LandFill and Crosslake Ready Mix as being more than acceptable to this zoning area and should also be placed as a "permitted" business	These changes have been made in the ordinance except that demolition landfill will be listed as a condtional use.
			Third, this area should have many other permitted business that would be allowed without a "Conditional Use Permit" such as the following storage and/or pole buildings; retails stores; greenhouses/nursery; light equipment repair shops; auto body repair; wholesaleing; vehicle/boat sales; rentals; light manufacturing; sawmill; etc. This locattion was chosen by us and the City of Crosslake many years ago to support the business functions noted above that the City may not want within a residential area	The recommended changes to the land use tables make sense and will be added to the ordinance.
			Further, the lot area requirements be changed to 20,000 sq. ft. and a minimum width of 100 ft. with appropriate setbacks (with the consideration that this si for industrial standards not residential) and that all aspects of the land is important whether the business is totally under the cover of a building or the land is being utilized for the contents of the business.	The current Crosslake ordinance requires 20,000 sq feet for the Industrial District and 40,000 square feet for the Light Industrial District. The revised version of the ordinance requires 40,000 square feet for the Commercial/Light Industrial District. Since this is a Commercial/Light Industrial District, it makes sense that the 20,000 square foot lot size apply. This will be changed in the ordinance.

City of Crosslake Code of Ordinance Chapter 26 Revisions week of 1-20-14 to 1-24-14

Date	Name	Article Number	Comments	Staff Comments
1/21/2014	Dave Schrupp		After the fact permits. Not mentioned in the ordinance is the cost, which makes sense as it may change. Was up to 10X the normal fee and now I understand we moved forward with 3X. How will this deter violators?	The deterrent to violators will be criminal prosecution. Fees for after the fact (ATF) permits need to be directly correlated to the additional cost incurred by the city to process the ATF application. ATF fees are not fines nor are they intended to be a determent for future violations. ATF fees can only cover the reasonable costs for staff to work with the applicant to gain compliance. Proven violators will be charged administrative fees for all time and expenses incurred by the Department and the City to investigate and prosecute the violation. The current 10x ATF fee is not reasonable. The current fee schedule has been amended to a 3x fee for ATF permits.
		26-549	Pervious pavers should not be allowed to be considered 100% pervious if the DNR does not allow. Our current ordinance allows only 50% and so should the revised ordinance. Proving the absorption ability of a paver driveway year after year will be difficult and should be avoided. Follow the lead of the DNR unless we have scientific evidence, better than what the DNR has, to allow more. We are not experts in this area.	100% credit can only be given if the pervious surface is designed and inspected by a Minnesota-licenses professional engineeer according to stringent standards in the Minnesota Stormwater Manual. Further, the pervious installation must be certified annually to the Department that it is functioning as designed. This is a very high standard and deserves 100% credit considering the extensive subgrade preparation. This performance standard has been developed working closely with the DNR and the DNR has approved this standard when the County received DNR approval for the ordinance revision in 2011.

			Add back the current ordinance language on Outdoor Wood Burning Boilers (Heaters). This was a fairly recent add to the ordinance and we need to keep it. Make is clear this way and avoid using the nuisance language to prevent. No one wants the smoke blowing in their home. If you have a large acreage, you may be able to have one.	This should be regulated as a public nuisance under Chapter 30 of City ordinances.
			We made a fairly recent change to allow a certain crushed rock to be considered 50% pervious for use on driveways, etc. We need to add this back, see Chapter 26, Section 11.	Crushed rock placed over soil without a proper subbase to collect runoff is in fact an impervious surface because of soil compaction and will cause water sheet off it and not be absorbed into the ground. The solution for these situatuons is to install a pervious system as allowed by the ordinance.
			Proposed ordiance does not discuss hot tubs. This needs to be added back from current ordinance, setbacks, etc. Do we consider them pervious.	Hot tubs are indeed an impervious surface but are typically installed on impervious surfaces meaning not net gain in impervious. The proposed ordinance revision does not require a permit for hot tubs provided that it meets all structure setbacks.
			Proposed ordinance does not discuss fire pits. This needs to be added back from current ordinance, setbacks from the lake, etc.	Language regulating fire pit location has been added to Sec 26-517 of the ordinance.
		DRT Team in proposed ordinance, 26-76 #2	Who makes up this team? What is the process? When will the team meet on a request, when not? What sort of advice are we thinking of giving to citizens and what makes this team qualified to provide such advice? Will the City assume liability for bad advice? Does the citizen pay for this advice? This section needs quite a bit of definition to place controls on the members of this team as to their purpose and charter.	The Development Review Team (DRT) is a staff level pre-application meeting for potential applicants to discuss variances, CUP's, Plats and zoning map amendments prior to submitting an application. DRT is composed of City Staff including P&Z Staff, City Engineer (if needed) and Public Works (if needed). If the project is in the shoreland zone, the DNR is invited. If the project abuts a county road, the CWC Highway Department is invited. The intent of the meeting is for the applicant to explain the project - no survey is needed at this meeting - just a site sketch. Staff then provide feedback as to meeting date, time, location and application requirements for the submittal. There is no fee for this meeting. The county has been providing this service since 2009 and 100% of all applicants that have attended DRT said the meeting was helpful.
		Decks 26-311 #2	I believe the use of walkway describes to me a path that is 4 feet wide and infinite length. I think this refers to STEPS? Not sure. Needs clarification, dimension,s etc.	Steps are covered in section 26-313. This refers to a 4 foot walkway across the front of a residence strictly for access. Language to clarify that it can be no wider than the structure has been added.
		Fence Standards	Perviously communicated to Chris regarding recent changes, not placed in the current ordinance which allowed a fence to be placed on the lot line assuming both neighbors agree.	The changes to the fence ordinance approved in 2012 were never incorporated into the current ordinance. Staff have gone back to the City Council minutes from December 2012 and made the appropriate changes to allow a fence on the property line and to set standards for temporary fences.
		Proposed Section 26-798 SSTs	a. AS-BUILT inspections, prior to covering makes all the difference in the world. If something changed during the construction process of a new home or upgrade to a system, how does anyone know that the system, as installed, has the required vertical separation? Especially in our city where a third of the city is water and the lakes could be subject to pollution in the event the installer places the drainfield too close to the highest water level. When do we inspect? What does the inspecion consist of? Do we have records of all installed systems? Are we paying special, attention to those by a lake?	These standards reflect the latest model ordinance language promulgated by MPCA which the County is also in the process of adopting. According to state standards, any changes to a system that may involve changes to vertical separation distance must be pre-approved by the designer. Also, these standards require soil pits adjacent to the lowest trench to be left open for inspection by the Department. All systems must be physically inspected before the system is covered and before a certificate of installation is issued. As-builts are part of the inspection process and language will be added to insure that as-builts are required as part of the inspection. The City maintains on file all septic inspections for new and existing systems. In addition, the ordinance revision requires new septic systems to be located further away from the lake than the current ordinance.
			b. I believe the effort here is to make sure we comply with all State Regualations regarding septic systems as outline in 7080-83. We seen to make specific statements in the entire section. Might we be better served if we make a single statement somewhere that says the current State Codes 7080-83 are adopted by the City of Crosslake? Just so no confusion. Might be easier to keep in lock sten with the state if we say this	See the comment above.
		Wind Energy Conversions, 26-1145	Please require a state electical permit for the installation of a system. A final inspection will make sre the system is installed correctly.	Section 26-1147 requires approval by the electric utility company and adherence to the National Electrical Code.

		General comments regarding permits	As a voluteer on the commission at one time, I had the opportunity to listen to citizens and PZ employess when we had confusion on what permits allowed and what the citizen or contractor was planning to do. This cause of the confusion endedup being the drawings the citizen or contractor provided to the city and the city accepted. They lacked labels, dimensions, were grossly out of scale and in the end, could not be verified to what actually was going to take place. I too agree that a survey is not necessary in all applications but it makes sense that the documentation package we accept must allow someone from the city to verify that the scope of work to be completed was completes as agreed. Do we have such a process in place now? Or do we need to clarify what the permit will require so no confusion later on?	Section 26-68 spells out general information requirements for all permits and also requires that the Department prepare checklists of information that are required for specific types of permits. It is incumbent upon the Department and the Administrator to assure that sufficient information is provided by the applicant to fully evaluate the request and inspect it upon completion. Sections 26-185 and 26-222 also list requirements for conditional use and variance applications respectively. The Department can also require performance security to assure compliance.
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City of Crosslake Code of Ordinance Chapter 26 Revisions week of **1-27-14 to 1-31-14**

Date	Name	Article Number	Comments	Staff Comments
1/31/2014	David Fischer	Towers	Need definitions? - Public Utility	Definition added
			Need to include current Section 26-1084 paragraph (a) which requires towers over 100 feet to be on publicly owned land. Also, need to revise zoning districts where towers can be located to include public zoning district	The existing tower ordinance has been placed back in the proposed ordinance and has been reorganized to accommodate the format changes to the proposed ordinance.
			Tower must be designed to accommodate two additional users (current) versus one additional user (proposed)	
			Currently towers cannot be located within 1/4 mile of OHW of any lake vs proposed ordinance cannot be in shoreland district (1,000 ft)	
			including the following performance standards which are in the current ordinance: (b) The use of guyed towers is prohibited. Towers must be self-supporting without the use of wires, cables, beams or other means. The design should utilize an open framework or monopole configuration. Permanent platforms or structures exclusive of antennas that serve to increase off-site visibility are prohibited. (c) The base of the tower shall occupy no more than 500 square feet and no part of the tower shall be larther than the base (d) Minimum spacing between tower locations is one mile.	
		Outdoor Furnaces	Need to include current ordinance provisions in proposed ordinance	This should be regulated as a public nuisance under Chapter 30 of City ordinances.
		Auto Salvage Yard	Prohibited by current ordinance. It should be a prohibited use under proposed ordinance	Auto Salvage Yards are not listed as a use in Article 10 of the Land Use Ordinance and as such are prohibited.
		Landfills	New landfills prohibited under current ordinance. It should be a prohibited use under proposed ordinance	Demolition landfills are a reasonable conditional use in the commercial/light Industrial district. The ordinance would not allow a sanitary landfill within Crosslake.
		Garage/Yard Sales	Yard/Garage Sales are limited to 3 sales per year, 3 days max per sale in current ordinance. This should carry over to proposed ordinance	Ordinance was revised in Article 10 to clarify that three garage sales are allowed per year.
		Impervious Surface Calculations	Section 26-549 (7) gives 100% credit for engineered pervious surfaces when calculation impervious surfaces. The Minnesota DNR recommends credit of 50%. The proposed ordinance should follow DNR recommendations.	100% credit can only be given if the pervious surface is designed and inspected by a Minnesota-licenses professional engineer according to stringent standards in the Minnesota Stormwater Manual. Further, the pervious installation must be certified annually to the Department that it is functioning as designed. This is a very high standard and deserves 100% credit considering the extensive subgrade preparation. This performance standard has been developed working closely with the DNR and the DNR has approved this standard when the County received DNR approval for the ordinance revision in 2011.
		Ordinary High Water Level (OHW)	Proposed Section 26-308 (6) High Water Elevations. Needs to be changed to say OHWL established by applicable government entity or, if OHWL has not been officially established, 3 feet above highest known level	The ordinance was revised to reflect that the lowest floor of a structure needs to be elevated above the established regulatory flood protection elevation. If no regulatory flood protection elevation is available, all structures must be elevated so that the lowest floor is three feet above the highest known water level. If highest know water level is not available, all structures must be elevated so that the lowest floor is at least three feet above the ordinary high water level (OHWL)
		Park Dedication Fee	Are Park Dedication provisions from current ordinance for PUD's (or their replacement) in proposed ordinance? The ordinance must cover anything that the current Chapter 44 does not cover	Park Dedication Fees entered in Article 9.

		Signs	Current Ordinance prohibits new blue directional signs erected by Crow Wing County (Sec 26-582). Signs placed by the federal, state, county, city or other government agency are exempt from this division, with the exception of new, blue directional, special service signs erected by Crow Wing County which are prohibited. Does this prohibition appear in the proposed ordinance? If not, it needs to be added	Off Premise signs are prohibited in 26-863 (4). In addition, language was added in 26-863 (4) K to clarify that blue county signs are prohibited.
			In fact the complete section on signs from the current ordinance should be included in the proposed ordinance	

ORDINANCE NO. ____

**Ordinance that completely replaces Chapter 26 of the Crosslake City Code, said
Chapter being the zoning ordinance for the City of Crosslake.**

SUMMARY

On March 10, 2014, the City Council of the City of Crosslake, Minnesota,
approved Ordinance No. ____ replacing its zoning ordinance.

The City Council, by ____ vote, hereby agrees to publish such ordinance by
summary publication pursuant to Minn. Stat. Section 412.191, subdivision 4.

PLEASE TAKE NOTICE that this is only a summary of these ordinances. A
printed copy of the entire text and an associated map is available for inspection during
regular office hours in the office of the City Clerk at the City Hall, Crosslake, Minnesota
and on the City website (www.cityofcrosslake.org).

Dated: March ____, 2014.

CITY OF CROSSLAKE, MINNESOTA

By _____
Its Mayor

ATTEST:

City Clerk



STATED MINUTES

City of Crosslake Planning and Zoning Commission

February 28, 2014
9:00 A.M.

Crosslake City Hall
37028 County Road 66
Crosslake, MN 56442

1. Present: Aaron Herzog, Chair; Dave Nevin; Joel Knippel; Mark Lafon; Matt Kuker, Council Liaison Mark Wessels and Brad Person, Attorney were in attendance
2. Absent: Scott Johnson
3. Staff: Chris Pence, Crow County Land Services Supervisor, Paul Herkenhoff, Crow Wing County Survey/Planning Coordinator, Sue Maske, Crow Wing County Planning Assistant, Jon Kolstad, Crosslake Planning & Zoning Land Services Specialist
4. 1-24-14 Minutes & Findings – **Motion by Nevin; supported by Knippel to approve the minutes & findings as written. All members voting “Aye”, Motion carried.**
5. Old Business
 - 5.1 None
6. New Business
 - 6.1 David & Donna Koenig - Variance for lake & road right-of-way setback
 - 6.2 City of Crosslake - Chapter 26 City Ordinance Land Use Revisions
 - 6.3 City of Crosslake - Land Use Map Amendments
 - 6.4 City of Crosslake - Administrative Changes to Chapter 44 Subdivision Ordinance
7. Adjournment

**David & Donna Koenig
Parcel Number 1412000090CE009**

David Koenig & Dan Whirley, RemWhirl were present. Herkenhoff read the request into the record. The Planning & Zoning Office received three (3) letters in opposition. Dan Whirley went over the proposed plans. Tom Gust addressed concerns with what happens to the road when the property is connected to the city sewer and asked who would be responsible for the repairs to the private road during construction. Vicki Koehne addressed concerns with who is responsible for any damage done to the road during the construction of the new dwelling. Dan Miller, Contractor explained the process of connecting to the city sewer. Discussion concerned 2-17-14 on-site; impervious coverage of 13%; past permit history for neighboring properties; postponing for a revised plan; stormwater plan; connecting to city sewer; relocating the driveway; size of the building envelope; location of docks; landscaping plan; existing road maintenance agreement for Autumn Ridge Road; size of the proposed garage; use of the proposed lower level of the garage; material to be used under the proposed deck; using pervious material for the driveway and who is responsible for any damage to Autumn Ridge Road during construction.

February 28, 2014 Action:

Motion by Lafon; supported by Kuker to table the application to allow the property owner time to make revision to their proposed plans. The application is to be back on the March 28, 2014 agenda

Findings: See attached

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part I Administration,
Articles 1 through 5**

Pence went over the revisions to Chapter 26 of the City of Crosslake Land Use Ordinance, Part I Administration - Articles 1 through 5 from the public comments and the two open house meetings. No comments during the public hearing.

Staff recommendations for changes to Articles 1 through 5 listed below:

- Article 1 – No changes
- Article 2 – No changes
- Article 3 - 26-71. 8 added "that are found to have merit" to Administrative Fees (p. 17)
- Article 4 - 26-75. 4 changed may to will for refunds (p. 19)
- Article 5 - 26-137. 11 Changed one to five years for discontinued use (p. 24)
- Staff Recommends adding to 26-138. 1 "Expansions that meet setbacks and other provisions of this ordinance shall not require a variance." (p. 24)

February 28, 2014 Action:

Motion by Kuker; supported by Knippel to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part I Administration, Articles 1 through 5 per staff recommendations.

All members voting "Aye", Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part I Administration,
Articles 6 through 9**

Pence went over the revisions to the Chapter 26 of the City of Crosslake Land Use Ordinance, Part I Administration - Articles 6 through 9 from the public comments and the two open house meetings. No comments during the public hearing.

Staff recommendations for changes to Articles 6 through 9 listed below:

- Article 6 - No changes
- Article 7 - 26-191 added CUP in shoreland sent to DNR (p. 29)
- Article 8 - 26-226. 1. f added extension of timeframe as a condition(p. 32)
- Article 8 - 26-227 extended timeframe out to 2 years (p. 32)
- Article 9 - Staff recommends delete all of Article 9 Park Dedication Fees language in this article and change to “Reserved” (p. 33-36)

February 28, 2014 Action:

Motion by Kuker; supported by Knippel to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part I Administration, Articles 6 through 9 per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part II Land Use Districts,
Article 10**

Pence went over the revisions to the Chapter 26 of the City of Crosslake Land Use Ordinance, Part II Land Use Districts - Article 10 from the public comments and the two open house meetings. There was discussion on removing “CU” in the Downtown Commercial District and adding “P” in Commercial/Light Industrial for the manufacturing of furniture and adding outdoor wood burning furnaces as a permitted use in all Land Use Districts. Cynthia Holden asked what impact the outdoor wood furnace standard would have on fire pits and fireplaces. She also stated she is opposed to the outdoor wood furnace restrictions. Dean Eggena asked what good are the restrictions on outdoor wood furnaces as people with fireplaces and wood stoves in their homes do not have any restrictions. He suggested that outdoor wood furnaces should be handled through the nuisance ordinance as the proposed restrictions could cause tension between neighbors. Attorney Brad Persons asked what the current lot size is need for an outdoor wood furnace and if a permit is required what type of site plan would be required and what would the fee be. John Andrews stated that there are two outdoor wood furnaces located in garages in the City of Crosslake. After a lengthy discussion on outdoor wood furnaces the board unanimously agreed to have separate motion regarding adding outdoor wood furnaces to the Land Use Table or treat them as a nuisance.

Staff recommendations for changes to Articles 1 through 5 listed below:

- Article 10 - 26-281 (Land Use TABLE page 39 to 41)

February 28, 2014 Action:

Motion by Kuker; supported by Knippel to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part II Land Use Districts, Article 10 per staff recommendations and recommended the removal of “CU” in the Downtown Commercial District for the manufacturing of furniture.

All members voting “Aye”, Motion carried.

Motion by Nevin; supported by Knippel to treat outdoor wood furnaces as a nuisance and not a permitted use.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part II Land Use Districts,
Article 11**

Pence went over the revisions to Chapter 26 of the City of Crosslake Land Use Ordinance, Part I Administration – Article 11 from the public comments and the two open house meetings. Mark Lafon requested changing the language in 26-332-1 from “14 continuous days to 14 total days”. Mark Wessels asked for clarification on the language in 26-308-6 regarding elevations above flood plain. Steve Roe stated that he did not know if a tent, RV, motor home, boat or a boat trailer could be classified as a structure. Mr. Pence read the definition of a structure & temporary structure into the record. John Moengen asked for clarification on Article 26-322-1 when a recreational vehicle is used while a permanent structure is being constructed. Staff recommendations for changes to Article 11 are listed below:

- Article 11 - 26-308. 6 changed wording to meet State standards agreed upon with DNR regarding RFPE (p. 44)
- Article 11 - 26-311. 2 added a walkway shall be no wider than the existing structure (p. 46)
- Article 11 - 26-313 added that stairways, lifts and landing will meet side-yard setbacks (p. 47)
- Article 11 - 26-314 changed Guest to Auxiliary throughout. (P.47)
- Staff Recommendation to Article 11, Sec 26-312 Patios: Change 180 sq ft to 250 sq ft and allow up to 400 sq ft with a Stormwater Management Plan. (p.46)

February 28, 2014 Action:

Motion by Nevin; supported by Lafon to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part II Land Use Districts, Article 11 per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part II Land Use Districts,
Articles 12 through 18**

Pence went over the revisions to the Chapter 26 of the City of Crosslake Land Use Ordinance, Part II Land Use Districts - Articles 12 through 14 from the public comments and the two open house meetings. There was discussion regarding the location and length of time campaign signs are allowed to be up. Mr. Pence informed the board that campaign signs are regulated through State and Federal guidelines. Mark Lafon asked that in the future the board should look at adding language pertaining to allowing signs that could be attached to a flat bed truck. There was lengthy discussion on what the minimum lot size requirement should be for Commercial/Light Industrial. The current minimum lot size requirement is 20,000 square feet and the proposed minimum lot size requirement is 40,000 square feet. Dean Eggena stated that the City of Crosslake change the lot size requirement for Commercial/Light Industrial from 40,000 square feet to 20,000 square feet in 2008 and asked to have the minimum lot size stay at 20,000 square feet. He stated that lot sizes of 20,000 square feet would be more affordable to the residents for Crosslake who do not have the area to store their toys on their property. Mark Wessels stated he believes that there is a market in Crosslake for storage units as people do not have the room on their property to construct a storage building. After some discussion the board unanimously agreed to leave the minimum lot size for Commercial/Light Industrial to 20,000 square feet.

Staff recommendations for changes to Articles 12 through 14 listed below:

- Article 12 – No changes
- Article 13 - 26-375. 2 removed the word good (p. 53)
- Article 13 - 26-380. 2 changed 40,000 sq ft to 20,000 sq ft (p. 55)
- Articles 14 – 18 - No changes

February 28, 2014 Action:

Motion by Kuker; supported by Knippel to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part II Land Use Districts, Articles 12 through 18 per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part III Development
Standards, Articles 19 through 21**

Pence went over the revisions to the Chapter 26 of the City of Crosslake Land Use Ordinance, Part III Development Standards - Articles 19 through 21 from the public comments and the two open house meetings. No comments during public hearing.

Staff recommendations for changes to Articles 19 through 21 listed below:

- Article 19 - 26-517. 2 added one fire pit under shoreland recreational use area (p. 70)
- Article 20 - 26-549. 6 excludes driveway from impervious if constructed with approved pervious material (p. 75)
- Article 20 - 26-549. 7 clarifies separation from saturated soils for 100% credit for engineered permeable surface. (p. 75)
- Article 20 - 26-551 added language to inform applicants of MN stormwater requirements. (p. 75)
- Article 21 – No changes

Motion by Lafon; supported by Knippel to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part III Development Standards, Articles 19 through 21 per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part III Development
Standards, Articles 22 through 26**

Pence went over the revisions to the Chapter 26 of the City of Crosslake Land Use Ordinance, Part III Development Standards - Articles 22 through 26 from the public comments and the two open house meetings. No comments during public hearing.

Staff recommendations for changes to Articles 22 through 26 listed below:

- Article 22 – No changes
- Article 23 - 26-635. B changed sign size from 24 to 12 sq ft (p. 85)
*Also change letters to numbers.
- Article 24 – No changes
- Article 25 - 26-656. 6 added language back in for temporary fences (p. 86)
- 26-659 Setback table changed fence setback to 0 ft and the property owner is required to mark property line prior to erecting fence.
- Article 26 – No changes

Motion by Nevin; supported by Lafon to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part III Development Standards, Articles 22 through 26 per staff recommendations.

All members voting “Aye”, Motion carried.

February 28, 2014 Planning & Zoning Commission Meeting

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part III Development
Standards, Articles 27 through 30**

Pence went over the revisions to the Chapter 26 of the City of Crosslake Land Use Ordinance, Part III Development Standards - Articles 27 through 30 from the public comments and the two open house meetings. No comments during public hearing.

Staff recommendations for changes to Articles 27 through 30 listed below:

- Articles 27-29 – No changes
- Article 30 - Staff recommends Article 30, sec 26-762 (2): Change to Outdoor Storage: “Boats, trailers and recreational vehicles...” (p. 105)

Motion by Kuker; supported by Knippel to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part III Development Standards, Articles 27 through 30 per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part III Development
Standards, Article 31**

Pence went over the revisions to Chapter 26 of the City of Crosslake Land Use Ordinance, Part III Development Standards - Article 31 from the public comments and the two open house meetings. Mr. Pence informed the board that the Crow Wing County Board of Commissioners just approved the new Subsurface Sewage Treatment Systems at their meeting held on February 11, 2014. No comments during public hearing.

Staff recommendations for changes to Articles 36 through Appendix C listed below:

- Article 31 - 26-798. 2. h added as-builts to documents city maintains

Motion by Nevin; supported by Lafon to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part III Development Standards, Article 31 per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 26 City Ordinance
Land Use Revisions - Part III Development
Standards, Articles 32 through Appendix C**

Pence went over the revisions to the Chapter 26 of the City of Crosslake Land Use Ordinance, Part III Development Standards - Articles 32 through Appendix C from the public comments and the two open house meetings. No comments during public hearing.

Staff recommendations for changes to Articles 36 through Appendix C listed below:

- Article 32 – No changes
- Article 33 - 26-863. 4. j added real estate sign language back (p. 124)
- Article 33 - 26-863. 4. k added blue directional sign language back (p. 124)
- Staff recommends: Sec 26-863 (2) ADD: j) two additional temporary signs for community events (not to exceed 30 sq ft total) which shall be removed no later than 10 after the event. (p.123)
- Article 33 - Sec 26-867 (3) a. remove “and not to exceed a cumulative total of 60 days per calendar year” (p. 127)
- Article 33 - Sec 26-867 (3) b. change “six square feet” to “eight square feet” (p.128)
- Article 34 – No changes
- Article 35 - added language to clarify animals allowed in residential districts (p. 133)
- Article 36-42 – No changes
- Article 43 - Animal Unit - defined what an animal unit is (p.140)
- Article 43 - Buffer - clarified definition (p. 14)
- Article 43 - Fence - defined a fence (p. 147)
- Article 43 - Guest Auxiliary - changed Guest to Auxiliary (p. 149)
- Article 43 - Public Utility - added definition (p. 155)
- Articles 44-53 – No changes
- Appendices – No changes

Motion by Kuker; supported by Nevin to recommend the Crosslake City Council approve the revisions to the Code of Ordinances for the City of Crosslake, Chapter 26 Land Use - Part III Development Standards, Articles 32 through Appendix C per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Land Use Map Revisions**

Pence went over the proposed changes to the City of Crosslake Land Use Map. Pence stated that currently there are 16 Zoning Classes and the proposed Land Use Map has only 7 Zoning Classes. Mr. Pence explained to the board that based on the MN Department of Natural Resources Study, the City of Crosslake can designate property as Sensitive Shoreland and that any new development would have to adhere to natural environmental lake standards. Mr. Pence informed the board that 31% of the property in the City of Crosslake is classified as public. Listed below are the proposed changes to the City of Crosslake Land Use Map. No comments during the public hearing.

- Shoreland District - All property that lies within 1,000 feet of a lake or 500 feet of a stream or river
- Rural Residential - All residential property lying outside the Shoreland District
- Sensitive Shoreland - There is nothing on the current map proposed as Sensitive Shoreland
- Waterfront Commercial had no changes
- Industrial and Light Industrial changed to Commercial/Light Industrial
- Downtown Commercial had no changes
- Limited Commercial consolidated Commercial and Commercial -Limited

Motion by Lafon; supported by Kuker to recommend the Crosslake City Council approve the revisions to the City of Crosslake Land Use Map and to change the definitions in the City Comprehensive Plan to reflect the new land use districts per staff recommendations.

All members voting “Aye”, Motion carried.

**Crosslake Planning & Zoning
City of Crosslake, Chapter 44 City Subdivision
Ordinance Administrative Changes**

Pence went over the proposed administrative changes to Chapter 44, Subdivision Ordinance drafted by Attorney Brad Person.

Motion by Knippel; supported by Nevin to recommend the Crosslake City Council approve the proposed administrative changes to Chapter 44, Subdivision Ordinance drafted by Attorney Brad Person.

All members voting “Aye”, Motion carried.

Matters not on the Agenda:

1. There were no matters not on the agenda

Motion by Lafon; supported by Nevin to adjourn at 1:47 P.M.

All members voting “Aye”, Motion carried.

Respectfully yours,

Susan Maske

Susan Maske
Crow Wing County Planning Assistant

Minnesota Department of Natural Resources

Division of Ecological and Water Resources
Box 32, 500 Lafayette Road • St. Paul, MN • 55155-4032



March 6, 2014

The Honorable Darrell Schneider
Mayor, City of Crosslake
37028 County Road 66
Crosslake, MN 56442

Dear Mayor Schneider,

CONDITIONAL STATE APPROVAL OF FLOODPLAIN ORDINANCE & REQUIRED NEXT STEPS

The Department of Natural Resources (DNR) received via email on March 5, 2014 a proposed floodplain management ordinance for the City of Crosslake from Jon Kolstad, Land Services Specialist. This proposed floodplain ordinance is being adopted as part of the rewrite of the City's zoning ordinance, and to incorporate Crow Wing County Flood Insurance Rate Map (FIRM) panels that include lands annexed into the city. This ordinance is also being adopted to incorporate floodplain ordinance text revisions mandated by the Federal Emergency Management Agency (FEMA) for communities participating in the National Flood Insurance Program (NFIP).

The above-cited draft floodplain management ordinance is in compliance with *Statewide Standards and Criteria for Management of Floodplain Areas of Minnesota*, Minnesota Rules, Parts 6120.5000 to 6120.6200. The City's adoption of higher regulatory standards for repetitive loss properties is commendable. Therefore, in accordance with Minnesota Statutes, Chapter 103F, I hereby give conditional state approval of the above-cited draft floodplain management ordinance. To the best of my knowledge, this draft ordinance is also in compliance with the floodplain management standards of the Federal Emergency Management Agency.

This approval is valid upon adoption of the draft ordinance by the city and receipt by this office of ***one (1) copy each of the adopted ordinance amendments (signed and stamped with the community seal), the affidavit of publication, and the completed "Ordinance Certification Checklist"*** that I have enclosed. Please forward these documents to Ceil Strauss, the DNR's State NFIP Coordinator in St. Paul at the address above in the header. Upon receipt and verification, Ms. Strauss will transmit one copy of these materials to Mr. John Devine at FEMA's Chicago Regional Office.

Please be advised that any future amendments of this ordinance or change in the designation of flood prone areas require prior approval of the Commissioner. In addition, you are required to send copies of hearing notices and final decisions pertaining to variance, conditional uses, and ordinance amendments to this agency. Please send those to State NFIP Coordinator Ceil Strauss at the above address. Should you have any questions on this ordinance or related matters, please contact Ms. Strauss at (651) 259-5713 or ceil.strauss@state.mn.us.

While our office in St. Paul will continue to be the main contact for the ordinance update, DNR Area Hydrologist Heidi Lindgren of our Brainerd office will continue to be your main contact for day to day assistance with administering your floodplain management ordinance and questions about other DNR water-related programs and permits. Please feel free to contact Ms. Lindgren at any time at (218) 833-8689 or heidi.lindgren@state.mn.us.

www.dnr.state.mn.us

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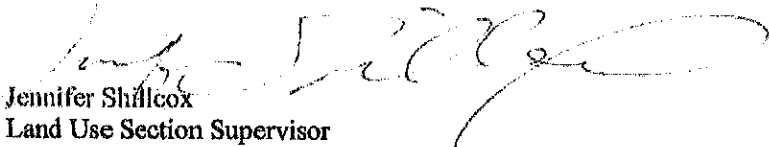


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The Honorable Darrell Schneider
March 6, 2014
Page 2

The DNR greatly appreciates your community's cooperation and initiative in providing for the reduction of flood damages through the adoption and administration of this ordinance.

Sincerely,



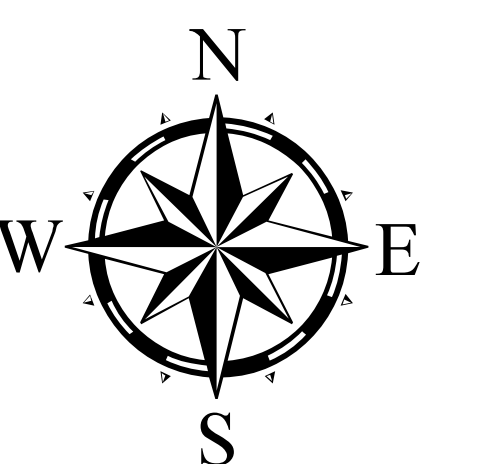
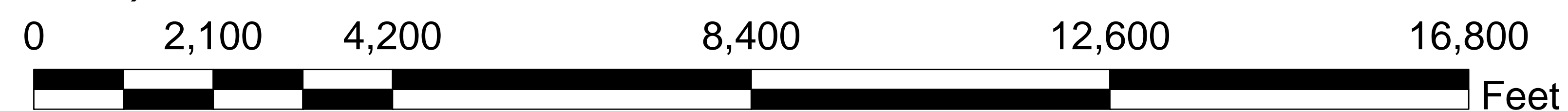
Jennifer Shillcox
Land Use Section Supervisor

Enclosure (Ordinance Certification Checklist)

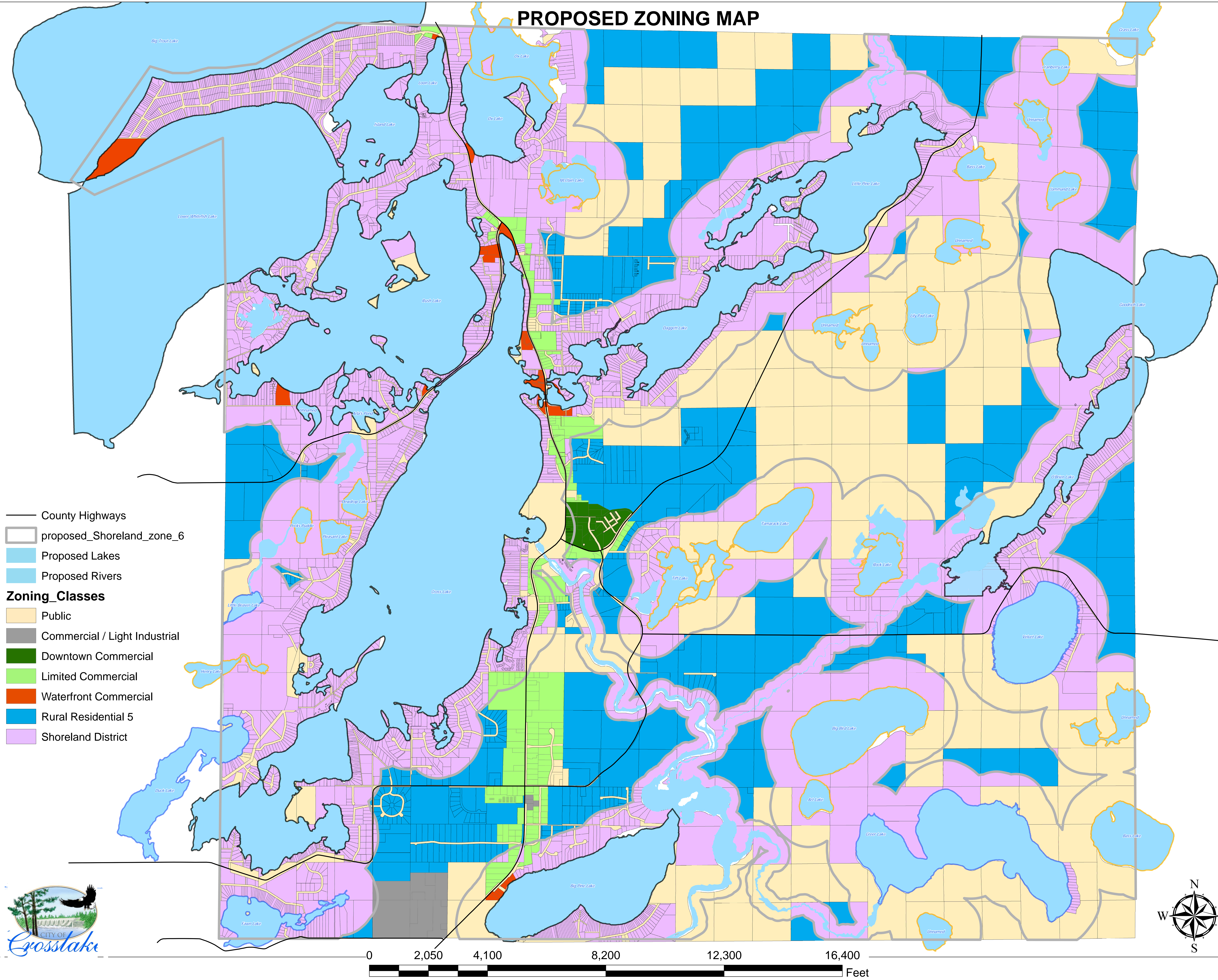
cc: Jon R. Kolstad, Land Services Specialist, City of Crosslake
John Devine, FEMA
Pat Collins, DNR Eco-Waters' Regional Manager
Mike Duval, DNR Eco-Waters' District Manager
Heidi Lindgren, DNR Eco-Waters' Area Hydrologist

EXISTING ZONING

- Zoning**
- Zoning Classes**
- Commercial
 - Commercial - Limited
 - Commercial - Waterfront
 - Commercial - Downtown
 - PDD - Planned Dev. Dist.
 - Industrial
 - Light Industrial
 - Open
 - Public
 - R1
 - R3
 - R4
 - RR
 - County Highways



PROPOSED ZONING MAP



Comprehensive Plan Land Use District Definitions (p.25)

CITY ZONING DISTRICTS

The City has adopted a Zoning Map and a Future Land Use Map to help direct the orderly growth of the City. The City uses its Zoning Ordinance and associated maps to regulate current land uses within the community. The Future Land Use Map is used to guide future development of vacant parcels of land within the City, direct redevelopment efforts and to guide land uses in new and developing areas. A parcel of land can be zoned for its historical use, but can be directed for another use in the future.

Crosslake's current Zoning Ordinance establishes primary categories of zoning districts to meet the City's planning, development and preservation needs (Figure 6). These zoning districts are described in the following.

RESIDENTIAL DISTRICTS

The City of Crosslake has established four basic residential districts. The first is the RR, Rural Residential District, which was established to maintain a low density wooded district, preserving the character of the City, and providing a rural single family setting with agricultural/forestry uses. The second residential zoning district is R-1, Low Density Residential District, which was established to maintain a low density, off lake land use district that preserves open space with density limitations controlled by lake or river classifications. Crosslake's third residential zoning district, the R-3, Medium Density Residential District, is intended to maintain a land use district consisting of shoreline and shoreland property controlled by lake or river classification that is recreational—residential in character and compatible with the natural resources of lakes and streams. The final residential district, the R-4, Urban Residential District, is intended to establish and maintain an off lake urban or similar land use for higher density residential purposes.

COMMERCIAL DISTRICTS

The commercial uses of Crosslake are located in one of four Commercial Districts. The first of which is the WC, Waterfront Commercial District, which is intended to establish and maintain a land use district limited to water-oriented businesses including marinas, resorts, restaurants, bars, rental units, campgrounds and related uses on General Development and Recreational Development lakes only. The second commercial district is the LC, Limited Commercial District. This district is established to provide a commercial environment with a mixture of commercial and office-related development and services. Crosslake's third commercial district, the C, Commercial District is intended to establish and provide a commercial environment with a limited mixture of commercial and office-related development and services. The fourth commercial district, the DC, Downtown Commercial District is intended to establish and maintain a pedestrian-oriented commercial district consisting of retail, offices and professional services.

INDUSTRIAL DISTRICT

The purpose of Crosslake's Industrial District is to establish and maintain a district for light industrial purposes that can provide employment opportunities for the residents of the community and allow for the production and manufacture of goods and products.

FLOODPLAIN

~~The Flood Plain Overlay District FP is intended to establish and maintain an Overlay District that recognizes and evaluates the flood hazards of flood plains and controls land use in the City of Crosslake. The purpose of this district is to maintain the City's eligibility in the National Flood Insurance Program and to minimize potential losses due to periodic flooding including loss of life, loss of 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, all of which adversely affect the public health, safety and general welfare.~~

WETLAND OVERLAY DISTRICT

~~This district is intended to provide guidance for the wise preservation and management of wetlands and thus preserve and enhance the quality of surface and ground waters, to preserve the economic and natural environmental values of wetlands and to provide for the wise use of water and related land resources of the state.~~

OPEN (SPECIAL PROTECTION DISTRICT)

~~The purpose of this district is to establish and maintain a land use district in the shorelands to prevent development from occurring in the environmentally sensitive wetlands and green space, whether publicly or privately owned, to enhance wildlife and passive recreation.~~

SHORELAND ZONING

~~The City of Crosslake adopted a Shoreland Management Ordinance on January 13, 1992. The ordinance gives control to Crosslake to regulate the subdivision use and development of the shorelands of public waters in the City. This allows the City to preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and regulate land resources.~~

Shoreland District (SD) The purpose of this district is to preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, protect drinking water sources, and provide for the wise use of water and related land resources. The primary use within this district is seasonal and year-round single family residential. Lot dimensions and density limitations are controlled by lake or river classifications. Compatible commercial or water-oriented commercial uses may be allowed as permitted or conditional uses.

Rural Residential-5 (RR-5). The purpose of this district is to establish and maintain a low density residential district with 5 acre minimum lot sizes outside the shoreland zone, preserving the character of the city and providing a rural single family setting with limited agriculture/forestry uses. The primary use within this district is single family residential and agriculture/forestry. Compatible commercial uses may be allowed as conditional uses.

Waterfront Commercial (WC). The purpose of this district is to accommodate commercial uses in the shoreland district where access to and use of a surface water feature is an integral part of the business. The primary uses in this district are marinas, resorts and restaurants with transient docking facilities.

Limited Commercial District (LC) The purpose of this district is to establish and provide a commercial environment with a limited mixture of commercial and office related development and services. A commercial district may be located within or outside the shoreland zone.

Downtown Commercial District (DC). The purpose of this district is to establish and provide a commercial environment with a mixture of commercial and office related development and services and maintain a pedestrian-oriented commercial district consisting of retail, offices and professional services. A downtown commercial district may be located within or outside the shoreland zone.

Commercial/Light Industrial District (C/LI). The purpose of this district is to establish and maintain a district for light industrial purposes with commercial activities which can provide the employment opportunities for the residents of the community, allow for the production and manufacture of goods and products, provide for the retail display and sale of the goods and products manufactured on the site with other related products or services, and provide professional contractor services and related office uses.

Sensitive Shoreland (SS). The purpose of this district is to accommodate limited residential uses, agricultural uses, and forest management activities within the shoreland protection zone while conserving sensitive land areas on which more intensive development would adversely affect water quality, wetlands, lakes, shorelines, slopes, wildlife habitat, biological ecosystems, or scenic and natural values. Density is decreased and performance standards established in order to minimize disturbance of soils and vegetation in the shoreland district, to prevent damage from erosion, floods, siltation and water turbidity, to prevent the loss of vegetation, fish, wildlife and natural habitat, to protect the quality of ground and surface waters, and to conserve natural and scenic areas in the shoreland protection zone. This district can only be designated in shoreland areas determined to be sensitive by the City Council.

**ORDINANCE NO. _____,
AN ORDINANCE AMENDING CHAPTER 44, THE SUBDIVISION
ORDINANCE, TO COORDINATE WITH CHANGES TO CHAPTER 26, THE
ZONING ORDINANCE
CITY OF CROSSLAKE
COUNTY OF CROW WING
STATE OF MINNESOTA**

The City Council of the City of Crosslake, in the County of Crow Wing, State of Minnesota, does ordain as follows:

SECTION 1. Section 44-4 is hereby amended as follows:

Sec. 44-4. Definitions

The definitions in section ~~26-4~~ 26 shall also apply to this chapter. Unless this context indicates a different meaning, for the purposes of this chapter, certain words, phrases and terms shall be construed as follows;

Keep each definition as now shown but delete “alley”, “auditor”, “bluff”, “engineer”, “road” and “utilities” since they are already defined in Section 26.

SECTION 2. Section 44-472(b) is hereby amended deleting it in its entirety:

~~(b) Property description and submittal information. The data and supportive information detailing the proposed lot combination shall include all the minimum data and information submittal requirements included as that required for nonconforming structures set forth in section 26-11(3)b.1 and shall include submittal of a legal description, certificate of survey and a completed survey checklist signed by a registered land surveyor.~~

SECTION 3. Section 44-502(b) is hereby amended deleting it in its entirety:

~~(b) Property description and submittal information. The data and supportive information detailing the proposed common lot line adjustment shall include all the minimum data and information submittal requirements included as that required for nonconforming structures set forth in section 26-11(3)b.1 and shall include submittal of a legal description, certificate of survey and a completed survey checklist signed by a registered land surveyor.~~

SECTION 4. This ordinance shall be in full force and effect upon its passage and publication according to law.

Passed by the Crosslake City Council on _____, 2014.

Darrell Schneider
Its Mayor

ATTEST:

Charlene Nelson
City Clerk

Published on _____.

THIS DOCUMENT DRAFTED BY:

J. Brad Person
Breen & Person
510 Laurel Street, Box 472
Brainerd, MN 56401

PLEASE RETURN DOCUMENTS TO THE ABOVE ADDRESSEE.

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, FEBRUARY 10, 2014
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, February 10, 2014. The following Council Members were present: Mayor Darrell Schneider, Steve Roe, Gary Heacox, John Moengen and Mark Wessels. Also present were City Clerk Char Nelson, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, General Manager Paul Hoge, Finance Director/Treasurer Mike Lyonais, Police Chief Bob Hartman, Fire Chief Chip Lohmiller, City Attorney Brad Person, City Engineer Dave Reese, Crow Wing County Land Service Supervisor Chris Pence, Northland Press Reporter Paul Boblett, and Echo Publishing Reporter Kate Perkins. City Administrator/Consultant Dan Vogt was absent. There were approximately nine people in the audience.

A. CALL TO ORDER – Mayor Schneider called the Regular Council Meeting to order at 7:00 P.M. The Pledge of Allegiance was recited. MOTION 02R-01-14 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO APPROVE THE ADDITIONS TO THE AGENDA. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES –

1. Mike O’Connell of the St. Patrick’s Day Committee appeared before the Council and thanked the City for their past support in preparing for the St. Patrick’s Day Celebration. Mr. O’Connell gave a brief summary of the upcoming St. Patrick’s Day events to take place and announced that there would be a 5K Run/Walk this year on the morning of March 15th before the parade. Mr. O’Connell asked that the Council allow City employees to help in the preparation of the parade and safety during and after the parade.

Cindy Myogeto of the Crosslake Chamber addressed the Council and announced that there would be a raffle this year and that the application was included in the Council packet. Ms. Myogeto stated that the Chamber was in favor of the 5K Run/Walk but not involved with the race.

Henry Praske, director of the Clover Dash 5K Run/Walk, appeared before the Council to formally request approval for the 5K Run/Walk. Mr. Praske noted that the route is safe and that there is no crossing of streets required. If the City is in favor of the race, Mr. Praske will obtain a Certificate of Insurance with the City named as an additional insured. MOTION 02R-02-14 WAS MADE BY STEVE ROE AND SECONDED BY JOHN MOENGEN TO APPROVE THE CLOVER DASH 5K RUN/WALK IN THE CITY OF CROSSLAKE ON MARCH 15, 2014, CONTINGENT ON RECEIVING CERTIFICATE OF INSURANCE. MOTION CARRIED WITH ALL AYES.

MOTION 02R-03-14 WAS MADE BY DARRELL SCHNEIDER AND SECONDED BY MARK WESSELS TO APPROVE THE USE OF VOLUNTEERS, THE PUBLIC WORKS DEPARTMENT, THE POLICE DEPARTMENT, AND FIRST

RESPONDERS, AS WELL AS CITY ROADS FOR THE ST. PATRICK'S DAY PARADE AND CELEBRATION. MOTION CARRIED WITH ALL AYES.

2. Crow Wing County Sheriff Todd Dahl appeared before the Council for his annual City visit and community update. The Sheriff gave the Council and audience information on gun permits, recent arrests, drug use, DUI's and texting while driving. The Sheriff encouraged citizens to call 911 if they witness any suspicious activity.

C. CONSENT CALENDAR – MOTION 02R-04-14 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR:

- (1.) REGULAR COUNCIL MEETING MINUTES OF JANUARY 13, 2014;
- (2.) CITY MONTH END REVENUE REPORT DATED JANUARY 2014;
- (3.) CITY MONTH END EXPENDITURE REPORT DATED JANUARY 2014;
- (4.) JANUARY 2014 BUDGET TO ACTUAL ANALYSIS;
- (5.) PLEDGED COLLATERAL REPORT FROM MIKE LYONAS;
- (6.) LIABILITY COVERAGE WAIVER FORM FROM LEAGUE OF MN CITIES INSURANCE TRUST;
- (7.) CROSSLAKE COMMUNICATIONS BALANCE SHEET/INCOME STATEMENT DATED NOVEMBER 30, 2013;
- (8.) CROSSLAKE COMMUNICATIONS BALANCE SHEET/INCOME STATEMENT DATED DECEMBER 31, 2013;
- (9.) CROSSLAKE COMMUNICATIONS CHECK REGISTER FOR NOVEMBER 2013;
- (10.) CROSSLAKE COMMUNICATIONS CHECK REGISTER FOR DECEMBER 2013;
- (11.) CROSSLAKE COMMUNICATIONS REGULAR MEETING MINUTES OF JANUARY 28, 2014;
- (12.) CROSSLAKE COMMUNICATIONS CUSTOMER COUNTS;
- (13.) JANUARY 2014 POLICE REPORT FOR CROSSLAKE;
- (14.) JANUARY 2014 POLICE REPORT FOR MISSION TOWNSHIP;
- (15.) MEMO DATED FEBRUARY 4, 2014 FROM CHIEF HARTMAN RE: 2014-2015 LAW ENFORCEMENT CONTRACT AND JOINT POWERS AGREEMENT BETWEEN CROSSLAKE AND MISSION TOWNSHIP;
- (16.) JANUARY 2014 FIRE DEPARTMENT REPORT;
- (17.) MEMO DATED FEBRUARY 6, 2014 FROM CITY CLERK RE: 2014-2015 FIRE SERVICE CONTRACTS;
- (18.) JANUARY 2014 NORTH AMBULANCE RUN REPORT;
- (19.) EDA MEETING MINUTES OF JANUARY 8, 2014;
- (20.) PLANNING AND ZONING COMMISSION MEETING MINUTES OF DECEMBER 16, 2013;
- (21.) CROSSLAKE PARK/LIBRARY COMMISSION MEETING MINUTES OF NOVEMBER 20, 2013;
- (22.) DECEMBER 2013 WASTEWATER TREATMENT DISCHARGE MONITORING REPORT;
- (23.) CROSSLAKE ROLL-OFF RECYCLING REPORT FOR JANUARY 2014;
- (24.) WASTE PARTNERS RECYCLING REPORT FOR DECEMBER 2013;
- (25.) \$100 DONATION TO PEQUOT LAKES HIGH SCHOOL GRAD BLAST;

(26.) LG220 APPLICATION FOR EXEMPT PERMIT FROM CROSSLAKE LUTHERAN CHURCH TO CONDUCT RAFFLE;
(27.) MEMO DATED FEBRUARY 4, 2014 FROM CITY CLERK RE: CEMETERY LOTS;
(28.) BILLS FOR APPROVAL IN THE AMOUNT OF \$76,441.89;
(29.) ADDITIONAL BILLS FOR APPROVAL IN THE AMOUNT OF \$15,156.30;
(30.) LG220 APPLICATION FOR EXEMPT PERMIT FROM NORTHERN MINNESOTA RAILROAD HERITAGE ASSN TO CONDUCT RAFFLE; AND
(31.) LG220 APPLICATION FOR EXEMPT PERMIT FROM BRAINERD LAKES CHAMBER TO CONDUCT RAFFLE. MOTION CARRIED WITH ALL AYES.

D. MAYOR'S REPORT – MOTION 02R-05-14 WAS MADE BY DARRELL SCHNEIDER AND SECONDED BY JOHN MOENGEN TO SET THE DATE FOR THE BOARD OF REVIEW AND EQUALIZATION MEETING ON FRIDAY, APRIL 11, 2014 AT 10:00 A.M. IN CITY HALL. MOTION CARRIED WITH ALL AYES.

E. CITY ADMINISTRATOR'S REPORT

1. Mike Lyonais reported that City staff obtained quotes for installation of new carpet in the Administration Offices and the Council Chambers and removal of the original carpet installed in 1994. Quotes were received from JAG Interior Solutions, Home Interior Supply and Becker's Crosslake Floor Covering. The lowest quotes were received from Home Interior Supply of Crosslake. MOTION 02R-06-14 WAS MADE BY JOHN MOENGEN AND SECONDED BY STEVE ROE TO ACCEPT THE QUOTES FOR CARPET INSTALLATION FROM HOME INTERIOR SUPPLY IN THE ADMINISTRATION OFFICES AT A COST OF \$7,101.72 AND IN THE COUNCIL CHAMBERS AT A COST OF \$5,106.28. Mark Wessels suggested that one area be completed in 2014 and the other area be completed in 2015. MOTION CARRIED WITH ALL AYES.
2. Mike Lyonais gave the Council an update regarding the outstanding Planning and Zoning reimbursement fees. Out of the 68 invoices mailed, 53 property owners have paid the fees. Five property owners have responded to the City and have asked for more information or a review of their situation. The remaining ten property owners have not responded. MOTION 02R-07-14 WAS MADE BY MARK WESSELS AND SECONDED BY GARY HEACOX TO DIRECT STAFF TO MAIL FINAL NOTICES BY CERTIFIED MAIL TO THE TEN PROPERTY OWNERS THAT HAVE NOT REPLIED AND REQUEST A RESPONSE BY MARCH 5, 2014. The Council will address all outstanding fees at the next Council Meeting of March 10, 2014. The City has the option to certify these fees to the Crow Wing County Auditor for collection with their property tax.
3. The Council reviewed the Construction Cost Share Agreement Between Crow Wing County and the City of Crosslake for the Reconstruction of CSAH 3 from CSAH 66 to CSAH 1. Mike Lyonais reported that the City has approximately \$300,000 in the 2014 Budget for road projects. The Agreement allows the City to choose whether to pay all funds in 2014 or to pay 50% of the funds in 2014 and 50% of the funds in 2015. MOTION 02R-08-14 WAS MADE BY STEVE ROE AND SECONDED BY JOHN MOENGEN TO APPROVE THE CONSTRUCTION COST SHARE AGREEMENT BETWEEN CROW WING COUNTY AND THE CITY OF CROSSLAKE FOR THE

RECONSTRUCTION OF COUNTY STATE AID HIGHWAY (CSAH 3) FROM CSAH 66 TO CSAH 1 IN THE ESTIMATED AMOUNT OF \$237,062.70. MOTION CARRIED WITH ALL AYES.

F. COMMISSION REPORTS

1. PLANNING AND ZONING

- a. Chris Pence gave a brief summary of the Ordinance Revision process. Ten citizens have submitted 111 comments. Approximately 50 changes have been made to the proposed Ordinance. The redline copy of the Ordinance is available to view on the City's webpage. Comments are still welcome. The Planning and Zoning Commission will review the Ordinance at the meeting of February 28, 2014 at 9:00 A.M. and the public is welcome and encouraged to attend.

2. PUBLIC SAFETY

- a. Fire Chief Chip Lohmiller appeared before the Council to discuss the details of the purchase of the new fire truck. The current tender is 26 years old and the City of Ogema is interested in purchasing it at a cost of \$53,000. Mike Lyonais reviewed the HGACBuy Contract with the Council and explained that purchasing the truck through this cooperative was the least expensive option and eliminates the requirement to obtain bids. The cost to join the coop is \$2,000. MOTION 02R-09-14 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO APPROVE PARTICIPATION IN THE INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING AT A COST OF \$2,000. MOTION CARRIED WITH ALL AYES.

MOTION 02R-10-14 WAS MADE BY MARK WESSELS AND SECONDED BY STEVE ROE TO DECLARE THE OLD TENDER AS SURPLUS EQUIPMENT AND APPROVE THE SALE OF THE TENDER TO THE OGEMA FIRE DEPARTMENT AT A COST OF \$53,000. MOTION CARRIED WITH ALL AYES.

MOTION 02R-11-14 WAS MADE BY MARK WESSELS AND SECONDED BY GARY HEACOX TO APPROVE THE PURCHASE OF THE FREIGHTLINER, 2 DOOR, TANDEM AXLE, CUSTOM FIRE TANKER ALUMINUM BODY, 500 GPM PUMP (3,000 GALLONS) AT A COST OF \$229,104. MOTION CARRIED WITH ALL AYES.

3. PARK AND RECREATION/LIBRARY

- a. Jon Henke gave the Council an update on the library, senior meals, fitness room/Silver Sneakers/Silver & Fit, January attendance, AAA classes, pickleball, and the AARP Tax Help Program. MOTION 02R-12-14 WAS MADE BY MARK WESSELS AND SECONDED BY STEVE ROE TO ACCEPT THE FOLLOWING DONATIONS FROM THE CROSSLAKE PARK AND LIBRARY FOUNDATION: \$648.60 FOR THE LIGHT UP THE DAM PROJECT AND \$300 FOR THE BIRD FEEDING PROGRAM. MOTION CARRIED WITH ALL AYES.

MOTION 02R-13-14 WAS MADE BY MARK WESSELS AND SECONDED BY GARY HEACOX TO DIRECT JON HENKE TO REVIEW APPLICATIONS FOR THE PART-TIME POSITION AT THE COMMUNITY CENTER, TO CONDUCT INTERVIEWS AND TO HIRE AN APPLICANT, PENDING A FAVORABLE BACKGROUND CHECK. MOTION CARRIED WITH ALL AYES.

- b. Jon Henke recommended that the Council approve the 2014 Kitchigami Service Agreement which was included in the additions to the agenda. The Kitchigami Regional Library Board agreed to the proposed changes submitted by Jon Henke for the City of Crosslake. MOTION 02R-14-14 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO APPROVE THE 2014 KITCHIGAMI REGIONAL LIBRARY SYSTEM SERVICE CONTRACT AND THE KRLS DATA PRIVACY AND NON-DISCLOSURE POLICY AS PRESENTED. MOTION CARRIED WITH ALL AYES.

4. CROSSLAKE COMMUNICATIONS

- a. General Manager Paul Hoge reported that the Crosslake Communications' audit has been completed and that a joint meeting with the Council and Crosslake Communications Advisory Board should be scheduled to review the audit with auditors of Olsen Thielen. Mr. Hoge would notify the Council if March 13, 2014 was available for Olsen Thielen to present the audit.

Mr. Hoge reported that Crosslake Communications is putting a link on their website for Tvonmyside.com in an attempt to be proactive in the upcoming negotiations with the broadcasters. Customers can click on this link to check the status of the negotiations. Crosslake Communications has added a service called WatchTVEverywhere. Cable customers will have the ability to watch some programming on computers, smart phones and tablets. Mr. Hoge will check into whether or not Cable Channel 12 will be available through this service which would allow customers to view Council Meetings from anywhere.

Mr. Hoge announced that Ron Schmidt was presented a plaque for 40 Years of Service at the Advisory Board Meeting.

G. CITY ATTORNEY REPORT – Attorney Person suggested that the City consider certification of delinquent fees on a biannual basis rather than an annual basis so that fees on properties in foreclosure or bankruptcy are more likely to be collected. Mr. Person will bring a draft ordinance to the next meeting for review.

H. OLD BUSINESS – Mark Wessels recalled that a complaint policy was approved in 2013 for Planning and Zoning issues and suggested the same policy be used for all departments. Steve Roe asked if there was a policy for mailbox replacement due to damage from snowplows. Ted Strand replied that the City has no policy but that his department fixes the mailboxes if the City is responsible for the damage. Mr. Strand suggested that a uniform mailbox policy be implemented, similar to Crow Wing County's policy, to require uniform height and style

of mailboxes. The Council will consider a Citywide Complaint Policy and Uniform Mailbox Policy at the next meeting.

I. NEW BUSINESS – None.

J. PUBLIC FORUM – None.

K. ADJOURN – MOTION 02R-15-14 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO ADJOURN THE MEETING AT 8:50 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

Charlene Nelson
City Clerk

Deputy Clerk/Minutes/2-10-14

CITY OF CROSSLAKE

03/05/14 10:27 AM

Page 1

Month-End Revenue

Current Period: FEBRUARY 2014

SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
FUND 101 GENERAL FUND						
31000	General Property Taxes	\$2,188,747.00	\$0.00	\$0.00	\$2,188,747.00	0.00%
31055	Tax Incr 1-8 Crosswoods Dev	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31101	County Payment Joint Facility	\$112,839.00	\$0.00	\$0.00	\$112,839.00	0.00%
31300	Emergency Services Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31305	2003 Joint Facility Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31310	2012 Series A Levy	\$122,161.00	\$0.00	\$0.00	\$122,161.00	0.00%
31800	Other Taxes	\$0.00	\$1,167.08	\$1,167.08	-\$1,167.08	0.00%
31900	Penalties and Interest DelTax	\$2,000.00	\$0.00	\$736.78	\$1,263.22	36.84%
32110	Alcoholic Beverages	\$12,300.00	\$0.00	\$0.00	\$12,300.00	0.00%
32111	Club Liquor License	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
32112	Beer and Wine License	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
32180	Other Licenses/Permits	\$200.00	\$0.00	\$50.00	\$150.00	25.00%
33400	State Grants and Aids	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33401	Local Government Aid	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33402	Homestead Credit	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33403	Mobile Home Homestead Credit	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33406	Taconite Homestead Credit	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33416	Police Training Reimbursement	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
33417	Police State Aid	\$33,000.00	\$0.00	\$0.00	\$33,000.00	0.00%
33418	Fire State Aid	\$28,000.00	\$0.00	\$0.00	\$28,000.00	0.00%
33419	Fire Training Reimbursement	\$0.00	\$1,500.00	\$1,500.00	-\$1,500.00	0.00%
33420	Insurance Premium Reimburse	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33422	PERA State Aid	\$2,979.00	\$0.00	\$0.00	\$2,979.00	0.00%
33423	Insurance Claim Reimbursement	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33650	Recycling Grant	\$30,000.00	\$0.00	\$30,000.00	\$0.00	100.00%
34000	Charges for Services	\$200.00	-\$20.00	\$16.00	\$184.00	8.00%
34010	Sale of Maps and Publications	\$100.00	\$10.00	\$10.00	\$90.00	10.00%
34050	Candidate Filing Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34103	Zoning Permits	\$28,000.00	\$130.00	\$1,880.00	\$26,120.00	6.71%
34104	Plat Check Fee/Subdivision Fee	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
34105	Variances and CUPS/IUPS	\$8,800.00	\$0.00	\$500.00	\$8,300.00	5.68%
34106	Sign Permits	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
34107	Assessment Search Fees	\$800.00	\$5.00	\$45.00	\$755.00	5.63%
34108	Zoning Misc/Penalties	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
34109	Zoning Reimb Eng/Legal/Survey	\$5,000.00	-\$4,505.00	-\$3,165.50	\$8,165.50	-63.31%
34110	TIF/JOBZ Pre Application Fee	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34111	Driveway Permits	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
34112	Septic Permits	\$3,750.00	\$0.00	\$475.00	\$3,275.00	12.67%
34113	Landscape License Fee	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
34114	Zoning Map/Ordinance Amendment	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34201	Fire Department Donations	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
34202	Fire Protection and Calls	\$31,250.00	\$7,264.01	\$7,264.01	\$23,985.99	23.24%
34206	Animal Control Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34207	House Burning Fee	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
34210	Police Contracts	\$48,000.00	\$16,000.00	\$16,000.00	\$32,000.00	33.33%
34211	Police Donations	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34213	Police Receipts	\$4,000.00	\$0.00	\$0.00	\$4,000.00	0.00%
34214	Tac Team Donations	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34215	Pass Thru Donations	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34300	E911 Signs	\$1,000.00	\$0.00	\$100.00	\$900.00	10.00%
34700	Park & Rec Donation	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

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Month-End Revenue

Current Period: FEBRUARY 2014

SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
34701	Halloween Donations	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34711	Taxable Merchandise/Rentals	\$100.00	\$10.00	\$50.00	\$50.00	50.00%
34740	Park Concessions	\$250.00	\$31.00	\$46.00	\$204.00	18.40%
34741	Gen Gov t Concessions	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
34742	Park Concessions - Food	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34743	Public Works Concessions	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34744	Fire Department Concessions	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34750	CCC/Park User Fee	\$3,500.00	\$38.00	\$38.00	\$3,462.00	1.09%
34751	Shelter/Beer/Wine Fees	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
34760	Library Cards	\$1,500.00	\$55.00	\$171.00	\$1,329.00	11.40%
34761	Library Donations	\$0.00	\$10.00	\$210.00	-\$210.00	0.00%
34762	Library Copies	\$500.00	\$16.30	\$39.95	\$460.05	7.99%
34763	Library Events	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
34764	Library Miscellaneous	\$0.00	\$0.00	\$5.00	-\$5.00	0.00%
34765	Summer Reading Program	\$350.00	\$0.00	\$0.00	\$350.00	0.00%
34766	Library Luncheon	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34767	New York Times Best Seller Pro	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34768	PAL Foundation - Library	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
34769	PAL Foundation - Park	\$2,000.00	\$155.00	\$3,958.95	-\$1,958.95	197.95%
34770	Silver Sneakers	\$5,000.00	\$443.00	\$1,366.00	\$3,634.00	27.32%
34790	Park Dedication Fees	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
34800	Tennis Fees	\$1,100.00	\$0.00	\$0.00	\$1,100.00	0.00%
34801	Recreational-Program	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
34802	Softball/Baseball Fees	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
34803	Recreation-Misc. Receipts	\$100.00	\$10.00	\$209.00	-\$109.00	209.00%
34805	Aerobics Fees	\$4,000.00	\$0.00	\$0.00	\$4,000.00	0.00%
34806	Weight Room Fees	\$30,000.00	\$1,452.00	\$5,069.00	\$24,931.00	16.90%
34807	Volleyball Fees	\$500.00	\$28.00	\$60.00	\$440.00	12.00%
34808	Silver and Fit	\$0.00	\$125.00	\$950.00	-\$950.00	0.00%
34809	Soccer Fees	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
34910	Transit Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34940	Cemetery Lots	\$3,000.00	\$500.00	\$500.00	\$2,500.00	16.67%
34941	Cemetery Openings	\$3,500.00	\$200.00	\$200.00	\$3,300.00	5.71%
34942	Cemetery Other	\$450.00	\$0.00	\$0.00	\$450.00	0.00%
34950	Public Works Revenue	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
34952	County Joint Facility Payments	\$45,000.00	-\$8,422.39	\$0.00	\$45,000.00	0.00%
34953	Recycling Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
35100	Court Fines	\$15,000.00	-\$964.15	\$320.68	\$14,679.32	2.14%
35103	Library Fines	\$0.00	\$96.00	\$156.00	-\$156.00	0.00%
35105	Restitution Receipts	\$900.00	\$1,633.00	\$1,633.00	-\$733.00	181.44%
36200	Miscellaneous Revenues	\$500.00	\$0.00	\$75.00	\$425.00	15.00%
36201	Misc Reimbursements	\$715.00	\$25.74	\$44.96	\$670.04	6.29%
36210	Interest Earnings	\$3,000.00	\$264.30	\$564.66	\$2,435.34	18.82%
36230	Contributions and Donations	\$12,500.00	\$0.00	\$0.00	\$12,500.00	0.00%
36254	Sp Assess Prin-Sunrise Isl 11	\$3,963.00	\$0.00	\$0.00	\$3,963.00	0.00%
36255	Sp Assess Int-Sunrise Isl 11	\$1,461.00	\$0.00	\$0.00	\$1,461.00	0.00%
38050	Telephone Fees	\$265,000.00	\$22,083.37	\$44,166.74	\$220,833.26	16.67%
38051	Telephone True-Up	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
38052	Telephone Miscellaneous Rev	\$25,000.00	\$0.00	\$3,532.00	\$21,468.00	14.13%
39101	Sales of General Fixed Assets	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39204	Transfer Frm Needs Assess Fund	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39230	Proceeds - 2006 Series B Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

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Month-End Revenue

Current Period: FEBRUARY 2014

SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
39330	Proceeds from Capital Lease	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39400	Bond Premium	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39700	Capital Contrib from CU	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 101 GENERAL FUND		\$3,115,065.00	\$39,340.26	\$119,944.31	\$2,995,120.69	9.74%
FUND 301 DEBT SERVICE FUND						
31000	General Property Taxes	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31100	REA Loan Payment	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31101	County Payment Joint Facility	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31200	Community Ctr Levy Refund 2002	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31300	Emergency Services Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31301	1999 Series A Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31302	1999 Series B Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31303	2001 Series A Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31304	2002 Series A Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31305	2003 Joint Facility Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31306	2003 Disposal System Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31307	2004 Series A Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31308	2006 Series B Levy	\$135,746.00	\$0.00	\$0.00	\$135,746.00	0.00%
31309	2006 Series C Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31310	2012 Series A Levy	\$109,346.00	\$0.00	\$0.00	\$109,346.00	0.00%
31900	Penalties and Interest DelTax	\$1,500.00	\$0.00	\$265.72	\$1,234.28	17.71%
33402	Homestead Credit	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36104	Penalty & Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36105	Sp Assess Prin Ox Lake 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36106	Sp Assess Int Ox Lake 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36107	Sp Assess Prin Jason/Staley 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36108	Sp Assess Int Jason/Staley 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36109	Sp Assess Prin Lakeshore/Pk 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36110	Sp Assess Int Lakeshore/Pk 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36111	Sp Assess Prin Miller/Mary 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36112	Sp Assess Int Miller/Mary 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36113	Sp Assess Prin Sugar Loaf 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36114	Sp Assess Int Sugar Loaf 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36115	Sp Assess Prin Kimberly 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36116	Sp Assess Int Kimberly 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36117	Sp Assess Prin Shamrock 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36118	Sp Assess Int Shamrock 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36119	Sp Assess Prin Sleepy Val 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36120	Sp Assess Int Sleepy Val 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36121	Sp Assess Prin Tamarack 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36122	Sp Assess Int Tamarack 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36123	Sp Assess Prin Red Pine 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36124	Sp Assess Int Red Pine 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36125	Sp Assess Prin Cross Ave 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36126	Sp Assess Int Cross Ave 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36127	Sp Assess Prin Wilderness 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36128	Sp Assess Int Wilderness 99	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36129	Sp Assess Prin Kimberly/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36130	Sp Assess Int Kimberly/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36131	Sp Assess Prin Waterwood/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36132	Sp Assess Int Waterwood/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36133	Sp Assess Prin Shores Dr/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

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Month-End Revenue

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SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
36134	Sp Assess Int Shores Dr/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36135	Sp Assess Prin Backdahl Rd/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36136	Sp Assess Int Backdahl Rd/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36137	Sp Assess Prin Daggett Lane/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36138	Sp Assess Int Daggett Lane/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36139	Sp Assess Prin Deer Rg/Rldg/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36140	Sp Assess Int Deer Rg/Rldg/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36141	Sp Assess Prin Log Ldg/Timb/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36142	Sp Assess Int Log Ldg/Timb/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36143	Sp Assess Prin Velvet Ln/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36144	Sp Assess Int Velvet Ln/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36145	Sp Assess Prin Rabbit Ln/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36146	Sp Assess Int Rabbit Ln/00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36147	Sp Assess Prin PineBay/Wolf 00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36148	Sp Assess Int Pine Bay/Wolf 00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36149	Sp Assess Prin White Oak Dr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36150	Sp Assess Int White Oak Dr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36151	Sp Assess Prin Red Oak Cir/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36152	Sp Assess Int Red Oak Cir/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36153	Sp Assess Prin Summit Ave/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36154	Sp Assess Int Summit Ave/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36155	Sp Assess Prin Gale Ln/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36156	Sp Assess Int Gale Ln/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36157	Sp Assess Prin Rush Ln/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36158	Sp Assess Int Rush Ln/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36159	Sp Assess Prin Gins/Twin/An/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36160	Sp Assess Int Gins/Twin/An/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36161	Sp Assess Prin Anchor Pt Tr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36162	Sp Assess Int Anchor Pt Tr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36163	Sp Assess Prin Ivy Ln/Tr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36164	Sp Assess Int Ivy Ln/Tr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36165	Sp Assess Prin 1st/2nd/2nd/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36166	Sp Assess Int 1st/2nd/2nd/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36167	Sp Assess Prin Anderson Ct/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36168	Sp Assess Int Anderson Ct/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36169	Sp Assess Prin Cool Haven/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36170	Sp Assess Int Cool Haven/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36171	Sp Assess Prin Pinedale/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36172	Sp Assess Int Pinedale/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36173	Sp Assess Prin Manhattan Dr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36174	Sp Assess Int Manhattan Dr/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36175	Sp Assess Prin Eagle St/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36176	Sp Assess Int Eagle St/01	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36177	Sp Assess Prin Wolf Tr/Ct/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36178	Sp Assess Int Wolf Tr/Ct/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36179	Sp Assess Prin Willwood/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36180	Sp Assess Int Willwood/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36181	Sp Assess Prin Shafer Rd/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36182	Sp Assess Int Shafer Rd/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36183	Sp Assess Prin Sandra Rd/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36184	Sp Assess Int Sandra Rd/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36185	Sp Assess Prin Lake Tr/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36186	Sp Assess Int Lake Tr/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

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Month-End Revenue

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SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
36187	Sp Assess Prin Happy Cove/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36188	Sp Assess Int Happy Cove/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36189	Sp Assess Prin Bay Shores/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36190	Sp Assess Int Bay Shores/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36191	Sp Assess Prin Woodland Dr/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36192	Sp Assess Int Woodland Dr/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36193	Sp Assess Prin Pine Pt/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36194	Sp Assess Int Pine Pt/02	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36195	Sp Assess Prin ABC Dr 03	\$4,413.00	\$0.00	\$0.00	\$4,413.00	0.00%
36196	SpAssess Int ABC Drive	\$276.00	\$0.00	\$15.98	\$260.02	5.79%
36197	SpAssess Prin Wildwood/White B	\$5,718.00	\$0.00	\$0.00	\$5,718.00	0.00%
36198	SpAssess Int Wildwood/White B	\$357.00	\$0.00	\$35.70	\$321.30	10.00%
36199	SpAssess Prin Greer Lake Rd 03	\$3,133.00	\$0.00	\$0.00	\$3,133.00	0.00%
36200	Miscellaneous Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$1,734.00	\$0.00	\$0.00	\$1,734.00	0.00%
36235	SpAssess Int Greer Lake Rd 03	\$196.00	\$0.00	\$0.00	\$196.00	0.00%
36236	SpAssess Prin East Shore 2004	\$1,538.00	\$0.00	\$0.00	\$1,538.00	0.00%
36237	SpAssess Int East Shore 2004	\$96.00	\$0.00	\$0.00	\$96.00	0.00%
36238	SpAssess Prin Margaret 2004	\$1,059.00	\$0.00	\$0.00	\$1,059.00	0.00%
36239	SpAssess Int Margaret 2004	\$66.00	\$0.00	\$0.00	\$66.00	0.00%
36240	SpAssess Prin Edgewater 2004	\$1,907.00	\$0.00	\$0.00	\$1,907.00	0.00%
36241	SpAssess Int Edgewater 2004	\$119.00	\$0.00	\$0.00	\$119.00	0.00%
36242	SpAssess Prin Gendreau 2004	\$1,940.00	\$0.00	\$0.00	\$1,940.00	0.00%
36243	SpAssess Int Gendreau 2004	\$121.00	\$0.00	\$19.38	\$101.62	16.02%
36244	Sp Assess Prin - Duck Lane	\$2,273.00	\$0.00	\$0.00	\$2,273.00	0.00%
36245	Sp Assess Int - Duck Lane	\$396.00	\$0.00	\$0.00	\$396.00	0.00%
36246	Sp Assess Prin - Sunset Drive	\$2,685.00	\$0.00	\$0.00	\$2,685.00	0.00%
36247	Sp Assess Int - Sunset Drive	\$468.00	\$0.00	\$0.00	\$468.00	0.00%
36248	Sp Assess Prin - Maroda Drive	\$993.00	\$0.00	\$0.00	\$993.00	0.00%
36249	Sp Assess Int - Maroda Drive	\$173.00	\$0.00	\$0.00	\$173.00	0.00%
36250	Sp Assess Prin - Johnie/Rober	\$4,024.00	\$0.00	\$0.00	\$4,024.00	0.00%
36251	Sp Assess Int - Johnie/Robert	\$701.00	\$0.00	\$0.00	\$701.00	0.00%
36252	Sp Assess Prin - Brita/Pinevie	\$13,755.00	\$0.00	\$0.00	\$13,755.00	0.00%
36253	Sp Assess Int - Brita/Pineview	\$2,397.00	\$0.00	\$140.48	\$2,256.52	5.86%
36254	Sp Assess Prin-Sunrise Isl 11	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36255	Sp Assess Int-Sunrise Isl 11	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
38052	Telephone Miscellaneous Rev	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39230	Proceeds - 2006 Series B Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39311	Proceeds-Wilderness GO Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39314	Proceeds-2001 Bond Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39315	Proceeds-2002 Bond Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39318	Proceeds--2004 ESC Refunding	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39319	Proceeds-2004 Impr Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39900	02 Series A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 301 DEBT SERVICE FUND		\$297,130.00	\$0.00	\$477.26	\$296,652.74	0.38%
FUND 401 GENERAL CAPITAL PROJECTS						
31000	General Property Taxes	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
33420	Insurance Premium Reimburse	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34790	Park Dedication Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$2,000.00	\$48.08	\$101.29	\$1,898.71	5.06%
36230	Contributions and Donations	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

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Month-End Revenue

Current Period: FEBRUARY 2014

SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
39101	Sales of General Fixed Assets	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39102	Sale of City Hall	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39103	Sale of Fire Hall	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39104	Sale of Lots-Gendreau Addn.	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39231	Proceeds-2006 Series C Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 401 GENERAL CAPITAL PROJECTS		\$2,000.00	\$48.08	\$101.29	\$1,898.71	0.46%
FUND 404 JOBZ						
31000	General Property Taxes	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34110	TIF/JOBZ Pre Application Fee	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34204	JOBZ Recipient Deposit	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34208	JOBZ Annual Fee	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 404 JOBZ		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 405 TAX INCREMENT FINANCE PROJECTS						
31000	General Property Taxes	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31050	Tax Increments LeRever	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31051	Tax Increments Daggett Brook	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31052	Tax Increments Reeds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31053	Tax Increments - Ace Hardware	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31054	Tax Increment - Crosswoods	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31055	Tax Incr 1-8 Crosswoods Dev	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31056	Tax Increment 1-9 C&J Develop	\$14,000.00	\$0.00	\$0.00	\$14,000.00	0.00%
33403	Mobile Home Homestead Credit	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36104	Penalty & Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36201	Misc Reimbursements	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 405 TAX INCREMENT FINANCE PROJECTS		\$14,000.00	\$0.00	\$0.00	\$14,000.00	0.00%
FUND 408 WEST SHORE DRIVE						
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39310	Proceeds-Gen Obligation Bond	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39318	Proceeds--2004 ESC Refunding	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 408 WEST SHORE DRIVE		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 412 DUCK LANE						
36200	Miscellaneous Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39310	Proceeds-Gen Obligation Bond	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 412 DUCK LANE		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 414 SUNRISE ISLAND BRIDGE PROJECT						
33400	State Grants and Aids	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36200	Miscellaneous Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 414 SUNRISE ISLAND BRIDGE PROJECT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 415 AMBULANCE PROJECT						
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 415 AMBULANCE PROJECT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 420 LIBRARY PROJECT						
31000	General Property Taxes	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

Month-End Revenue

Current Period: FEBRUARY 2014

SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
36200	Miscellaneous Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36230	Contributions and Donations	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39310	Proceeds-Gen Obligation Bond	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 420 LIBRARY PROJECT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 432 SEWER PROJECT						
36200	Miscellaneous Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$0.00	\$0.12	\$0.26	-\$0.26	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39204	Transfer Frm Needs Assess Fund	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39316	Proceeds-2003 Series A Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39317	Proceeds-2003 Series B Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 432 SEWER PROJECT		\$0.00	\$0.12	\$0.26	-\$0.26	0.00%
FUND 502 ECONOMIC DEVELOPMENT FUND						
31000	General Property Taxes	\$23,000.00	\$0.00	\$0.00	\$23,000.00	0.00%
31101	County Payment Joint Facility	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31300	Emergency Services Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31305	2003 Joint Facility Levy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
31802	EDA Tax Recelpts	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34101	City Hall User Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
34951	Rev Loan Principal Pymts	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36200	Miscellaneous Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36212	Restricted Interest Income	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36220	Lease Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39319	Proceeds-2004 Impr Bonds	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 502 ECONOMIC DEVELOPMENT FUND		\$23,000.00	\$0.00	\$0.00	\$23,000.00	0.00%
FUND 503 EDA (REVOLVING LOAN)						
34951	Rev Loan Prindpal Pymts	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$2,000.00	\$163.06	\$320.32	\$1,679.68	16.02%
36211	Revolving Loan Interest	\$4,450.00	\$379.51	\$583.13	\$3,866.87	13.10%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 503 EDA (REVOLVING LOAN)		\$6,450.00	\$542.57	\$903.45	\$5,546.55	7.28%
FUND 601 SEWER OPERATING FUND						
33423	Insurance Claim Reimbursement	\$0.00	-\$3,672.31	\$0.00	\$0.00	0.00%
34410	Unallocated Reserves	\$0.00	-\$2,371.10	\$531.50	-\$531.50	0.00%
36104	Penalty & Interest	\$1,200.00	\$69.93	\$635.29	\$564.71	53.25%
36200	Miscellaneous Revenues	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
36201	Misc Reimbursements	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
37200	User Fee	\$195,000.00	\$15,500.20	\$35,114.20	\$159,885.80	18.69%
37250	Sewer Connection Payments	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
37500	Capital Contribution	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
39204	Transfer Frm Needs Assess Fund	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 601 SEWER OPERATING FUND		\$198,200.00	\$9,526.72	\$36,280.99	\$161,919.01	6.54%
FUND 651 SEWER RESTRICTED SINKING FUND						

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Month-End Revenue

Current Period: FEBRUARY 2014

SRC	SRC Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	2014 % of Budget
31306	2003 Disposal System Levy	\$221,000.00	\$0.00	\$0.00	\$221,000.00	0.00%
33402	Homestead Credit	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36104	Penalty & Interest	\$2,000.00	\$53.45	\$1,086.42	\$913.58	54.32%
36200	Miscellaneous Revenues	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36201	Misc Reimbursements	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
36210	Interest Earnings	\$500.00	\$708.11	\$719.22	-\$219.22	143.84%
37250	Sewer Connection Payments	\$0.00	-\$17,600.00	\$0.00	\$0.00	0.00%
39200	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 651 SEWER RESTRICTED SINKING FUND		\$223,500.00	-\$16,838.44	\$1,805.64	\$221,694.36	24.77%
		\$3,879,345.00	\$32,619.31	\$159,513.20	\$3,719,831.80	4.15%

CITY OF CROSSLAKE
Month End Expenditures
 Current Period: FEBRUARY 2014

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OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
FUND 101 GENERAL FUND						
DEPT 41110 Council						
100	Wages and Salaries Dept Head	\$27,000.00	\$1,910.00	\$4,080.00	\$22,920.00	15.11%
122	FICA	\$2,066.00	\$170.62	\$336.65	\$1,729.35	16.29%
208	Instruction Fees	\$600.00	\$0.00	\$225.00	\$375.00	37.50%
321	Communications-Cellular	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
331	Travel Expenses	\$900.00	\$0.00	\$0.00	\$900.00	0.00%
340	Advertising	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
360	Insurance	\$60.00	\$0.00	\$0.00	\$60.00	0.00%
430	Miscellaneous	\$150.00	\$0.00	\$0.00	\$150.00	0.00%
433	Dues and Subscriptions	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 41110 Council		\$30,776.00	\$2,080.62	\$4,641.65	\$26,134.35	15.08%
DEPT 41400 Administration						
100	Wages and Salaries Dept Head	\$75,000.00	\$5,151.11	\$10,920.35	\$64,079.65	14.56%
101	Assistant	\$0.00	-\$425.58	-\$425.58	\$425.58	0.00%
102	Consultant	\$31,200.00	\$1,462.50	\$1,462.50	\$29,737.50	4.69%
105	Part-time	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
109	Secretary/Bookkeeper	\$51,637.00	\$3,988.12	\$7,976.24	\$43,660.76	15.45%
121	PERA	\$9,181.00	\$707.42	\$1,414.84	\$7,766.16	15.41%
122	FICA	\$9,774.00	\$729.08	\$1,458.16	\$8,315.84	14.92%
131	Employer Paid Health	\$53,185.00	\$3,794.31	\$7,267.60	\$45,917.40	13.66%
132	Employer Paid Disability	\$817.00	\$74.46	\$148.92	\$668.08	18.23%
133	Employer Paid Dental	\$2,502.00	\$192.50	\$385.00	\$2,117.00	15.39%
134	Employer Paid Life	\$130.00	\$11.20	\$22.40	\$107.60	17.23%
136	Deferred Compensation	\$1,300.00	\$100.00	\$200.00	\$1,100.00	15.38%
151	Workers Comp Insurance	\$1,600.00	\$0.00	\$0.00	\$1,600.00	0.00%
200	Office Supplies	\$1,800.00	-\$12.84	\$6.35	\$1,793.65	0.35%
208	Instruction Fees	\$2,000.00	\$20.00	\$20.00	\$1,980.00	1.00%
210	Operating Supplies	\$1,500.00	\$0.00	\$10.00	\$1,490.00	0.67%
220	Repair/Maint Supply - Equip	\$1,500.00	\$595.00	\$595.00	\$905.00	39.67%
301	Auditing and Acct g Services	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
320	Communications	\$5,200.00	\$244.42	\$244.42	\$4,955.58	4.70%
322	Postage	\$900.00	\$0.00	\$0.00	\$900.00	0.00%
331	Travel Expenses	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
334	Vehicle Expense	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
340	Advertising	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
341	Newsletter Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$1,000.00	\$132.80	\$132.80	\$867.20	13.28%
413	Office Equipment Rental/Repair	\$2,500.00	\$192.31	\$398.87	\$2,101.13	15.95%
430	Miscellaneous	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
433	Dues and Subscriptions	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
443	Sales Tax	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
500	Capital Outlay	\$3,000.00	\$0.00	\$0.00	\$3,000.00	0.00%
DEPT 41400 Administration		\$260,326.00	\$16,956.81	\$32,237.87	\$228,088.13	12.38%
DEPT 41410 Elections						
107	Services	\$3,500.00	\$0.00	\$0.00	\$3,500.00	0.00%
122	FICA	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
210	Operating Supplies	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
413	Office Equipment Rental/Repair	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
DEPT 41410	Elections	\$4,500.00	\$0.00	\$0.00	\$4,500.00	0.00%
DEPT 41600	Audit/Legal Services					
301	Auditing and Acct g Services	\$32,000.00	\$99.50	\$339.50	\$31,660.50	1.06%
304	Legal Fees (Civil)	\$15,000.00	\$237.50	\$612.50	\$14,387.50	4.08%
307	Legal Fees (Labor)	\$3,000.00	-\$2,476.45	\$0.00	\$3,000.00	0.00%
DEPT 41600	Audit/Legal Services	\$50,000.00	-\$2,139.45	\$952.00	\$49,048.00	1.90%
DEPT 41910	Planning and Zoning					
100	Wages and Salaries Dept Head	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
101	Assistant	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
102	Consultant	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
103	Tech 1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
104	Tech 2	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
105	Part-time	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
121	PERA	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
122	FICA	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
131	Employer Paid Health	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
132	Employer Paid Disability	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
133	Employer Paid Dental	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
134	Employer Paid Life	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
136	Deferred Compensation	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
140	Unemployment	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
151	Workers Comp Insurance	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
200	Office Supplies	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
208	Instruction Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
210	Operating Supplies	\$0.00	-\$165.62	-\$165.62	\$165.62	0.00%
212	Motor Fuels	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
220	Repair/Maint Supply - Equip	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
221	Repair/Maint Vehicles	\$0.00	\$0.00	\$32.00	-\$32.00	0.00%
303	Engineering Fees	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
304	Legal Fees (Civil)	\$14,000.00	-\$296.00	\$225.00	\$13,775.00	1.61%
305	Legal/Eng - Developer/Criminal	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
314	Surveyor	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
320	Communications	\$4,600.00	\$204.25	\$204.25	\$4,395.75	4.44%
322	Postage	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
331	Travel Expenses	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
332	Travel Expense- P&Z Comm	\$2,500.00	\$0.00	\$0.00	\$2,500.00	0.00%
340	Advertising	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$0.00	\$95.45	\$195.05	-\$195.05	0.00%
352	Filing Fees	\$1,518.00	\$0.00	\$0.00	\$1,518.00	0.00%
356	Mapping	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
360	Insurance	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
413	Office Equipment Rental/Repair	\$2,500.00	\$192.31	\$398.87	\$2,101.13	15.95%
430	Miscellaneous	\$0.00	\$0.00	\$50.00	-\$50.00	0.00%
433	Dues and Subscriptions	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
441	Enhanced 911	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
443	Sales Tax	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
452	Refund	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
470	Consultant Fees	\$190,000.00	\$15,834.00	\$31,668.00	\$158,332.00	16.67%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 41910	Planning and Zoning	\$225,118.00	\$15,864.39	\$32,607.55	\$192,510.45	14.48%
DEPT 41940	General Government					
151	Workers Comp Insurance	\$0.00	\$0.00	\$2,500.00	-\$2,500.00	0.00%
210	Operating Supplies	\$1,500.00	\$92.70	\$273.89	\$1,226.11	18.26%
220	Repair/Maint Supply - Equip	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
223	Bldg Repair Suppl/Maintenance	\$4,500.00	\$27.64	\$27.64	\$4,472.36	0.61%
235	Signs	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
254	Concessions - Pop	\$300.00	\$0.00	\$55.58	\$244.42	18.53%
302	Architects Fees	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
303	Engineering Fees	\$750.00	\$0.00	\$0.00	\$750.00	0.00%
316	Security Monitoring	\$800.00	\$0.00	\$0.00	\$800.00	0.00%
335	Background Checks	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
341	Newsletter Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
354	Ordinance Codification	\$25,000.00	\$0.00	\$0.00	\$25,000.00	0.00%
360	Insurance	\$26,500.00	\$0.00	\$0.00	\$26,500.00	0.00%
381	Electric Utilities	\$14,500.00	-\$60.00	\$1,213.00	\$13,287.00	8.37%
383	Gas Utilities	\$4,500.00	\$1,162.30	\$1,162.30	\$3,337.70	25.83%
384	Refuse/Garbage Disposal	\$500.00	\$0.00	\$38.48	\$461.52	7.70%
385	Sewer Utility	\$600.00	\$37.00	\$37.00	\$563.00	6.17%
389	Generator Expense	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
405	Cleaning Services	\$9,600.00	\$0.00	\$1,512.28	\$8,087.72	15.75%
430	Miscellaneous	\$2,500.00	\$0.00	\$450.00	\$2,050.00	18.00%
433	Dues and Subscriptions	\$3,500.00	\$0.00	\$0.00	\$3,500.00	0.00%
437	Brainerd Lakes Area Dev Corp	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
438	Initiative Foundation	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
439	Emergency Mgmt Expense	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
440	Telephone Co Reimb Expense	\$25,000.00	-\$150.00	\$3,382.00	\$21,618.00	13.53%
441	Enhanced 911	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
442	Safety Prog/Equipment	\$8,500.00	\$180.00	\$1,788.00	\$6,712.00	21.04%
443	Sales Tax	\$50.00	\$0.00	\$1.00	\$49.00	2.00%
444	Transportation Plan	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
446	Animal Control	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
449	Cobra Payments	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
451	Health Comm Program Expense	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
452	Refund	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
456	Fireworks	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
460	Fines/Fees Reimburse	\$7,500.00	-\$1,268.10	\$0.00	\$7,500.00	0.00%
490	Donations to Civic Org s	\$3,651.00	\$100.00	\$100.00	\$3,551.00	2.74%
493	Pass Thru Donations	\$0.00	\$648.60	\$3,495.15	-\$3,495.15	0.00%
500	Capital Outlay	\$2,000.00	\$6,104.00	\$6,104.00	-\$4,104.00	305.20%
551	Capital Outlay-Building	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
552	Capital Outlay-Land	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 41940 General Government		\$158,301.00	\$6,874.14	\$22,140.32	\$136,160.68	13.99%
DEPT 42110 Police Administration						
100	Wages and Salaries Dept Head	\$67,568.00	\$4,610.84	\$9,773.06	\$57,794.94	14.46%
101	Assistant	\$56,403.00	\$3,851.46	\$8,163.18	\$48,239.82	14.47%
103	Tech 1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
108	Tech 3	\$16,500.00	\$1,781.25	\$3,975.01	\$12,524.99	24.09%
110	Tech 4	\$55,118.00	\$3,677.01	\$7,634.93	\$47,483.07	13.85%
112	Tech 5	\$55,658.00	\$3,439.60	\$7,378.50	\$48,279.50	13.26%
113	Tech 6	\$52,240.00	\$4,064.81	\$8,263.82	\$43,976.18	15.82%
121	PERA	\$46,434.00	\$3,656.34	\$7,292.16	\$39,141.84	15.70%
122	FICA	\$4,173.00	\$330.08	\$658.22	\$3,514.78	15.77%
131	Employer Paid Health	\$74,213.00	\$6,242.71	\$12,463.42	\$61,749.58	16.79%
132	Employer Paid Disability	\$1,946.00	\$177.32	\$354.64	\$1,591.36	18.22%
133	Employer Paid Dental	\$4,891.00	\$376.22	\$752.44	\$4,138.56	15.38%
134	Employer Paid Life	\$324.00	\$28.00	\$56.00	\$268.00	17.28%
136	Deferred Compensation	\$1,300.00	\$100.00	\$200.00	\$1,100.00	15.38%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
140	Unemployment	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
151	Workers Comp Insurance	\$11,000.00	\$0.00	\$0.00	\$11,000.00	0.00%
200	Office Supplies	\$450.00	\$0.00	\$0.00	\$450.00	0.00%
208	Instruction Fees	\$3,000.00	\$412.21	\$1,687.21	\$1,312.79	56.24%
209	Physicals	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
210	Operating Supplies	\$1,300.00	\$0.00	\$0.00	\$1,300.00	0.00%
212	Motor Fuels	\$18,000.00	-\$1,394.40	\$0.00	\$18,000.00	0.00%
214	Auto Expense- 08 Ford	\$1,700.00	\$0.00	\$0.00	\$1,700.00	0.00%
216	Auto Expense- 09 Ford	\$800.00	\$26.99	\$26.99	\$773.01	3.37%
217	Auto Expense- 10 Ford	\$1,200.00	\$169.60	\$169.60	\$1,030.40	14.13%
218	Auto Expense- 11 Ford	\$1,200.00	\$0.00	\$0.00	\$1,200.00	0.00%
219	Auto Expense- 12 Dodge	\$1,000.00	\$0.00	\$26.99	\$973.01	2.70%
220	Repair/Maint Supply - Equip	\$5,500.00	\$1,202.93	\$1,370.38	\$4,129.62	24.92%
221	Repair/Maint Vehicles	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
258	Unif Bob/Ted/Terry	\$650.00	\$0.00	\$80.30	\$569.70	12.35%
259	Unif Erik/Mike	\$650.00	\$51.98	\$51.98	\$598.02	8.00%
260	Unif Eric & Bruce	\$650.00	\$0.00	\$0.00	\$650.00	0.00%
261	Unif Jake/Jon/Leigh	\$650.00	\$145.56	\$383.13	\$266.87	58.94%
264	Unif Bobby/Ron	\$650.00	\$149.91	\$191.90	\$458.10	29.52%
265	Unif & P/T Expense	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
281	Tactical Team	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
282	Restitution Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
283	Forfeiture Expenditures	\$900.00	\$132.00	\$132.00	\$768.00	14.67%
304	Legal Fees (Civil)	\$0.00	\$25.00	\$25.00	-\$25.00	0.00%
319	Donation Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
320	Communications	\$2,800.00	\$182.19	\$182.19	\$2,617.81	6.51%
321	Communications-Cellular	\$5,400.00	\$167.60	\$311.37	\$5,088.63	5.77%
322	Postage	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
331	Travel Expenses	\$1,200.00	\$751.67	\$784.59	\$415.41	65.38%
340	Advertising	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
360	Insurance	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
413	Office Equipment Rental/Repair	\$400.00	\$30.00	\$60.01	\$339.99	15.00%
430	Miscellaneous	\$200.00	-\$431.51	\$22.47	\$177.53	11.24%
433	Dues and Subscriptions	\$250.00	\$75.00	\$240.00	\$10.00	96.00%
443	Sales Tax	\$200.00	\$0.00	\$34.00	\$166.00	17.00%
458	Undercover Supplies	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
460	Fines/Fees Reimburse	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
550	Capital Outlay - Vehicles	\$40,000.00	\$26,339.61	\$26,339.61	\$13,660.39	65.85%
DEPT 42110 Police Administration		\$547,718.00	\$60,371.98	\$99,085.10	\$448,632.90	18.09%
DEPT 42280 Fire Administration						
100	Wages and Salaries Dept Head	\$6,000.00	\$530.00	\$1,060.00	\$4,940.00	17.67%
101	Assistant	\$1,200.00	\$100.00	\$200.00	\$1,000.00	16.67%
106	Training	\$2,100.00	\$100.00	\$200.00	\$1,900.00	9.52%
107	Services	\$26,000.00	\$0.00	\$0.00	\$26,000.00	0.00%
122	FICA	\$2,700.00	\$55.84	\$111.68	\$2,588.32	4.14%
151	Workers Comp Insurance	\$2,896.00	\$0.00	\$0.00	\$2,896.00	0.00%
200	Office Supplies	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
208	Instruction Fees	\$8,000.00	\$4,015.00	\$4,890.00	\$3,110.00	61.13%
209	Physicals	\$1,500.00	\$2,153.00	\$2,643.00	-\$1,143.00	176.20%
210	Operating Supplies	\$2,500.00	\$69.95	\$69.95	\$2,430.05	2.80%
212	Motor Fuels	\$250.00	-\$3.66	\$0.00	\$250.00	0.00%
213	Diesel Fuel	\$2,500.00	-\$33.86	\$0.00	\$2,500.00	0.00%
220	Repair/Maint Supply - Equip	\$3,000.00	-\$89.65	\$0.00	\$3,000.00	0.00%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
221	Repair/Maint Vehicles	\$9,000.00	-\$545.00	\$0.00	\$9,000.00	0.00%
222	Tires	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
223	Bldg Repair Suppl/Maintenance	\$750.00	\$0.00	\$0.00	\$750.00	0.00%
240	Small Tools and Minor Equip	\$850.00	-\$198.53	\$56.24	\$793.76	6.62%
319	Donation Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
320	Communications	\$1,100.00	\$124.58	\$124.58	\$975.42	11.33%
322	Postage	\$25.00	\$0.00	\$0.00	\$25.00	0.00%
331	Travel Expenses	\$1,500.00	\$2,358.64	\$2,358.64	-\$858.64	157.24%
340	Advertising	\$150.00	\$0.00	\$0.00	\$150.00	0.00%
351	Legal Notices Publishing	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
360	Insurance	\$7,200.00	\$161.00	\$161.00	\$7,039.00	2.24%
430	Miscellaneous	\$150.00	\$0.00	\$0.00	\$150.00	0.00%
433	Dues and Subscriptions	\$1,000.00	\$534.00	\$1,104.00	-\$104.00	110.40%
443	Sales Tax	\$100.00	\$0.00	\$32.00	\$68.00	32.00%
450	Permits	\$10.00	\$0.00	\$0.00	\$10.00	0.00%
455	House Burn	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
491	FDRA City Contribution	\$14,300.00	\$0.00	\$0.00	\$14,300.00	0.00%
492	FDRA State Aid	\$28,000.00	\$0.00	\$0.00	\$28,000.00	0.00%
500	Capital Outlay	\$10,000.00	\$2,783.58	\$4,210.52	\$5,789.48	42.11%
550	Capital Outlay - Vehicles	\$146,771.00	\$90,000.00	\$90,000.00	\$56,771.00	61.32%
551	Capital Outlay-Building	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$14,896.00	\$0.00	\$14,896.22	-\$0.22	100.00%
610	Interest	\$1,446.00	\$0.00	\$1,445.71	\$0.29	99.98%
615	Issuance Costs (Other Financin	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$425.00	\$0.00	\$0.00	\$425.00	0.00%
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 42280 Fire Administration		\$298,419.00	\$102,114.89	\$123,563.54	\$174,855.46	41.41%
DEPT 42500 Ambulance Services						
223	Bldg Repair Suppl/Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
306	Ambulance Subsidy	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 42500 Ambulance Services		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)						
100	Wages and Salaries Dept Head	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
103	Tech 1	\$44,013.00	\$2,761.28	\$6,095.22	\$37,917.78	13.85%
104	Tech 2	\$52,087.00	\$4,821.38	\$9,261.37	\$42,825.63	17.78%
105	Part-time	\$0.00	\$57.99	\$154.64	-\$154.64	0.00%
108	Tech 3	\$52,888.00	\$3,025.89	\$6,124.10	\$46,763.90	11.58%
121	PERA	\$10,802.00	\$834.90	\$1,623.13	\$9,178.87	15.03%
122	FICA	\$11,287.00	\$788.36	\$1,530.43	\$9,756.57	13.56%
131	Employer Paid Health	\$46,136.00	\$3,844.79	\$7,713.58	\$38,422.42	16.72%
132	Employer Paid Disability	\$864.00	\$78.70	\$157.40	\$706.60	18.22%
133	Employer Paid Dental	\$1,774.00	\$136.44	\$272.88	\$1,501.12	15.38%
134	Employer Paid Life	\$194.00	\$16.80	\$33.60	\$160.40	17.32%
136	Deferred Compensation	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
140	Unemployment	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
151	Workers Comp Insurance	\$12,000.00	\$0.00	\$0.00	\$12,000.00	0.00%
200	Office Supplies	\$124.00	\$0.00	\$91.50	\$32.50	73.79%
208	Instruction Fees	\$1,000.00	\$20.00	\$20.00	\$980.00	2.00%
210	Operating Supplies	\$1,200.00	-\$21.71	\$395.46	\$804.54	32.96%
212	Motor Fuels	\$8,000.00	-\$749.91	\$0.00	\$8,000.00	0.00%
213	Diesel Fuel	\$15,000.00	-\$531.06	-\$3.83	\$15,003.83	-0.03%
215	Shop Supplies	\$2,750.00	\$0.00	\$0.00	\$2,750.00	0.00%
220	Repair/Maint Supply - Equip	\$12,000.00	\$6,981.09	\$7,424.41	\$4,575.59	61.87%
221	Repair/Maint Vehicles	\$15,000.00	\$0.00	\$156.00	\$14,844.00	1.04%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
222	Tires	\$1,200.00	-\$1,964.86	\$0.00	\$1,200.00	0.00%
223	Bldg Repair Suppl/Maintenance	\$4,500.00	\$135.94	\$217.94	\$4,282.06	4.84%
224	Street Maint Materials	\$20,000.00	\$0.00	\$0.00	\$20,000.00	0.00%
225	New Roads Materials	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
226	Bridge Materials	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
228	Street Lighting	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
232	Striping	\$8,000.00	\$0.00	\$0.00	\$8,000.00	0.00%
235	Signs	\$3,000.00	\$0.00	\$0.00	\$3,000.00	0.00%
240	Small Tools and Minor Equip	\$2,000.00	\$1,869.92	\$2,492.43	-\$492.43	124.62%
254	Concessions - Pop	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
259	Unif Erik/Mike	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
260	Unif Eric & Bruce	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
261	Unif Jake/Jon/Leigh	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
303	Engineering Fees	\$25,000.00	\$1,508.30	\$1,508.30	\$23,491.70	6.03%
304	Legal Fees (Civil)	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
314	Surveyor	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
316	Security Monitoring	\$200.00	\$0.00	\$42.30	\$157.70	21.15%
320	Communications	\$1,600.00	\$116.03	\$116.03	\$1,483.97	7.25%
322	Postage	\$50.00	\$0.00	\$0.00	\$50.00	0.00%
331	Travel Expenses	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
340	Advertising	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
351	Legal Notices Publishing	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
360	Insurance	\$25,000.00	\$0.00	\$0.00	\$25,000.00	0.00%
381	Electric Utilities	\$14,000.00	\$16.73	\$1,672.17	\$12,327.83	11.94%
383	Gas Utilities	\$2,500.00	\$1,779.73	\$2,373.43	\$126.57	94.94%
384	Refuse/Garbage Disposal	\$1,000.00	-\$290.32	\$52.48	\$947.52	5.25%
385	Sewer Utility	\$400.00	\$34.78	\$34.78	\$365.22	8.70%
405	Cleaning Services	\$4,000.00	\$297.51	\$615.48	\$3,384.52	15.39%
413	Office Equipment Rental/Repair	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
415	Equipment Rental	\$2,500.00	\$0.00	\$0.00	\$2,500.00	0.00%
430	Miscellaneous	\$2,000.00	\$25.00	\$43.75	\$1,956.25	2.19%
433	Dues and Subscriptions	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
442	Safety Prog/Equipment	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
443	Sales Tax	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
450	Permits	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
454	Joint Facility County Expense	\$45,000.00	\$1,223.01	\$3,511.64	\$41,488.36	7.80%
500	Capital Outlay	\$15,000.00	\$0.00	\$0.00	\$15,000.00	0.00%
550	Capital Outlay - Vehicles	\$130,000.00	\$0.00	\$0.00	\$130,000.00	0.00%
551	Capital Outlay-Building	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
552	Capital Outlay-Land	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
581	Capital Outlay -Seal Coat	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
582	Capital Outlay - Crackfill	\$25,000.00	\$0.00	\$0.00	\$25,000.00	0.00%
583	Capital Outlay - Overlays	\$169,194.00	\$0.00	\$0.00	\$169,194.00	0.00%
584	Capital Outlay - Road Const	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)		\$797,763.00	\$26,816.71	\$53,730.62	\$744,032.38	6.74%
DEPT 43100 Cemetery						
210	Operating Supplies	\$940.00	\$0.00	\$0.00	\$940.00	0.00%
220	Repair/Maint Supply - Equip	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
360	Insurance	\$60.00	\$0.00	\$0.00	\$60.00	0.00%
381	Electric Utilities	\$350.00	\$0.00	\$14.09	\$335.91	4.03%
430	Miscellaneous	\$400.00	\$329.00	\$329.00	\$71.00	82.25%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
452	Refund	\$0.00	\$25.00	\$25.00	-\$25.00	0.00%
500	Capital Outlay	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43100 Cemetery		\$3,000.00	\$354.00	\$368.09	\$2,631.91	12.27%
DEPT 45100 Park and Recreation (GENERAL)						
100	Wages and Salaries Dept Head	\$59,535.00	\$4,134.95	\$8,760.57	\$50,774.43	14.72%
101	Assistant	\$27,005.00	\$2,057.43	\$4,206.97	\$22,798.03	15.58%
103	Tech 1	\$36,692.00	\$2,559.68	\$5,394.56	\$31,297.44	14.70%
104	Tech 2	\$25,121.00	-\$95.44	\$1,312.06	\$23,808.94	5.22%
105	Part-time	\$5,390.00	\$1,134.42	\$2,190.67	\$3,199.33	40.64%
108	Tech 3	\$24,444.00	\$1,922.21	\$4,210.26	\$20,233.74	17.22%
121	PERA	\$12,528.00	\$865.48	\$1,799.24	\$10,728.76	14.36%
122	FICA	\$13,464.00	\$963.14	\$1,991.98	\$11,472.02	14.79%
131	Employer Paid Health	\$54,637.00	\$2,600.73	\$6,197.68	\$48,439.32	11.34%
132	Employer Paid Disability	\$1,353.00	\$106.46	\$201.72	\$1,151.28	14.91%
133	Employer Paid Dental	\$4,891.00	\$279.97	\$598.44	\$4,292.56	12.24%
134	Employer Paid Life	\$324.00	\$22.40	\$50.40	\$273.60	15.56%
136	Deferred Compensation	\$650.00	\$50.00	\$100.00	\$550.00	15.38%
140	Unemployment	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
151	Workers Comp Insurance	\$5,800.00	\$0.00	\$0.00	\$5,800.00	0.00%
200	Office Supplies	\$200.00	\$0.00	\$63.24	\$136.76	31.62%
208	Instruction Fees	\$500.00	\$256.00	\$271.00	\$229.00	54.20%
210	Operating Supplies	\$1,600.00	\$163.41	\$163.41	\$1,436.59	10.21%
212	Motor Fuels	\$2,000.00	-\$208.92	\$10.12	\$1,989.88	0.51%
213	Diesel Fuel	\$1,200.00	-\$66.49	\$0.00	\$1,200.00	0.00%
220	Repair/Maint Supply - Equip	\$1,500.00	\$744.04	\$771.10	\$728.90	51.41%
221	Repair/Maint Vehicles	\$1,300.00	\$0.00	\$48.00	\$1,252.00	3.69%
223	Bldg Repair Suppl/Maintenance	\$9,500.00	\$1,682.05	\$1,682.05	\$7,817.95	17.71%
231	Chemicals	\$2,600.00	\$0.00	\$0.00	\$2,600.00	0.00%
235	Signs	\$400.00	\$0.00	\$0.00	\$400.00	0.00%
254	Concessions - Pop	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
255	Concessions - Food	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
258	Unif Bob/Ted/Terry	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
261	Unif Jake/Jon/Leigh	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
264	Unif Bobby/Ron	\$225.00	\$159.97	\$159.97	\$65.03	71.10%
304	Legal Fees (Civil)	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
308	Instructors Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
309	Tennis	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
310	Program Supplies	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
311	Softball/Baseball	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
312	Aerobic Instruction	\$4,500.00	\$0.00	\$0.00	\$4,500.00	0.00%
315	Warm House/Garage Exp	\$1,000.00	\$94.64	\$99.73	\$900.27	9.97%
316	Security Monitoring	\$700.00	\$0.00	\$0.00	\$700.00	0.00%
317	Soccer/Skating	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
318	Garage (North)	\$2,000.00	\$648.35	\$764.35	\$1,235.65	38.22%
319	Donation Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
320	Communications	\$3,600.00	\$271.58	\$271.58	\$3,328.42	7.54%
322	Postage	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
323	Garage (East)	\$500.00	\$80.23	\$90.62	\$409.38	18.12%
324	Disc Golf Expenses	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
331	Travel Expenses	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
335	Background Checks	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
340	Advertising	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
351	Legal Notices Publishing	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
360	Insurance	\$15,000.00	\$0.00	\$0.00	\$15,000.00	0.00%
381	Electric Utilities	\$14,000.00	\$7.32	\$1,360.17	\$12,639.83	9.72%
383	Gas Utilities	\$6,500.00	\$1,247.67	\$1,247.67	\$5,252.33	19.19%
384	Refuse/Garbage Disposal	\$800.00	\$0.00	\$67.40	\$732.60	8.43%
403	Improvements Other Than Bldgs	\$2,800.00	\$0.00	\$0.00	\$2,800.00	0.00%
413	Office Equipment Rental/Repair	\$700.00	\$0.00	\$0.00	\$700.00	0.00%
415	Equipment Rental	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
430	Miscellaneous	\$500.00	-\$458.45	-\$439.70	\$939.70	-87.94%
433	Dues and Subscriptions	\$400.00	\$159.00	\$423.00	-\$23.00	105.75%
442	Safety Prog/Equipment	\$1,600.00	\$0.00	\$0.00	\$1,600.00	0.00%
443	Sales Tax	\$3,500.00	\$0.00	\$693.00	\$2,807.00	19.80%
445	Sr Meals Expense	\$400.00	\$0.00	\$0.00	\$400.00	0.00%
448	Weight Room Ins Reimbur	\$100.00	\$13.50	\$22.50	\$77.50	22.50%
450	Permits	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
452	Refund	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
453	80 Acre Development Expense	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
457	Weight Room Expenses	\$300.00	\$233.63	\$175.10	\$124.90	58.37%
459	PAL Foundation Expenditures	\$1,800.00	\$0.00	\$300.00	\$1,500.00	16.67%
461	Silver Sneakers	\$2,500.00	\$368.00	\$644.00	\$1,856.00	25.76%
481	Park Master Plan	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$15,000.00	\$0.00	\$0.00	\$15,000.00	0.00%
551	Capital Outlay-Building	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
552	Capital Outlay-Land	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
557	Capital Outlay - Tennis Courts	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 45100 Park and Recreation (GENERA		\$377,959.00	\$21,996.96	\$45,902.86	\$332,056.14	12.14%
DEPT 45500 Library						
101	Assistant	\$24,606.00	\$1,848.80	\$3,877.60	\$20,728.40	15.76%
121	PERA	\$1,784.00	\$147.90	\$294.99	\$1,489.01	16.54%
122	FICA	\$1,818.00	\$130.11	\$259.35	\$1,558.65	14.27%
131	Employer Paid Health	\$15,362.00	\$1,280.16	\$2,560.32	\$12,801.68	16.67%
132	Employer Paid Disability	\$171.00	\$15.55	\$31.10	\$139.90	18.19%
133	Employer Paid Dental	\$1,001.00	\$77.00	\$154.00	\$847.00	15.38%
134	Employer Paid Life	\$65.00	\$5.60	\$11.20	\$53.80	17.23%
135	Employer Paid Other	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
140	Unemployment	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
151	Workers Comp Insurance	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
201	Library Operating Supplies	\$750.00	\$230.03	\$284.56	\$465.44	37.94%
202	Library Subscriptions	\$500.00	\$0.00	\$65.60	\$434.40	13.12%
203	Library Books	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
204	Children s Program Expense	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
205	Library Luncheon Expense	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
206	NY Times Best Seller Program	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
207	Golf Fundraiser Expense	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
319	Donation Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
320	Communications	\$1,000.00	\$57.87	\$57.87	\$942.13	5.79%
322	Postage	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
360	Insurance	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
413	Office Equipment Rental/Repair	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
430	Miscellaneous	\$1,000.00	\$0.00	\$470.00	\$530.00	47.00%
443	Sales Tax	\$0.00	\$0.00	\$5.00	-\$5.00	0.00%
452	Refund	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
459	PAL Foundation Expenditures	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
500	Capital Outlay	\$500.00	\$0.00	\$0.00	\$500.00	0.00%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
DEPT 45500 Library		\$50,757.00	\$3,793.02	\$8,071.59	\$42,685.41	15.90%
DEPT 47014 2012 Series A						
600	Principal	\$175,000.00	\$0.00	\$175,000.00	\$0.00	100.00%
610	Interest	\$37,903.00	\$0.00	\$19,826.25	\$18,076.75	52.31%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47014 2012 Series A		\$212,903.00	\$0.00	\$194,826.25	\$18,076.75	91.51%
DEPT 48000 Recycling						
384	Refuse/Garbage Disposal	\$30,000.00	\$2,500.00	\$5,000.00	\$25,000.00	16.67%
388	Recycling Expenses	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
430	Miscellaneous	\$2,340.00	\$195.00	\$390.00	\$1,950.00	16.67%
DEPT 48000 Recycling		\$32,440.00	\$2,695.00	\$5,390.00	\$27,050.00	16.62%
FUND 101 GENERAL FUND		\$3,049,980.00	\$257,779.07	\$623,517.44	\$2,426,462.56	20.44%
FUND 301 DEBT SERVICE FUND						
DEPT 47000 Emer Svcs Ctr Refunding 2004						
551	Capital Outlay-Building	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
602	REA Loan Payment	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47000 Emer Svcs Ctr Refunding 2004		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47001 Community Ctr Refunding 2002						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47001 Community Ctr Refunding 200		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47002 G.O. Improve-Wilderness						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47002 G.O. Improve-Wilderness		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47003 1999 Series A Improvement Bond						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47003 1999 Series A Improvement B		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47004 1999 Series B Improvement Bond						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47004 1999 Series B Improvement B		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47005 2001 Series A Improvement Bond						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47005 2001 Series A Improvement B		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47006 2002 Series A Improvement Bond						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47006 2002 Series A Improvement B		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47007 2003 Series A Disposal						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47007	2003 Series A Disposal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47008	2003 Series B Sewer					
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47008	2003 Series B Sewer	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47009	2003 Joint Facility					
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47009	2003 Joint Facility	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47010	2004 Series A					
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47010	2004 Series A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47011	2006 Series B Improvement Bond					
600	Principal	\$145,000.00	\$0.00	\$0.00	\$145,000.00	0.00%
610	Interest	\$18,230.00	\$0.00	\$9,115.00	\$9,115.00	50.00%
615	Issuance Costs (Other Financin	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
616	Bond Discount	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47011	2006 Series B Improvement B	\$163,230.00	\$0.00	\$9,115.00	\$154,115.00	5.58%
DEPT 47012	2006 Series C Equipment Cert					
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47012	2006 Series C Equipment Cert	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47013	Bond Disclosure					
440	Telephone Co Reimb Expense	\$0.00	\$1,012.50	\$1,012.50	-\$1,012.50	0.00%
621	Continung Disclosure Expene	\$0.00	\$1,012.50	\$1,012.50	-\$1,012.50	0.00%
DEPT 47013	Bond Disclosure	\$0.00	\$2,025.00	\$2,025.00	-\$2,025.00	0.00%
DEPT 47014	2012 Series A					
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$130,000.00	\$0.00	\$130,000.00	\$0.00	100.00%
610	Interest	\$3,900.00	\$0.00	\$2,600.00	\$1,300.00	66.67%
620	Fiscal Agent s Fees	\$0.00	\$0.00	\$495.00	-\$495.00	0.00%
DEPT 47014	2012 Series A	\$133,900.00	\$0.00	\$133,095.00	\$805.00	99.40%
FUND 301	DEBT SERVICE FUND	\$297,130.00	\$2,025.00	\$144,235.00	\$152,895.00	48.54%
FUND 401	GENERAL CAPITAL PROJECTS					
DEPT 44000	Capital Projects					
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 44000	Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47012	2006 Series C Equipment Cert					
615	Issuance Costs (Other Financin	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
616	Bond Discount	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47012	2006 Series C Equipment Cert	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 49300	Other Finanacing Uses					

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 49300	Other Finanacing Uses	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 401	GENERAL CAPITAL PROJECTS	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 404	JOBZ					
DEPT 46002	JOBZ - Crosstech Mfg					
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 46002	JOBZ - Crosstech Mfg	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 404	JOBZ	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 405	TAX INCREMENT FINANCE PROJECTS					
DEPT 46000	Tax Increment Financing					
351	Legal Notices Publishing	\$700.00	\$0.00	\$0.00	\$700.00	0.00%
640	Tax Increment 1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
641	Tax Increment 2	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
642	Tax Increment 3	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
643	Tax Increment 6	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
644	Tax Increment 7 - Stone #1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
645	Tax Increment 8 - Crosswoods	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
646	TaxIncrement 9-C&J Dev	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
650	Administrative Costs	\$700.00	\$0.00	\$0.00	\$700.00	0.00%
DEPT 46000	Tax Increment Financing	\$1,400.00	\$0.00	\$0.00	\$1,400.00	0.00%
DEPT 46001	TIF 1-9 MidWest Asst Living					
646	TaxIncrement 9-C&J Dev	\$12,600.00	\$0.00	\$0.00	\$12,600.00	0.00%
DEPT 46001	TIF 1-9 MidWest Asst Living	\$12,600.00	\$0.00	\$0.00	\$12,600.00	0.00%
FUND 405	TAX INCREMENT FINANCE PROJEC	\$14,000.00	\$0.00	\$0.00	\$14,000.00	0.00%
FUND 408	WEST SHORE DRIVE					
DEPT 43000	Public Works (GENERAL)					
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
615	Issuance Costs (Other Financin	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
616	Bond Discount	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000	Public Works (GENERAL)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 408	WEST SHORE DRIVE	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 409	JOHNIE/ROBERT STREET					
DEPT 43000	Public Works (GENERAL)					
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000	Public Works (GENERAL)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 409	JOHNIE/ROBERT STREET	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 410	MARODA DRIVE					
DEPT 43000	Public Works (GENERAL)					
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000	Public Works (GENERAL)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 410	MARODA DRIVE	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 411	SUNSET DRIVE					

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
DEPT 43000 Public Works (GENERAL)						
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 411 SUNSET DRIVE		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 412 DUCK LANE						
DEPT 43000 Public Works (GENERAL)						
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 412 DUCK LANE		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 413 FAWN LAKE ROAD						
DEPT 43000 Public Works (GENERAL)						
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 413 FAWN LAKE ROAD		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 414 SUNRISE ISLAND BRIDGE PROJECT						
DEPT 43000 Public Works (GENERAL)						
226	Bridge Materials	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 414 SUNRISE ISLAND BRIDGE PROJECT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 415 AMBULANCE PROJECT						
DEPT 43000 Public Works (GENERAL)						
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
551	Capital Outlay-Building	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 415 AMBULANCE PROJECT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 420 LIBRARY PROJECT						
DEPT 45500 Library						
302	Architects Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 45500 Library		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 420 LIBRARY PROJECT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 432 SEWER PROJECT						
DEPT 43200 Sewer						

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
443	Sales Tax	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43200 Sewer		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 49300 Other Financing Uses						
720	Operating Transfers	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 49300 Other Financing Uses		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 432 SEWER PROJECT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 463 BRITA LN/PINE VIEW LN						
DEPT 43000 Public Works (GENERAL)						
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 Public Works (GENERAL)		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 463 BRITA LN/PINE VIEW LN		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 502 ECONOMIC DEVELOPMENT FUND						
DEPT 46500 Economic Development (GENERAL)						
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 46500 Economic Development (GENERAL)		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47000 Emer Svcs Ctr Refunding 2004						
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
615	Issuance Costs (Other Financing)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
616	Bond Discount	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent's Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47000 Emer Svcs Ctr Refunding 2004		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47009 2003 Joint Facility						
430	Miscellaneous	\$23,000.00	\$0.00	\$0.00	\$23,000.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent's Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47009 2003 Joint Facility		\$23,000.00	\$0.00	\$0.00	\$23,000.00	0.00%
FUND 502 ECONOMIC DEVELOPMENT FUND		\$23,000.00	\$0.00	\$0.00	\$23,000.00	0.00%
FUND 503 EDA (REVOLVING LOAN)						
DEPT 46500 Economic Development (GENERAL)						
304	Legal Fees (Civil)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
447	Loan Disbursements	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 46500 Economic Development (GENERAL)		\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
FUND 503 EDA (REVOLVING LOAN)		\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
FUND 601 SEWER OPERATING FUND						
DEPT 43200 Sewer						

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
100	Wages and Salaries Dept Head	\$64,802.00	\$4,466.55	\$9,467.17	\$55,334.83	14.61%
101	Assistant	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
103	Tech 1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
104	Tech 2	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
108	Tech 3	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
121	PERA	\$4,698.00	\$362.54	\$725.08	\$3,972.92	15.43%
122	FICA	\$4,957.00	\$382.55	\$765.10	\$4,191.90	15.43%
131	Employer Paid Health	\$24,404.00	\$2,033.61	\$4,067.22	\$20,336.78	16.67%
132	Employer Paid Disability	\$480.00	\$43.73	\$87.46	\$392.54	18.22%
133	Employer Paid Dental	\$1,251.00	\$96.25	\$192.50	\$1,058.50	15.39%
134	Employer Paid Life	\$65.00	\$5.60	\$11.20	\$53.80	17.23%
136	Deferred Compensation	\$650.00	\$50.00	\$100.00	\$550.00	15.38%
151	Workers Comp Insurance	\$3,000.00	\$0.00	\$0.00	\$3,000.00	0.00%
200	Office Supplies	\$300.00	\$0.00	\$77.25	\$222.75	25.75%
208	Instruction Fees	\$2,500.00	\$0.00	\$200.00	\$2,300.00	8.00%
210	Operating Supplies	\$1,500.00	\$0.00	\$114.00	\$1,386.00	7.60%
212	Motor Fuels	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
213	Diesel Fuel	\$500.00	\$0.00	\$0.00	\$500.00	0.00%
220	Repair/Maint Supply - Equip	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
221	Repair/Maint Vehicles	\$1,500.00	\$976.12	\$992.12	\$507.88	66.14%
222	Tires	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
223	Bldg Repair Suppl/Maintenance	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
229	Oper/Maint - Lift Station	\$15,000.00	\$50.33	\$285.84	\$14,714.16	1.91%
230	Repair/Maint - Collection Syst	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
231	Chemicals	\$12,000.00	\$432.97	\$1,135.29	\$10,864.71	9.46%
258	Unif Bob/Ted/Terry	\$300.00	\$0.00	\$0.00	\$300.00	0.00%
303	Engineering Fees	\$1,000.00	\$202.50	\$202.50	\$797.50	20.25%
304	Legal Fees (Civil)	\$250.00	\$0.00	\$0.00	\$250.00	0.00%
320	Communications	\$600.00	\$39.21	\$39.21	\$560.79	6.54%
321	Communications-Cellular	\$1,400.00	\$0.99	\$123.14	\$1,276.86	8.80%
322	Postage	\$800.00	\$0.00	\$0.00	\$800.00	0.00%
331	Travel Expenses	\$2,000.00	\$0.00	\$0.00	\$2,000.00	0.00%
340	Advertising	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
351	Legal Notices Publishing	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
360	Insurance	\$7,500.00	\$0.00	\$0.00	\$7,500.00	0.00%
381	Electric Utilities	\$26,000.00	\$232.73	\$3,297.76	\$22,702.24	12.68%
383	Gas Utilities	\$3,000.00	\$479.74	\$479.74	\$2,520.26	15.99%
384	Refuse/Garbage Disposal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
406	Lab Testing	\$10,000.00	\$117.00	\$570.60	\$9,429.40	5.71%
407	Sludge Disposal	\$12,000.00	\$0.00	\$0.00	\$12,000.00	0.00%
420	Depreciation Expense	\$200,000.00	\$0.00	\$0.00	\$200,000.00	0.00%
430	Miscellaneous	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
433	Dues and Subscriptions	\$300.00	\$0.00	\$225.00	\$75.00	75.00%
442	Safety Prog/Equipment	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%
443	Sales Tax	\$200.00	\$0.00	\$0.00	\$200.00	0.00%
450	Permits	\$2,000.00	\$1,450.00	\$1,450.00	\$550.00	72.50%
452	Refund	\$100.00	\$0.00	\$0.00	\$100.00	0.00%
500	Capital Outlay	\$10,000.00	\$0.00	\$0.00	\$10,000.00	0.00%
553	Capital Outlay - Sewer Filters	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
554	Capital Outlay - Ox Ditch Bldg	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
555	Capital Outlay - Sewer Biosol	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
556	Capital Outlay - Sewer Exten	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43200 Sewer		\$427,357.00	\$11,422.42	\$24,608.18	\$402,748.82	5.76%
FUND 601 SEWER OPERATING FUND		\$427,357.00	\$11,422.42	\$24,608.18	\$402,748.82	5.76%

OBJ	OBJ Descr	2014 Budget	FEBRUARY 2014 Amt	2014 YTD Amt	2014 YTD Balance	%YTD Budget
FUND 651 SEWER RESTRICTED SINKING FUND						
DEPT 43200 Sewer						
220	Repair/Maint Supply - Equip	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
223	Bldg Repair Suppl/Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
303	Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
500	Capital Outlay	\$50,000.00	\$0.00	\$0.00	\$50,000.00	0.00%
DEPT 43200 Sewer		\$50,000.00	\$0.00	\$0.00	\$50,000.00	0.00%
DEPT 47007 2003 Series A Disposal						
600	Principal	\$1,905,000.00	-\$130,000.00	\$0.00	\$1,905,000.00	0.00%
610	Interest	\$117,690.00	-\$49,930.39	\$10,117.11	\$107,572.89	8.60%
615	Issuance Costs (Other Financin	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
620	Fiscal Agent s Fees	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
DEPT 47007 2003 Series A Disposal		\$2,023,690.00	-\$179,930.39	\$10,117.11	\$2,013,572.89	0.50%
DEPT 47008 2003 Series B Sewer						
452	Refund	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
600	Principal	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
610	Interest	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
615	Issuance Costs (Other Financin	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47008 2003 Series B Sewer		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 651 SEWER RESTRICTED SINKING FUN		\$2,073,690.00	-\$179,930.39	\$10,117.11	\$2,063,572.89	0.49%
FUND 652 WASTEWATER MGMT DISTRICT						
DEPT 41910 Planning and Zoning						
430	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 41910 Planning and Zoning		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 652 WASTEWATER MGMT DISTRICT		\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$5,886,157.00	\$91,296.10	\$802,477.73	\$5,083,679.27	13.63%

City of Crosslake
02/28/2014 Budget to Actual Analysis (Remove Debt Service, Capital Outlay and Operating Transfers)

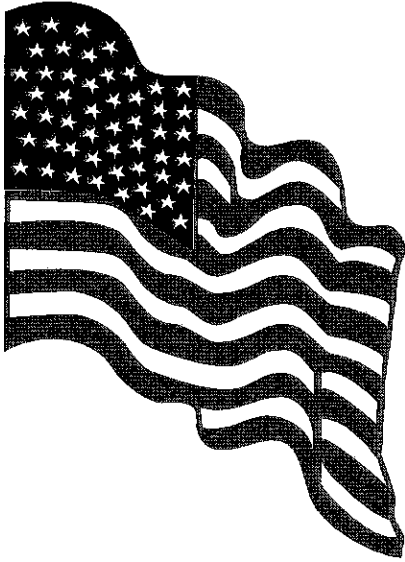
Description	2014 Budget	02/28/2014 MTD	2014 YTD Amt	2014 YTD Balance	2014 %YTD Budget
Total Expense (From Month End Report For January 31, 2014)	\$ 5,886,157	\$ 91,296	\$ 802,478	\$ 5,083,679	13.63%
Adjustments:					
<u>Less: All DS Issues</u>					
(101) Fire Administration - Principal	(14,896)	0	(14,896)	0	100.00%
(101) Fire Administration - Interest	(1,446)	0	(1,446)	(0)	99.98%
(101) Fire Administration - Fiscal Agent Fees	(425)	0	0	(425)	0.00%
(101) 2012 Series A - Principal	(175,000)	0	(175,000)	0	100.00%
(101) 2012 Series A - Interest	(37,903)	0	(19,826)	(18,077)	52.31%
(301) 2006 Series B - Principal	(145,000)	0	0	(145,000)	0.00%
(301) 2006 Series B - Interest	(18,230)	0	(9,115)	(9,115)	50.00%
(301) 2012 Series A - Principal	(130,000)	0	(130,000)	0	100.00%
(301) 2012 Series A - Interest	(3,900)	0	(2,600)	(1,300)	66.67%
(301) Fiscal Agent Fees	0	(1,013)	(1,508)	1,508	0.00%
(651) 2003 Series A Disposal - Principal (Reported on Balance Sheet)	(1,905,000)	130,000	0	(1,905,000)	0.00%
(651) 2003 Series A Disposal -Interest	(117,690)	49,930	(10,117)	(107,573)	8.60%
(651) 2003 Series A Disposal - Fiscal Agent Fees	(1,000)	0	0	(1,000)	0.00%
Total Debt Service	(2,550,490)	178,918	(364,508)	(2,185,982)	14.29%
<u>Less - All Capital Outlay Accounts:</u>					
(101) Administration	(3,000)	0	0	(3,000)	0.00%
(101) General Government Capital Outlay	(2,000)	(6,104)	(6,104)	4,104	305.20%
(101) General Government Capital Outlay - Bldgs	(5,000)	0	0	(5,000)	0.00%
(101) Police Administration Capital Outlay	(5,000)	0	0	(5,000)	0.00%
(101) Police Administration Capital Outlay - Vehicles	(40,000)	(26,340)	(26,340)	(13,660)	65.85%
(101) Fire Administration - Capital Outlay	(10,000)	(2,784)	(4,211)	(5,789)	42.11%
(101) Fire Administration - Capital Outlay - Vehicles	(146,771)	(90,000)	(90,000)	(56,771)	61.32%
(101) Public Works - Capital Outlay	(15,000)	0	0	(15,000)	0.00%
(101) Public Works - Capital Outlay - Vehicles (Move to Rd Const.)	(130,000)	0	0	(130,000)	0.00%
(101) Public Works - Capital Outlay - Crackfill	(25,000)	0	0	(25,000)	0.00%
(101) Public Works - Capital Outlay - Overlays/Road Const.	(169,194)	0	0	(169,194)	0.00%
(101) Cemetery - Capital Outlay	(1,000)	0	0	(1,000)	0.00%
(101) Parks and Recreation - Capital Outlay	(15,000)	0	0	(15,000)	0.00%
(101) Library	(500)	0	0	(500)	0.00%
(601) Sewer - Capital Outlay	(10,000)	0	0	(10,000)	0.00%
(651) Sewer - Capital Outlay	(50,000)	0	0	(50,000)	0.00%
Total Capital Outlay	(627,465)	(125,227)	(126,654)	(500,811)	20.19%
<u>Less: Operating Transfers Between Funds:</u>					
General Fund to Ambulance Project Fund	0	0	0	0	0%
General Capital Projects Fund to General Fund	0	0	0	0	0%
Total Operating Transfers Between Funds	0	0	0	0	0%
Adjusted Expenditures	\$ 2,708,202	\$ 144,987	\$ 311,316	\$ 2,396,886	11.50%
Linear Assumption (2 Month/12 Months) = 100.0%	16.67%	\$ 981,026			5.17%

City of Crosslake
Pledged Collateral
February 28, 2014

Depository	Percent of Total Bank Balance	Bank Balance	Less:			Deposits Requiring Collateral	Amount of Collateral Required (110% of Deposits Requiring Collateral)	Market Value of Collateral Provided	Sufficient (Insufficient) Collateral Coverage	Collateral Description	Expiration Date
			FDIC/NCUA	Insurance							
Riverwood Bank	9.1%	\$ 198,298	\$ 250,000	\$	\$	0	\$ 0	\$ 0	\$ 0	Letter of Credit #2552-14	11/14/2014
Lakes State Bank	17.7%	\$ 384,401	\$ 250,000	\$	\$	134,401	\$ 147,841	\$ 200,000	\$ 52,159	Letter of Credit 4072-129	02/28/2014
BlackRidge Bank	35.3%	\$ 768,653	\$ 250,000	\$	\$	518,653	\$ 570,519	\$ 1,000,000	\$ 429,481	31417YY84 MBS FNMA	05/01/2031;
Frandsen Bank and Trust	37.9%	\$ 825,292	\$ 250,000	\$	\$	575,292	\$ 632,821	\$ 1,526,584	\$ 893,763	38377TVJ7 GNR	05/20/2038
Totals	100.0%	\$ 2,176,645				\$ 1,228,346	\$ 1,351,181	\$ 2,726,584	\$ 1,375,403		

(4M Fund and Merrill Lynch deposits not included in the above since pledging is handled by Investment Company.)

Mike Lyonais
Finance Director/Treasurer
Updated 02/28/2014



CROSSLAKE POLICE DEPARTMENT

MONTHLY REPORT

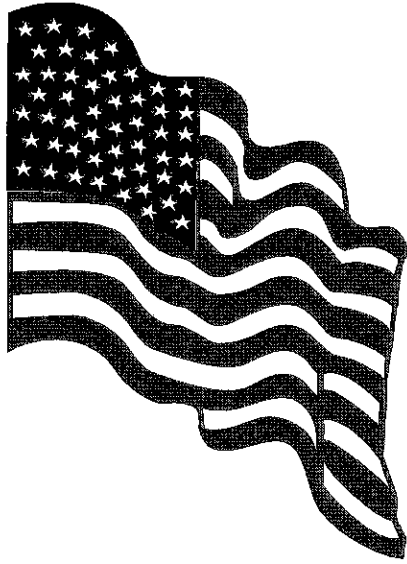
February

2014

**Crosslake Police Department
Monthly Report
February 2014**

Agency Assist	13
Alarm	13
Animal Complaint	2
Compliance Check	4
Death	2
Disturbance	4
Driving Complaint	1
Ems	19
Fire	1
Found Property	1
Gun Permits	2
Harass Comm	1
Hazard In Road	2
Housewatch	1
Information	3
Intoxicated Person	1
Motorist Assist	1
Open Door	1
Parking Complaint	1
Personal In Accident	1
Property Damage Acc	5
Public Assist	2
Snowmobile	1
Stolen Recovered	1
Suspicious Vehicle	1
Theft	2
Traffic Arrest	1
Traffic Citations	3
Traffic Warnings	25
Welfare Check	1

Total 116



CROSSLAKE POLICE DEPARTMENT

MISSION MONTHLY REPORT

February

2014

Crosslake Police Department
Mission Monthly Report
February 2014

Agency Assist	2
Noise Complaint	1
Personal In Accident	1
Property Damage Acc	1
Traffic Warnings	12
Total	17

Crosslake Fire Department

Date: February 2014

Calls

Description of Incident	Calls	YTD	Feb 13	YTD 2013
3 - Rescue & Emergency Medical Services				
311 - Medical Assist - Assist EMS Crew	15	49	15	44
300 - Rescue, EMS Incident			1	1
322 - Motor Vehicle Accident with Injuries	1	3		1
324 - Motor Vehicle Accident with No Injuries				1
340 - Search for Lost Person				1
342 - Search for Lost Person in Water				
362 - Ice Rescue				
326 - Snowmobile Accident With Injuries				
Total Medical:	16	52	16	48
1 - Fire				
111 - Building Fire			1	1
111 - Building Fire (Mutual Aid)		3		
114 - Chimney Fire				
143 - Grass Fire/Wildland Fire				
131 - Automobile Fire				
Total Fire:	0	3	1	1
4 - Hazardous Condition (No Fire)				
412 - Gas Leak (Natural Gas or LPG)				
424 - Carbon Monoxide Alarm				
444 - Power Line Down/Trees on Road				
Total Hazardous Condition:	0	0	0	0
6 - Good Intent Call				
611 - Dispatched and Cancelled en route		1		2
609 - Smoke scare, Odor of smoke				
Total Good Intent:	0	1	0	2
7 - False Alarm & False Call				
743 - Smoke Detector Activation - No Fire	1	4		2
733 - Smoke Detector Activation due to Malfunction				
746 - Carbon Monoxide Detector Activation - No CO		1		1
731 - Sprinkler Activation due to Malfunction				
Total False Alarms:	1	5	0	3

Total Incidents:	17	61	17	54
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NORTH AMBULANCE CROSSLAKE

FEBRUARY 2014 RUN REPORT

TOTAL CALLOUTS: 56

NIGHT: 18

DAY: 38

No Loads:	08
Cancels:	08
Fire Standbys:	00
Police Standbys:	00
Transported Patients:	40

CROSSLAKE:	20 (4 No Load)
BREEZY POINT:	10 (1 Cancel)
IDEAL:	00
MISSION:	03 (1 No Load)
FIFTY LAKES:	01 (1 Cancel)
MANHATTAN BEACH:	02
CENTER:	03 (1 No Load, 1 Cancel)
TIMOTHY:	00

MUTUAL AID TO:

PINE RIVER:	05 (1 No Load)
BRAINERD:	12 (1 No Load, 5 Cancel)

BLS TRANSFERS:	00
ALS TRANSFERS:	00

ALS INTERCEPTS (ADVANCED LIFE SUPPORT):

BRAINERD:	00
PINE RIVER:	00
AIRCARE:	01

ECONOMIC DEVELOPMENT AUTHORITY
MEETING MINUTES
8:30 A.M. – FEBRUARY 5, 2014
City Hall

1. The regular monthly meeting of the Crosslake EDA was called to order at 8:33 A.M. by Patty Norgaard with the following members present: Patty Norgaard, Steve Roe, Dennis Leaser, Mark Wessels, and Alternate Bill Forsythe. Also in attendance were Mayor Darrell Schneider, General Manager Paul Hoge, Bolton and Menk Representative Michael Rardin, and Sheila Haverkamp of BLAEDC.
2. Patty Norgaard announced that Al Ploeger resigned from the EDA and is moving to out of the area. A MOTION WAS MADE BY PATTY NORGAARD, SECONDED BY STEVE ROE TO RECOMMEND TO THE CITY COUNCIL THAT ALTERNATE BILL FORSYTHE FILL AL PLOEGER'S TERM WHICH EXPIRES 1/31/19. MOTION CARRIED WITH ALL AYES.

A MOTION WAS MADE BY STEVE ROE, SECONDED BY BILL FORSYTHE TO RECOMMEND TO THE CITY COUNCIL THAT AN ADVERTISEMENT FOR TWO ALTERNATE EDA MEMBERS BE PLACED IN THE OFFICIAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

A MOTION WAS MADE BY STEVE ROE, SECONDED BY DENNIS LEASER TO APPROVE THE MINUTES OF THE JANUARY 8, 2014 MEETING. AYES: ALL.

3. The Revolving Loan Fund balance information was included in the packet for information.
4. EDA Members reviewed the Crosslake Communications Revolving Loan Fund Economic Development Application. Sheila Haverkamp explained that staff is searching for the original RUS loan agreement to determine what terms are changeable. A discussion ensued on how the EDA could use the Revolving Loan Fund to help existing and potential business owners.
5. Patty Norgaard asked the Board to think of 2014 projects and ways to attract new businesses. Sheila Haverkamp asked that a map be available showing zoning districts and fiber lines. The EDA will review available properties at the March meeting and zoning maps in April. Local lenders will be invited to the May meeting to discuss Revolving Loan Fund availability.

Patty Norgaard announced that the next BOOMTOWN meeting would be held on Thursday, February 13th from 7:00-9:00 PM.

A MOTION WAS MADE BY DENNIS LEASER, SECONDED BY BILL FORSYTHE TO NOMINATE PATTY NORGAARD TO SERVE AS THE EDA PRESIDENT. AYES: ALL.

A MOTION WAS MADE BY PATTY NORGAARD, SECONDED BY STEVE ROE TO NOMINATE DENNIS LEASER TO SERVE AS THE EDA VICE PRESIDENT. AYES: ALL.

A MOTION WAS MADE BY PATTY NORGAARD, SECONDED BY DENNIS LEASER TO NOMINATE STEVE ROE TO SERVE AS THE SECRETARY. AYES: ALL.

A MOTION WAS MADE BY PATTY NORGAARD, SECONDED BY STEVE ROE TO NOMINATE BILL FORSYTHE TO SERVE AS THE TREASURER. AYES: ALL.

6. There being no further business at 10:00 A.M., PATTY NORGAARD ADJOURNED THE MEETING.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Charlene Nelson".

Charlene Nelson
City Clerk



STATED MINUTES

City of Crosslake Planning and Zoning Commission

January 24, 2014
9:00 A.M.

Crosslake City Hall
37028 County Road 66
Crosslake, MN 56442

1. Present: Aaron Herzog, Chair; Scott Johnson; Alternate Matt Kruker; Joel Knippel; Mark Lafon and Council Member Gary Heacox
2. Absent: Dave Nevin
3. Staff: Chris Pence, Crow Wing County Land Services Supervisor, Chris Pence, Land Services Supervisor, Paul Herkenhoff, Crow Wing County Survey/Planning Coordinator, Sue Maske, Planning Assistant
4. 11-22-13 Minutes & Findings – **Motion by Kruker; supported by LaFon to approve the minutes as written. All members voting “Aye”, Motion carried.**
5. Old Business
 - 6.1 None
6. New Business
 - 7.1 Michael Stone - Conditional Use Permit Amendment
 - 7.2 Anthony & Judy Mudek - Timothy Harvath - Appeal of Administrative Decision
 - 7.3 Ordinance Revision Discussion
8. Adjournment

**Michael Stone
Crosswoods Golf Course
120222100A00009**

Michael Stone was present. Herkenhoff read the request into the record. Jim Martin adjacent property owner expressed no concerns with the proposed project and would like to request that trees be planted along the property line to help screen his property from the golf course. Mr. Stone stated the edge of the fairway will be approximately 100 feet from the property line & he agreed to plant trees for screening. Discussion involved 2013 Conditional Use Permit amendment.

January 24, 2013 Action:

Motion by Knippel; supported by Johnson to approve the amendment to the 2013 Conditional Use Permit to include parcel numbers 120222200A00009, 120222200BC0009, 120222200BA0009 & 120222100B00009 located in part of the NW1/4 of NW1/4, Sec 22, City of Crosslake for the nine (9) hole expansion of Crosswoods Golf Course with the same findings and conditions approved on 12-16-13.

All members voting “Aye”, Motion carried.

**Anthony & Judy Mudeck
Timothy Horvath
120212400I00009**

Timothy Horvath was present. Pence read the request into the record & explained the criteria used when he made his administrative decision to not allow manufacturing and selling of furniture in the Downtown Commercial Zone. Mr. Horvath explained to the board his proposed use of the building. He also stated that there is a concrete wall separating the two buildings and there should be no issues with noise or dust. Discussion involved type of adjoining businesses; noise; dust; number of employees; type of furniture made; type of finish used and safety issues.

January 24, 2014 Action:

Motion by Johnson; supported by LaFon to uphold the Administrative Decision to not allow Perfectly Naturally Woodworking, Inc (PNW) , to manufacture and sell furniture, pursuant to City of Crosslake Code of Ordinances Section 26-418, which prohibits industrial use within the areas that are zoned Downtown Commercial (DC)

All members voting “Aye”, Motion carried.

Ordinance Revision Discussion

Chris Pence went over the public comments he received from the Ordinance Revision open house that was held on 1-13-14. Mayor, Darrell Schneider commended the board for taking the time to discuss all the issues from the ordinance revision open house. Mr. Pence went over the new Flood Plain regulations in the proposed ordinance revisions. The board discussed the size they would allow for an on-site sign. The board agreed to allow up to 12 square foot on-site signs. There was a lot of discussion pertaining to outdoor wood burning stoves. The discussion on commercial uses pertained to the time frame for when commercial uses would expire when the property is vacant. The board agreed on a 5 year time frame. Council member Herzog asked if there was some kind of order that would allow the Council to put a moratorium in place if something is unintentionally left out of the revised ordinance. Mr. Pence informed him that MN Statute 462, allows the Council in act a moratorium for up to one year.

January 24, 2014 Planning & Zoning Commission Meeting

Matters not on the Agenda:

1. There were no matters not on the agenda

Motion by LaFon; supported by Johnson to adjourn at 10:50 A.M.

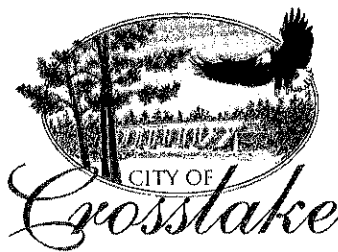
All members voting “Aye”, Motion carried.

Respectfully yours,

Susan Maske

Susan Maske
Crow Wing County Planning Assistant

City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



37028 County Road 66
Crosslake, Minnesota 56442
<http://crosslake.govoffice.com>

License Fee \$ Ø

APPLICATION FOR GROUP TRANSIENT MERCHANT PERMIT

1. Name of applicant: CORA F Mitchell
(first) (middle) (last) (maiden)
2. Other names under which the applicant conducts business or to which applicant officially answers: Whitefish Area Lions Club
3. A physical description of the applicant (hair color, eye color, height, weight, distinguishing marks and features): _____

4. Full address of applicant's permanent address: P.O. Box 276, Crosslake, MN
56442
5. Type of business for which the applicant is applying: Flea Market

6. The dates during which the applicant intends to conduct business in the City (maximum 14 consecutive days): May 31, June 21, July 19, August 16, 2014

7. Any and all addresses and telephone numbers where the applicant can be reached while conducting business within the City: Connie Erickson, Fred Whitefish

Greg Lione (Above address) 218-692-4876

8. Name and phone number of contact person or persons other than applicant: _____

CORA Mitchell 218-831-4586 ; DOREEN GALLAWAY
218-692-2374

9. Location where transient merchant intends to set up business (attach written permission of the property owner or the property owner's agent for any property to be used by a transient merchant): Section 21, Township 137 Range 27

(Old Catholic Church)

10. A general description of the items to be sold or services to be provided: _____

Varies

NOTE: FOOD VENDORS MUST SUPPLY A COPY OF FOOD LICENSE FROM THE MINNESOTA DEPARTMENT OF HEALTH (320) 223-7300.

I, the above applicant, state that I have not been convicted of any felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance other than traffic offenses within the last five years. I also state that the information provided in this application is true.


Signature of Applicant

3.6.14
Date

FOR OFFICE USE

Date of application: 3-6-14

Date license was issued: _____

Notes regarding application and license procedures: _____

Staff Report - Crosslake Parks, Recreation & Library

Date: March 5, 2014

To: Crosslake City Council

From: Jon Henke, Director of Parks, Recreation & Library

1. Crosslake Area Library Update

Story hour for the Crosslake Area Library has a new day and time. The program will be held Wednesdays at 10:00 for preschool age children.

The Library is seeking volunteers. If you have a few hours each week to give back to your community we would love to have you help staff our library. Please contact Jon or Kim if you are interested.

2. Senior Nutrition Program

Meals are offered at the Community Center Monday - Friday at 11:30 am. Interested participants can call (692-4271) to make a reservation by 4:00 p.m the day before their scheduled meal.

3. Fitness Room/SilverSneakers

The Community Center offers an array of fitness equipment. A certified personal trainer is available to walk you through all of the different equipment free of charge when you sign up for a membership. We also offer fitness incentive programs from a variety of insurance providers and very affordable rates. The SilverSneakers program is also available to those that are 65 or older and have a qualifying plan. On January 1st we will also be offering the new Silver and Fit Program that many current Silver Sneaker members will be switching too.

4. Community Center Attendance for February.

Attendance for the Community Center was 4,765.

5. AAA

A refresher class will be held March 13th and April 10th from 9-1 each day. Call the Community Center for info.

6. Pickleball

Pickleball is played on Tuesdays and Thursdays from 2-3 for those interested in trying a new sport. Equipment and court time is available for up to four players for only \$10.

7. Hiring part time employees for the Community Center

The Park Department would like to recommend a motion to approve the hiring of Michelle Becker as a part time employee for the Community Center. Michelle has passed her background check.

Council Action/Motion

8. AARP Tax Help Program

The program will take place Wednesday and Thursday mornings up until the tax deadline. Please call the Community Center to make an appointment. Please note that participants must have an appointment.

Supplemental Report Form

Facility Name:

CROSSLAKE WWTP

Permit Number:

MN 0064882

Month:

JAN

Year:

2014

* Values reported as BDL and 0 should be reported as "<" the lab reportable limit.

DATE	DAY OF WEEK	PRECIPITATION (INCHES)	INFLUENT FLOW (MGD)	EFFLUENT FLOW (MGD)	INFLUENT CHODS (mg/L)	EFFLUENT CHODS (mg/L)	PERCENT REMOVAL (CHODS)	EFFLUENT CBODS (kg/day)	INFLUENT TSS (mg/L)	EFFLUENT TSS (mg/L)	PERCENT REMOVAL TSS (%)	EFFLUENT TSS (kg/day)	INFLUENT pH	EFFLUENT pH	INFLUENT PHOSPHORUS (mg/L)	EFFLUENT PHOSPHORUS (mg/L)	EFFLUENT PHOSPHORUS (kg/day)	EFFLUENT AMMONIA (mg/L)	EFFLUENT D.O. (mg/L)	FECAL COLIFORM (number/100 ml)	EFFLUENT CHLORINE (mg/L)
1	WED	2	0.039	0.035				0					7.6	6.7			0		1.34	20	21
2	THUR		0.023	0.024									7.7	6.7					1.36		
3	FRI	0.1	0.024	0.025									7.7	6.7					1.35		
4	SAT		0.026	0.026									7.7	6.7					1.19		
5	SUN		0.028	0.028									7.7	6.6					1.22		
6	MON		0.026	0.026									7.5	6.6					1.45		
7	TUE		0.024	0.022									7.6	6.7					1.44		
8	WED		0.021	0.021	210	2	99.047619	0.2646	178	4	97.752809	0.5292	7.5	6.7	5.55	0.049	0.0064827		1.49		
9	THUR		0.026	0.021									7.5	6.7					1.35		
10	FRI		0.022	0.029									7.5	6.6					1.47		
11	SAT	0.02	0.024	0.023									7.5	6.7					1.22		
12	SUN	0.01	0.025	0.023									7.5	6.7					1.27		
13	MON	0.05	0.022	0.021									7.6	6.5					1.32		
14	TUE		0.026	0.022									7.6	6.4					1.39		
15	WED	0.02	0.015	0.013	290	2	99.3103448	0.2646	288	4	98.6111111	0.5292	7.6	6.4	6.71	0.048	0.0063504		1.56		
16	THUR		0.022	0.019									7.7	6.5					1.41		
17	FRI	0.06	0.023	0.021									7.6	6.3					1.53		
18	SAT		0.032	0.031									7.5	6.4					1.45		
19	SUN		0.023	0.019									7.5	6.4					1.27		
20	MON		0.024	0.023									7.6	6.4					1.44		
21	TUE		0.025	0.021									7.6	6.3					1.51		
22	WED		0.028	0.024	220	2	99.0909091	0.2646	205	4	98.0580524	0.5292	7.7	6.4	6.22	0.038	0.0060274		1.48		
23	THUR	0.05	0.018	0.015									7.6	6.4					1.75		
24	FRI	0.04	0.023	0.021									7.6	6.5					1.65		
25	SAT	0.09	0.026	0.022									7.6	6.5					1.44		
26	SUN		0.031	0.028									7.6	6.5					1.28		
27	MON		0.016	0.014									7.6	6.5					1.38		
28	TUE		0.022	0.019									7.6	6.5					1.36		
29	WED		0.023	0.021	380	2.3	99.3947368	0.30429	147	4	97.2785116	0.5292	7.4	6.5	8.57	0.038	0.0050274		1.32		
30	THUR		0.021	0.018									7.6	6.5					1.39		
31	FRI		0.026	0.021									7.6	6.5					1.58		
Total		0.440	0.707	0.657	1100.000	8.200		1.098	\$19,000	16,000		2.117			27,050	0.173	0.023	0.000			0.000

City of Crosslake

From: "Rob Hall" <Rob.Hall@crowwing.us>
Date: Thursday, March 06, 2014 10:12 AM
To: <cityclerk@crosslake.net>
Cc: "Steve Stroschein" <Steve.Stroschein@crowwing.us>
Subject: CSAH 3 cost share

Good morning. As you may have heard, bids were received for the CSAH 3 reconstruction project and we are entering into a contract with Anderson Brothers Construction. The original estimate for the total project was \$3,874,786. The low bid received was for \$3,540,161. In our cost share agreement we estimated a cost share amount of **\$237,062.70** for the city. Based upon the bid, this amount has changed to **\$196,634.58**. As stated in the cost share document, final costs will determine the actual amount due, but this is good news for now. If you have any questions, feel free to contact myself or Steve Stroschein.

Robert Hall
Assistant County Engineer
Crow Wing County Highway Department
16589 CR 142
Brainerd, MN 56401

Office (218) 824-1110
Fax (218) 824-1111
www.crowwing.us



The information contained in this email is intended only for the use of the individual or entity named above. If the reader of this email is not the intended recipient, you are requested to refrain from reading any attachments to the email. Please notify the person sending the message of the mistaken delivery immediately.

HIGHWAY DEPARTMENT

16589 County Road 142 · Brainerd, MN 56401

Phone: (218) 824-1110 Fax: (218) 824-1111

Timothy V. Bray, P.E. County Engineer
Robert Hall, P.E. Assistant County Engineer



CROW WING COUNTY

March 6, 2014

Anderson Brothers Construction
Attn: Mike Niemi, Project Manager
PO Box 68
Brainerd, MN 56401

Re: S.A.P. 018-603-022 (CSAH 3)
Pre-Construction Meeting

Dear Mike,

A pre-construction meeting has been scheduled for the above referenced Project for 10:00 A.M., Tuesday, April 1, 2014 in our conference room. Please have appropriate Superintendents and/or Foreman from your company and from your Subcontractors attend this meeting.

Sincerely,

Steve Stroschein
Senior Engineer/ Project Manager

cc: Kelvin Howieson, DSAE
Ron Bumann, State Aid Construction Specialist
John Bowen, Emergency Management
I.S.D. 186, Transportation
I.S.D. 2174, Transportation
Crow Wing Power
Xcel Energy
Crosslake Communications
Emily Cooperative Telephone Company
City of Crosslake
City of Fifty Lakes
Crosswoods Golf Course

OUR MISSION:

To provide high quality, cost-effective public services in a friendly and respectful manner.

**CITY – COUNTY – TOWNSHIP
ROADWAY MAINTENANCE AND CONSTRUCTION COORDINATING MEETING
April 7, 2014 - 6:30 PM**

**Crow Wing County Brainerd Shop
16589 CR 142
Brainerd, MN 56401**

Gravel Road Maintenance Video???

Old Business

Standard purchase dates and contracts

Joint Ventures -- For 2014, the county has entered into seven cost share agreements with local agencies related to construction projects, and is working on agreements for maintenance projects.

Gravel Road Dust Control

New Business

Overview of Crash software and data available for all roadways in Crow Wing County????

Land Services Department

Mark B. Liedl.....Land Services Director
Environmental Services
Christopher Pence.....Land Services Supervisor
Douglas R. Morris.....Solid Waste Coordinator
Paul Herkenhoff, PLS.....Survey Coordinator
Property Valuation and Classification
Gary Griffin.....Land Services Supervisor
Public Land Management
Kirk Titus.....Land Services Supervisor

Office of Public Land Management
Land Services Building
322 Laurel Street, Suite 12
Brainerd, MN 56401

Telephone (218) 824-1115
FAX (218) 824-1070
Kirk.Titus@crowwing.us



CROW WING COUNTY

BRAINERD, MINNESOTA 56401

March 6, 2014

To: Loggers & Others
From: Crow Wing County Land Services Department
Subject: Timber Auction & Appointment Procedure for "Show Me the Timber"

The next timber auction is scheduled for **Friday, March 28, 2014** in the lower level of the Land Services Building behind the Courthouse in Meeting Room 1 at **10:00 A.M.**

If you are interested in being shown specific tracts of timber that are part of the attached timber auction, our office will be available to show you certain tracts on **Friday, March 21st**. If interested, please call our office before **Friday, March 21st**, at 218-824-1115 or the Natural Resource Manager directly at:

Bryan Pike – (218) 824-1353
Jake Frie – (218) 824-1354
Ryan Simonson – (218) 824-1355

For your convenience, the timber appraisals are out on the Crow Wing County website: www.crowwing.us. You may also obtain them in our office.

BIDDER ELIGIBILITY REQUIREMENTS

1. Must have received training through the MN Logger Education Program and be a MLEP member in good standing. (Membership dues need to be paid.)
2. Must have completed a Contractor Application Form.
3. Must not have any delinquent or uncollectible timber sale accounts with the counties or state.
4. Must not be involved in a pending timber trespass case with the counties or state.

CROW WING COUNTY LAND COMMISSIONER'S
Notice of County Timber Stumpage Sale
REGULAR AUCTION

Crow Wing County Forest Lands are SFI Certified by PricewaterhouseCoopers LLP, Certificate PwC-SFIS-422
and FSC® Certified by Rainforest Alliance, Certificate RA-FM/COC-006544

Pursuant to the order of the County Board of Crow Wing County and under the provisions of Minnesota Statutes 282.04, Chapter 355, Laws of 1941, as amended, and under the provisions of the Timber Sale Policy adopted by the Crow Wing County Board of Commissioners on January 11, 2005, the following timber on tax forfeited lands will be offered for sale without the sale of land on **March 28, 2014**

**Regular Auction will take place at 10:00 AM in Meeting Room 1, located in the lower level of the
Land Services Building, behind Crow Wing County Courthouse, Brainerd, Minnesota 56401**

I. Terms and Conditions:

- a. Timber Auction Sales will be in the form of a "Regular Auction" only which allows all eligible parties / entities to participate.
- b. Bidding shall be on a percentage basis in multiples of one (1) percent. The bidder with the highest bid raise will be awarded the sale. The right to accept or reject any or all bids is reserved by Crow Wing County.
- c. Each eligible bidder may purchase a maximum of three (3) tracts in the first round of bidding.
- d. Any unsold tracts will be re-offered in a second round of bidding with no bidding limitations.
- e. Tracts not sold at public auction are available for sale at the appraised price under the terms and conditions as stated in the sale offering / timber appraisal until such time as withdrawn from sale by land commissioner.
- f. At the discretion of the land commissioner, minor, incidental species may be designated as "non-bid" species which will not be affected by the bid raise.
- g. Successful purchaser of an auction tract must make a minimum down payment of 15% of the appraised value on the day of the sale.
- h. Upon receipt of 15% down payment, permittee is allowed to construct landings and / or access trails, if desired. Before harvest operations commence, permittee must schedule an on-site, pre-work meeting with contract administrator, and must pay balance of sale/block in full, plus an additional 10% of the appraised value of the total sale which will be deposited as a Performance Guarantee and refunded only after satisfactory completion of sale and repair of access roads and trails upon inspection by timber sale administrator. Each block must be paid in full before cutting is allowed.
- i. Any overrun that occurs on a block must be paid in full before purchasing next block.
- j. The 15% down payment will not be used to cover overruns. The 15% down payment will be retained and applied toward payment of final block.
- k. Public Land Management shall be notified before cutting begins and prior to sale completion. The location of all trails and landings must be approved by Public Land Management.
- l. No bidder shall act in any capacity on behalf of a non-qualifying person, partnership or company for the purpose of procuring rights to purchase timber from Crow Wing County.
- m. No bid shall be accepted from any bidder having a delinquent or uncollectible timber sale account with the counties or state, or from any bidder involved in a pending timber trespass case with the counties or state.
- n. Past due accounts will be charged interest on the balance equal to the interest rate set by the Minnesota Department of Revenue for tax forfeited land sale contracts.
- o. Individuals interested in bidding must register prior to bidding to determine purchase eligibility.

- p. Timber sale will only be issued in the name identified as the successful bidder. Timber permits will not be transferred to a different individual after the auction except that, in the case of extreme hardship, a permit may be transferred if approved by the land commissioner providing transfer document is finalized by all parties.
- q. Auction sales are two years in length unless otherwise noted.
- r. Providing good and sufficient reason is given, one -- one year extension is possible, unless otherwise designated, for a fee of 10% of the uncut volume, based upon bid value.
- s. Failure to activate the sale by paying the balance due before the expiration date of the contract will result in forfeiture of down payment to the County.
- t. Failure to commence cutting, failure to comply with contract regulations, failure to complete the contract within contract period shall result in default of the contract with any credit balance forfeiting to the County.
- u. Failure to comply with Consumer Scale Agreement may result in the disallowance of future Consumer Scale Agreements and may result in timber trespass pursuant to MS 90.301.
- v. Failure to secure an approved Alternate Landing Agreement prior to moving wood off-site may result in disallowance of future Alternate Landing privileges and may result in timber trespass pursuant to MS 90.301.
- w. If payment, in full, for sale / block is provided and if no cutting has occurred on the sale / block, the monies paid, less any down payment paid, may be credited to any other timber contract issued to the contract holder by the county providing the contract holder requests, in writing, that it be credited, provided the request and transfer is made within the same calendar year as the payment was received.
- x. Sustaining Minnesota Forest Resources: Voluntary Site-Level Forest Management Guidelines for Landowners, Loggers and Resource Managers will be implemented on all County managed forest lands.
- y. Liability: The permittee agrees to assume entire responsibility and liability for all damages and injury to all persons and property including County personnel and property whether caused by the permittee, the permittee's officers, agents, or employees, arising from activities undertaken on this permit or the permittee's use of occupancy of the premises covered by this permit. The permittee additionally agrees to indemnify and save and hold the County, its officers, agents, and employees, harmless from all claims or causes of action arising therefrom.
- z. All merchantable timber which is removed to facilitate access to the permit area is to be utilized by permittee with the County being compensated for the value.
- aa. All volumes sold are estimates and estimates only and cannot be construed as a guarantee or a limitation.

The purchaser agrees to comply with all applicable Federal and State labor laws regarding discrimination, wages, benefits, Workers' Compensation insurance and other conditions of employment. (Information on these laws is available from the US Dept. of Labor at: www.dol.gov and the State Dept. of Labor and Industry at: www.doli.state.mn.us)

Direct Contacts for the Natural Resource Managers:

Bryan Pike - (218) 824-1353
 Jacob Frie - (218) 824-1354
 Ryan Simonson - (218) 824-1355

Other helpful links: Minnesota Logger Education Program - <http://www.mlep.org/index.htm>
 Sustainable Forestry Initiative (SFI) - <http://www.sfiprogram.org>
 Forest Stewardship Council™ (FSC®) - <http://www.fscus.org>

The following is a list of parcels to be offered:

REGULAR TIMBER AUCTION

Date/Time: March 28, 2014 at 10:00 AM

Crow Wing County Land Services Building, Meeting Room 1

(Located behind Crow Wing County Courthouse)

Tract 1 NWSE, NESW, NWSW, SWNW, SENW, SWNE, NWNE, NENW Section 7; T.138
2244 -R.25 (LITTLE PINE)

Aspen	800	cords @	\$21.00	=	\$16,800.00	
Oak	420	cords @	\$15.00	=	\$6,300.00	Area Estimate
Birch	220	cords @	\$10.00	=	\$2,200.00	Area Estimate
* Maple	40	cords @	\$10.00	=	\$400.00	Area Estimate
* Basswood	25	cords @	\$10.00	=	\$250.00	Area Estimate
* Ash	10	cords @	\$10.00	=	\$100.00	Area Estimate
* Non Bid			Total	=	\$26,050.00	

53.5 acres. Operability: June 1 - March 15; Dry Summer or Winter

Down payment due on day of Sale = \$3,907.50

Latitude: 46° 47' 12.6" Longitude: 93° 53' 48.9"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 2 SWSE, SESE Section 5; T.138-R.25 (LITTLE PINE)
2153 NWNE, NENE, SWNE, SENW, NENW Section 8; T.138-R.25 (LITTLE PINE)

Aspen	450	cords @	\$20.00	=	\$9,000.00	
Oak	400	cords @	\$17.00	=	\$6,800.00	Area Estimate
Maple	440	cords @	\$9.00	=	\$3,960.00	Area Estimate
Birch	250	cords @	\$10.00	=	\$2,500.00	Area Estimate
* Basswood	150	cords @	\$10.00	=	\$1,500.00	Area Estimate
* Ash	70	cords @	\$10.00	=	\$700.00	Area Estimate
* Non Bid			Total	=	\$24,460.00	

89.7 acres. Operability: POSSIBLE Dry Summer Chance Winter: Dec. 1 - March 15

Down payment due on day of Sale = \$3,669.00

Latitude: 46° 47' 23.6" Longitude: -93° 52' 8.8"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 3

NENE, NWNE, NENW, SENW, SWNE, NESW Section 2; T.138-R.28 (TIMOTHY)

2245

Aspen	1100	cords @	\$18.00	=	\$19,800.00	
Oak	475	cords @	\$15.00	=	\$7,125.00	Area Estimate
Birch	260	cords @	\$10.00	=	\$2,600.00	Area Estimate
* Maple	40	cords @	\$10.00	=	\$400.00	Area Estimate
* Basswood	10	cords @	\$9.00	=	\$90.00	Area Estimate
* Non Bid			Total	=	\$30,015.00	

60.5 acres. Operability: Dec. 1 - March 15, Frozen Ground Only

Down payment due on day of Sale = \$4,502.25

Latitude: 46° 48' 15.6" Longitude: 94° 11' 17.2"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 4

SWNE, NENE, NWNE, NENW Section 30; T.138-R.28 (TIMOTHY)

2242

SESW, SWSE Section 19; T.138-R.28 (TIMOTHY)

Aspen	710	cords @	\$18.00	=	\$12,780.00	
Oak	450	cords @	\$15.00	=	\$6,750.00	Area Estimate
* Birch	40	cords @	\$13.00	=	\$520.00	Area Estimate
* Maple	20	cords @	\$10.00	=	\$200.00	Area Estimate
* Basswood	5	cords @	\$10.00	=	\$50.00	Area Estimate
* Non Bid			Total	=	\$20,300.00	

50 acres. Operability: Dec. 1 - March 15, Frozen Ground Only

Down payment due on day of Sale = \$3,045.00

Latitude: 46° 44' 39.9" Longitude: 94° 15' 36.9"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 5
2240

SWSE, SESE Section 30; T.138-R.28 (TIMOTHY)
SWNW, NENW, SENW, SWNE, NWSE, SWSE, SESE Section 29; T.138-R.28
(TIMOTHY)

Aspen	347	cords @	\$12.00	=	\$4,164.00	
Oak	134	cords @	\$9.00	=	\$1,206.00	Area Estimate
Maple	63	cords @	\$6.00	=	\$378.00	Area Estimate
* Birch	56	cords @	\$7.00	=	\$392.00	Area Estimate
* Ash	41	cords @	\$7.00	=	\$287.00	Area Estimate
* Basswood	7	cords @	\$10.00	=	\$70.00	Area Estimate
* Non Bid			Total	=	\$6,497.00	

87.5 acres. Operability: Winter: Dec. 1 - March 15, Frozen Ground Only

Down payment due on day of Sale = \$974.55

Latitude: 46° 44' 40.08" Longitude: 94° 15' 36.88"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 6
2250

SWNW, NWSW, SENW, SWNE, NESW, NWSE Section 1; T.137-R.25 (ROSS
LAKE)
SENE Section 2; T.137-R.25 (ROSS LAKE)

Red Pine	480	cords @	\$40.00	=	\$19,200.00	
* Red Pine Pulp	180	cords @	\$6.00	=	\$1,080.00	Area Estimate
* Jack Pine Pulp	40	cords @	\$6.00	=	\$240.00	Area Estimate
* Aspen	2	cords @	\$10.00	=	\$20.00	Area Estimate
* Birch	2	cords @	\$5.00	=	\$10.00	Area Estimate
* Non Bid			Total	=	\$20,550.00	

37.7 acres. Operability: May 15 - March 15

Down payment due on day of Sale = \$3,082.50

Latitude: 46° 42' 26.7" Longitude: 93° 47' 42.6"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 7

NENE, SENE, NWNE, NENW Section 1; T.137-R.25 (ROSS LAKE)

2064

Aspen	130	cords @	\$10.00	=	\$1,300.00	
Maple	60	cords @	\$6.00	=	\$360.00	Area Estimate
Birch	40	cords @	\$7.00	=	\$280.00	Area Estimate
* Balsam Fir	1	cords @	\$10.00	=	\$10.00	Area Estimate
* Jack Pine	10	cords @	\$15.00	=	\$150.00	
Oak	30	cords @	\$9.00	=	\$270.00	Area Estimate
* Ash	1	cords @	\$5.00	=	\$5.00	Area Estimate
* Non Bid			Total	=	\$2,375.00	

21.8 acres. Operability: Winter: 12/1 - 3/15, Frozen Ground Only

Down payment due on day of Sale = \$356.25

Latitude: 46° 42' 58.3" Longitude: 93° 46' 38.6"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 8

NESW, NWSW, SWSW, SESW, NWSE Section 1; T.46-R.30 (IRONDALE)

2247

Gov. Lot 2 and 3 Section 2; T.46-R.30 (IRONDALE)

NENE Section 11; T.46-R.30 (IRONDALE)

NWNW Section 12; T.46-R.30 (IRONDALE)

Oak	500	cords @	\$19.00	=	\$9,500.00	Area Estimate
Aspen	160	cords @	\$20.00	=	\$3,200.00	Area Estimate
Birch	75	cords @	\$10.00	=	\$750.00	Area Estimate
Maple	30	cords @	\$9.00	=	\$270.00	Area Estimate
Oak	650	cords @	\$19.00	=	\$12,350.00	Area Estimate
Aspen	120	cords @	\$20.00	=	\$2,400.00	Area Estimate
Birch	70	cords @	\$10.00	=	\$700.00	Area Estimate
Maple	50	cords @	\$9.00	=	\$450.00	Area Estimate
* Ash	3	cords @	\$10.00	=	\$30.00	Area Estimate
* Non Bid			Total	=	\$29,650.00	

53.6 acres. Operability: July 20 - March 15

Down payment due on day of Sale = \$4,447.50

Latitude: 46° 29' 33.2" Longitude: 94° 4' 32.8"

EXPIRATION DATE: March 24, 2016

Purchased By: _____ Bid _____ %

Tract 9
2254

SWNE, NWNE, Gov. Lot 3 Section 4; T.136-R.27 (MISSION)
Lot 5, Lot 4, SESW Section 34; T.137-R.27 (CROSSLAKE)

Oak	540	cords @	\$15.00	=	\$8,100.00	
Birch	105	cords @	\$11.00	=	\$1,155.00	
Aspen	65	cords @	\$18.00	=	\$1,170.00	
* Red Pine	33	cords @	\$21.00	=	\$693.00	Area Estimate
* Jack Pine	1	cords @	\$17.00	=	\$17.00	Area Estimate
* Non Bid			Total	=	\$11,135.00	

47.6 acres. Operability: May 15 - March 15

Down payment due on day of Sale = \$1,670.25

Latitude: 46° 37' 42.53" Longitude: 94° 5' 11.47"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 10
2160

GOV LOT 3, NESW Section 13; T.136-R.27 (MISSION)
SENE, PT OF GL 1 DESC AS: (FORCE & EFFECT OF THIS DESC IS TO CONVEY
A PARCEL OF LAND LYING E OF C/L OF CREEK) DESC: COMM AT A CAPPED
1/2 INCH I/P RLS#17253 FOUND FOR E1/4 OF SD SEC 12 THEN N 45'49" W
COINCIDENT WITH E LINE OF SD SEC 12 1320 FT TO SE COR OF SD Section
12; T.136-R.27 (MISSION)
GOV LOT 2, GOV LOT 3, SW 1/4 Section 7; T.136-R.26 (PERRY LAKE)

Aspen	160	cords @	\$18.00	=	\$2,880.00	Area Estimate
* Birch	50	cords @	\$13.00	=	\$650.00	Area Estimate
Oak	50	cords @	\$12.00	=	\$600.00	Area Estimate
* Jack Pine	30	cords @	\$25.00	=	\$750.00	Area Estimate
Basswood	520	cords @	\$9.00	=	\$4,680.00	Area Estimate
Oak	220	cords @	\$12.00	=	\$2,640.00	Area Estimate
* Ash	75	cords @	\$10.00	=	\$750.00	Area Estimate
Aspen	50	cords @	\$18.00	=	\$900.00	Area Estimate
* Birch	50	cords @	\$13.00	=	\$650.00	Area Estimate
* Maple	15	cords @	\$10.00	=	\$150.00	Area Estimate
* Non Bid			Total	=	\$14,650.00	

54.1 acres. Operability: Dec. 1 - March 15, Frozen Ground Only

Down payment due on day of Sale = \$2,197.50

Latitude: 46° 35' 55.4" Longitude: 94° 1' 34.9"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 11

NWSW, NESW, SWNW, SENW Section 1; T.136-R.27 (MISSION)

2252

Red Pine	330	cords @	\$11.00	=	\$3,630.00	Area Estimate
* Non Bid			Total	=	\$3,630.00	

43.5 acres. Operability: May 15 - March 15

Down payment due on day of Sale = \$544.50

Latitude: 46° 37' 29.68" Longitude: 94° 2' 13.04"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 12E1/2 SW1/4 NW1/4, SE1/4 NW1/4, NE1/4 NW1/4, NW1/4 NE1/4 Section 21; T.136
-R.27 (MISSION)**2241**

Red Pine	150	cords @	\$5.00	=	\$750.00	Area Estimate
* Aspen	4	cords @	\$7.00	=	\$28.00	Area Estimate
* Jack Pine	3	cords @	\$5.00	=	\$15.00	Area Estimate
* Non Bid			Total	=	\$793.00	

18.5 acres. Operability: May 15 - March 15

Down payment due on day of Sale = \$118.95

Latitude: 46° 35' 2.3" Longitude: 94° 5' 36.6"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 13

NESE Section 34; T.46-R.30 (OAK LAWN)

2257

SWNW, SENW, SW1/4 Section 35; T.46-R.30 (OAK LAWN)

Red Pine	500	cords @	\$30.00	=	\$15,000.00	
Red Pine Pulp	570	cords @	\$7.00	=	\$3,990.00	Area Estimate
* Jack Pine Pulp	20	cords @	\$7.00	=	\$140.00	Area Estimate
* Aspen	5	cords @	\$14.00	=	\$70.00	Area Estimate
* Non Bid			Total	=	\$19,200.00	

77 acres. Operability: May 1 - Dec.1

Down payment due on day of Sale = \$2,880.00

Latitude: 46° 25' 28.4" Longitude: 94° 5' 40.8"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 14

NENE, SENE, NESE, SESE Section 17; T.44-R.28 (GARRISON)

2256

Lot 3 Section 20; T.44-R.28 (GARRISON)

Oak	190	cords @	\$15.00	=	\$2,850.00	Area Estimate
Aspen	20	cords @	\$18.00	=	\$360.00	Area Estimate
* Maple	30	cords @	\$10.00	=	\$300.00	Area Estimate
* Birch	7	cords @	\$13.00	=	\$91.00	Area Estimate
Oak	200	cords @	\$15.00	=	\$3,000.00	Area Estimate
Aspen	35	cords @	\$18.00	=	\$630.00	Area Estimate
* Maple	35	cords @	\$10.00	=	\$350.00	Area Estimate
* Birch	18	cords @	\$13.00	=	\$234.00	Area Estimate
* Balsam Fir	11	cords @	\$14.00	=	\$154.00	Area Estimate
* Non Bid			Total	=	\$7,969.00	

44 acres. Operability: July 20 - March 15 (Dry or Frozen Ground)

Down payment due on day of Sale = \$1,195.35

Latitude: 46° 17' 46.4" Longitude: 93° 53' 43.4"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

Tract 15

NWNE, NENW, SWNE Section 13; T.137-R.25 (ROSS LAKE)

2224

SWSE Section 12; T.137-R.25 (ROSS LAKE)

Maple	90	cords @	\$7.00	=	\$630.00	Area Estimate
Basswood	30	cords @	\$7.00	=	\$210.00	Area Estimate
Aspen	30	cords @	\$10.00	=	\$300.00	Area Estimate
* Ash	5	cords @	\$5.00	=	\$25.00	Area Estimate
* Birch	2	cords @	\$5.00	=	\$10.00	Area Estimate
Maple	160	cords @	\$7.00	=	\$1,120.00	Area Estimate
Basswood	65	cords @	\$7.00	=	\$455.00	Area Estimate
Aspen	25	cords @	\$10.00	=	\$250.00	Area Estimate
* Ash	25	cords @	\$5.00	=	\$125.00	Area Estimate
* Birch	20	cords @	\$5.00	=	\$100.00	Area Estimate
* Balsam Fir	5	cords @	\$5.00	=	\$25.00	Area Estimate
Aspen	150	cords @	\$10.00	=	\$1,500.00	Area Estimate
Maple	20	cords @	\$7.00	=	\$140.00	Area Estimate
* Balsam Fir	20	cords @	\$5.00	=	\$100.00	Area Estimate
* Birch	15	cords @	\$5.00	=	\$75.00	Area Estimate
* Non Bid			Total	=	\$5,065.00	

36.4 acres. Operability: Dec. 1 - March 15

Down payment due on day of Sale = \$759.75

Latitude: 46° 41' 3.7" Longitude: 93° 46' 55.2"

EXPIRATION DATE: March 28, 2016

Purchased By: _____ Bid _____ %

New Timber Auction Web Mapping Application!

Crow Wing County has developed a web mapping application that allows the user to view all tracts offered on the upcoming timber auction in an online mapping environment. The user will be able to view timber sale boundaries with 2012 aerial imagery in the background as well as copies of timber appraisals. Simply follow the instructions below to view the map.

1. Navigate to the Crow Wing County website (www.crowwing.us)
2. Click "Departments", then "Land Services", then "Public Land Management"
3. In the upper right corner of the page under Quick Links, click "Timber Auction Web Mapping Application".

Timber Auction

Season of operation

Choose different maps

Double click to zoom in

Click to view Timber Appraisal

Tract detail

Estimated value	19,200.00
Parcel	2057
Area	76
Exp. Species	Red pine, Jack pine
Tract	Tract_13
Season	Summer
Season of operation	Spr. Sum. Winter
2009.10	

SCORE REPORT FORM

C. 19.

Mo./Yr. **January 2014**

CROSSLAKE REPORT

Organization: Waste Partners Environmental Services, Inc.
PO Box 677 Pine River, MN 56474
Contact Person: Eric Loge Ph: (218) 824-8727 Fax: (218) 765-3965

Materials delivered to: Cass County - Pine River Transfer Station
Metal - Crow Wing Recycling

RESIDENTIAL COMMERCIAL

Mixed Paper : (includes)

Corrugated Cardboard
Newspaper
High grade office paper
Magazines
Phone Books
Other paper (specify)

6854

Single Sort: Mixed Paper & Commingle

5219

Commingled Materials: (includes)

3847

%		lbs
0.05	Metals- Aluminum Cans	192
0.21	Tin Cans	808
0.61	Glass-	2346
	Clear bottles	
	Green bottles	
	brown bottles	
0.1	Plastic - #1 & #2 bottles	385
0.03	Reject	115
1.00		3847

Total LBS.

15919

0

Total Tons

7.96

0

OUT OF COUNTY Waste Disposal

Final Destination: **N/A**

Disposal Site Permit # : _____

Tons Delivered: **NONE**

Total Number of
Households
Served this Month

777

	Trash		Recycling		51350	28820	39100
	Accounts	Rate	Accounts	%	paper	commingle	Single sort
BRD	2191	0.87	1911	0.49	25285	14191	19253
BAX	865	0.88	764	0.20	10109	5673	7697
B.P.	630	0.83	526	0.14	6960	3906	5299
P.L.	258	0.63	162	0.04	2143	1203	1632
C.L.	777	0.67	518	0.13	6854	3847	5219
	4721	0.82	3881				

SCORE REPORT FORM

Mo./Yr.

2014

CROSSLAKE REPORT

Organization:

Waste Partners Environmental Services, Inc.

PO Box 677 Pine River, MN 56474

Contact Person:

Eric Loge

Ph: (218) 824-8727

Fax: (218) 765-3965

Materials delivered to:

Cass County - Pine River Transfer Station

Metal - Crow Wing Recycling

RESIDENTIAL

COMMERCIAL

Mixed Paper : (includes)

6436

Corrugated Cardboard

Newspaper

High grade office paper

Magazines

Phone Books

Other paper (specify)

Single Sort: Mixed Paper & Commingle

675

Commingle Materials: (includes)

4263

%		lbs
0.05	Metals- Aluminum Cans	213
0.21	Tin Cans	895
0.61	Glass-	2600
	Clear bottles	
	Green bottles	
	brown bottles	
0.1	Plastic - #1 & #2 bottles	426
0.03	Reject	128
1.00		4263

Total LBS.

11374

0

Total Tons

5.69

0

OUT OF COUNTY Waste Disposal

Final Destination:

N/A

Disposal Site Permit # :

Tons Delivered:

NONE

Total Number of
Households
Served this Month

777

	Trash		Recycling		48218	31940	5060
	Accounts	Rate	Accounts	%	paper	commingle	Single sort
BRD	2191	0.87	1911	0.49	23742	15727	2492
BAX	865	0.88	764	0.20	9492	6288	996
B.P.	630	0.83	526	0.14	6535	4329	686
P.L.	258	0.63	162	0.04	2013	1333	211
C.L.	777	0.67	518	0.13	6436	4263	675
	4721	0.82	3881				

Grad Blast 2014

Excitement and anticipation are in the air!!!!

\$100

*We're planning an unforgettable night for the
Pine River – Backus Graduation Class of 2014.*

What is Grad Blast?

Grad Blast is an all night activity that the graduating seniors can attend the night of graduation. There is entertainment, food, games, mock casino, bowling, picture taking, and more! This night is also the last time that all the seniors are together. It is a perfect time to sign yearbooks, say their "good-byes", and for reminiscing. Grad Blast is a place that our young adults can be together, celebrate graduation, "party" all night and stay safe. This will be the 23rd year of offering PR-B seniors the opportunity to attend this all night alcohol and drug free party that begins the evening of graduation and ends the following morning.

Once again, we are asking for your help in making this party a success. We want the seniors to look back on this as one of their greatest school memories.

An activity such as this requires a lot of planning as well as money, prizes, food and decorations. We would like you to consider joining with us in our effort, by making a donation to this year's class (money, gift card, food, time etc.). The only funding we have is provided by your donations and fund raising efforts, this is not a school funded event.

Checks can be made out to "Grad Blast Committee" and mailed to:

Grad Blast Committee
C/O Deb Thompson
797 8th Street NE
Pine River, MN 56474



If you would like someone to pick up your donation, would like to volunteer or have any questions please contact:

Deb Thompson (218)821-2998 or Liz Steffen (218)252-7567

Thank you for your support. If we can prevent one death or even one accident & give the graduating class a wonderful memory, we will consider this year's Grad Blast a success!!!!



BILLS FOR APPROVAL
March 10, 2014

VENDORS	DEPT		AMOUNT
Ace Hardware, grout, brush	P&R		17.86
Ace Hardware, antifreeze	P&R		7.98
Ace Hardware, snow blower	PW		769.99
Ace Hardware, roof melt tablets	PW		47.98
Ace Hardware, cleaner	P&R		7.58
Ace Hardware, door bottom	P&R		6.49
Ace Hardware, transmission fluid	P&R		5.99
Ace Hardware, fuse	P&R		8.98
Ace Hardware, hardware	P&R		0.60
Ace Hardware, bulbs, bar	PW		41.94
Ace Hardware, battery	Police		5.99
Ace Hardware, hose, hose hanger	Police		16.98
Ace Hardware, gloves	PW		28.47
Ace Hardware, faucet, nozzle, wet/dry vac	Fire		137.96
Ace Hardware, hardware	PW		2.20
Ace Hardware, ballast, light	PW		74.44
Ace Hardware, spring, snap link	Fire		35.32
Advanced Diesel, repair fuel leak	PW		169.86
Aspen Mills, artwork	Fire		60.00
AW Research, water testing	Sewer		345.60
Banyon, backup storage	Admin/Sewer		129.00
Blakeman Pumping Service, pump and clean sand traps	PW/Gov't		350.00
Breen & Person, legal fees	ALL		1,487.50
Chip Lohmiller, reimburse for office supply	Fire		62.27
City of Crosslake, sewer utilities	PW/Gov't		111.00
Clean Team, march cleaning	Gov't		756.14
Clifton Larson Allen, government training academy	Admin	pd 3-4	100.00
Corey Ledin, reimburse travel expenses	Fire	pd 2-19	416.39
Council #65, union dues	ALL		385.00
Crosslake Auto Body, towing of vehicle	Police		77.48
Crosslake Auto Body, towing of vehicle	Police		68.75
Crosslake Communications, phone, fax, cable, internet, service	ALL		2,926.66
Crosslake Firefighters Relief Assn, city contribution	Fire	pd 2-19	14,462.50
Crosslake Portable Welding, plow repair	PW		130.00
Crosslake Rolloff, recycling	Gov't		2,695.00
Crow Wing Auto Body, stripe squad	Police		182.00
Crow Wing County Attorney, forfeiture proceeds	Police		238.60
Crow Wing County Hwy Dept, cutting edges, fuel	ALL		5,104.12
Dacotah Paper, janitorial supplies	Gov't		159.47
Dacotah Paper, janitorial supplies	P&R		179.98
Darrell Schneider, reimburse travel expenses	Council		287.55
Deferred Comp	ALL		150.00
Delta Dental, dental insurance	ALL		1,303.60
DJV Consulting, february/march services	Gov't		1,218.75
Don Kosloski, reimburse mileage	Fire	pd 2-19	373.96

Fire Instruction & Rescue, live house burn	Fire		1,500.00
Fire Instruction & Rescue, chimney fire class	Fire		600.00
First Supply, urinal kit	P&R		95.67
Follett, barcode labels	Library		361.49
Fortis, disability	ALL		496.22
Grafix Shoppe, striping kit	Police		333.61
Grand Forks Fire Equipment, msa and voice amp	Fire		1,990.00
Guardian Pest Solutions, pest control	ALL		77.60
Hawkins, chemicals	Sewer		702.32
Helman, traffic signs, storage bags	Fire		698.15
Holden Electric, replace ceiling fan	PW		480.76
Johnson, Killen & Seller, personnel matters	Gov't		512.50
Jon Henke, reimburse travel expenses	P&R		114.80
Keepers, uniform	Police		175.56
Marco, copier lease	ALL	pd 2-25	414.62
Marsden, office cleaning	PW		633.00
Mastercard, Fleet Farm, light, tie downs	PW		57.42
Mastercard, JCP, uniform	Sewer		119.99
Mastercard, MN Juvenile Officers Assn, training	Police	pd 2-25	185.00
Mastercard, Spa Partners, gym equipment wipes	P&R	pd 2-25	233.63
Mastercard, NWTC, taser training	Police	pd 2-25	175.00
Mastercard, travel expense	Police	pd 2-25	15.00
Mastercard, travel expense	Police		26.67
Mastercard, travel expense	P&R		183.08
MCFOA, 2014 clerk conference	Admin		200.00
Medica, health insurance	ALL		22,705.30
MES, structural gloves	Fire		721.35
MES, structural gloves	Fire		366.24
Midwest Machinery, part	PW		2,370.00
Midwest Machinery, repair shaft	PW		420.46
Midwest Machinery, freight	PW		130.00
Mike Lyonais, reimburse for ink cartridges	Admin		117.66
Mike Lyonais, reimburse petty cash	ALL		55.81
MN Board of Peace Officer Standards and Training, renewals	Police		270.00
MN Fire Service Certification Board, fire officer 1	Fire		75.00
MN Life, life insurance	ALL		303.90
MN Society of CPA's, membership dues	Admin		259.00
Moonlite Square, fuel	Fire		49.18
MPCA, renewal of annual sewer permit	Sewer	pd 2-25	1,450.00
Napa, bulb	Police		3.43
Napa, airchuck	PW		25.38
Napa, bulb	Police		34.98
NCPERS-Life Insurance	ALL		144.00
Northland Press, 2/28 meeting notice	P&Z		53.95
Northland Press, 2/28 meeting notice	P&Z		41.50
People's Security, fix fire alarm	Gov't		91.25
Scott Johnson, reimburse travel expenses	Fire	pd 2-19	427.66
SCR Northern, furnace repair	P&R		270.50
Squad Pro, decals	Fire		120.00
Star Tribune, subscription	Library		345.80
State of MN, forfeiture proceeds	Police		119.30

Synergy Graphics, receipt books	Admin		81.70
Teamsters Local Union #346, union dues	Police		191.00
The Office Shop, paper	Admin		19.93
The Office Shop, folders	Admin		23.92
The Office Shop, copy paper	PZ/Admin		149.96
Verizon, air card and ipad charges	PZ/Police		165.13
Waste Partners, trash removal	ALL		219.74
Widseth Smith Nolting, engineering fees	PW		1,318.60
Xcel Energy, gas utilities	ALL		3,671.07
Ziegler, repair steering wheel	PW		401.82
TOTAL			82,744.54

Crosslake Roll-Off & Recycling Services

February 2014

	Mixed Paper	Aluminum	Tin	Glass	Plastic	Metal	Electronics	Total lbs	2000#	Total Tons
January	0	780	0	7480	1340	0	0	9600	2000	4.8
February	8900	0	0	0	800	0	0	9700	2000	4.85
March							0	0	2000	0
April							0	0	2000	0
May							0	0	2000	0
June							0	0	2000	0
July							0	0	2000	0
August							0	0	2000	0
September							0	0	2000	0
October							0	0	2000	0
November							0	0	2000	0
December								0	2000	0
TOTAL IBS	8900	780	0	7480	2140	0				
2000#	2000	2000	2000	2000	2000	2000				
TOTAL TONS	4.45	0	0	3.74	1.07	0				

Cardboard picked up by Waste Partners Twice a week 2 Dumpsters

RESOLUTION NO. 14-_____

**CITY OF CROSSLAKE
COUNTY OF CROW WING
STATE OF MINNESOTA**

**RESOLUTION SUPPORTING LEGISLATION ALLOWING CITIES TO DESIGNATE
THEIR CITY WEBSITE TO PUBLISH PUBLIC NOTICES**

WHEREAS, cities are currently required by law to publish public notices in a designated official newspaper for the city (Minn. Stat. § 331A); and

WHEREAS, cities are committed to providing information to citizens and increasing access to information about city operations and business; and

WHEREAS, citizens expect and demand information in an immediate format; and

WHEREAS, cities have limited resources and must utilize tax dollars in the most efficient way possible; and

WHEREAS, cities should have the authority to determine the best and most efficient method of communicating information to citizens based on citizen expectations; and

WHEREAS, cities are continuously improving and investing in technology to reach more citizens in a timely manner; and

WHEREAS, utilizing city websites to publish public notices would eliminate the time and costly burden of publishing in newspapers; and

WHEREAS, city websites are increasingly the first place citizens look for information about their cities; and

WHEREAS, the ability of city websites to provide citizens with up-to-date, detailed information exceeds that of print media

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Crosslake supports HF 1286 and SF 1152, legislation now before the 2014 legislature that would allow cities to publish certain public notices on their websites instead of, or in addition to, in an official newspaper.

Adopted by the City Council of the City of Crosslake this 10th day of March, 2014.

Darrel Schneider
Mayor

Charlene Nelson
City Clerk

POLITICAL ACTIVITY POLICY

(Draft Dated: March 4, 2014)

PURPOSE:

City of Crosslake employees have the right to engage in the political process at the local, state, and federal level. They have the right to become candidates in nonpartisan and partisan elections so long as that candidacy does not violate the Federal Hatch Act. Employees are free to support candidates for federal, state, county, or other local office outside of work hours and outside the scope of their employment.

However, the City of Crosslake needs to ensure that the orderly conduct of city business continues unhindered and unabated during political campaigns. Further, the City's neutrality in any political contest must not be compromised.

POLICY:

Limitations. Employees shall limit their conduct in accordance with the following:

- A. No employee shall use official authority to influence or compel any coworker or member of the public to join a political party, to make a political contribution or to take part in any political activity. Use of official authority shall be interpreted broadly and shall include, but not be limited to the following: use of one's official city job title, reference to city employment, wearing or displaying a city-required uniform, or use of any descriptions or characterizations which may create any perception of the city's endorsement thereof.
- B. During work hours, no employee shall display in or on his/her person, workspace, or office, any button, hat, article of clothing, sign advertisement, or literature promoting a political candidate, political position or particular political vote.
- C. No employee shall use property or resources belonging to the City to promote or aid a political candidacy or ballot vote.
- D. No employee shall solicit, support, or seek votes on behalf of a political candidate, political party or political position during work hours, unless doing so in the performance of official duties related to a ballot question, and those official duties were assigned by either the City Council or by statute.
- E. The limitations listed herein shall not apply to any employee who is a candidate for public office or to any Department Head who is charged by the City Council to represent the city's positions on matters of public policy.

DISCIPLINARY ACTION FOR VIOLATIONS:

Because of the importance that the City of Crosslake places on safeguarding its reputation for neutrality and ensuring the orderly conduct of city business, employees who violate this policy will be subject to disciplinary action.

MEMO TO: City Council

FROM: City Clerk

DATE: March 4, 2014

SUBJECT: Complaint Form

The following is an excerpt from the October 14, 2013 Council Meeting minutes:

“Mark Wessels introduced a Complaint Form for Council review. Mr. Wessels stated that all complainants would need to sign this form in order to have staff respond to their complaint and the complainant’s identity would continue to be protected. MOTION 10R1-10-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO DIRECT PLANNING AND ZONING STAFF TO USE THE COMPLAINT FORM FOR ALL COMPLAINTS RECEIVED FROM THE PUBLIC. MOTION CARRIED WITH ALL AYES.”

Mark Wessels has suggested that the attached Complaint Form be used by all City Departments for all types of complaints.

If you are in agreement, a motion is required.

COMPLAINT FORM

City of Crosslake



Date of Complaint: _____

Property Owner: _____

Site Address: _____

Complainant: _____

Does Complainant Want Call Back? YES / NO

Telephone#: _____

Details of Complaint: _____

Signature of Complainant: _____

Date: _____

MEMO TO: City Council

FROM: Char Nelson, City Clerk

DATE: March 6, 2014

SUBJECT: Planning and Zoning Reimbursement Fees

To date, \$7,638.50 has been reimbursed to the City from property owners for outstanding Planning and Zoning fees. Three property owners have not responded to, nor has the City received the return receipts from the post office, from the final notices mailed 2/14/14. Listed below are the nine properties that have outstanding fees.

- 1.) PID# 1415500008A009 - \$111.00 – No reply.
- 2.) PID# 141300000250009 - \$111.00 – No reply.
- 3.) PID# 120291101KZ0009 - \$32.00 – Property owner came into City Hall on 12/23/13 and stated he would not pay the fee.
- 4.) PID# 141790010080009 – \$145.00 – Property owner stated he was never told he would be responsible for additional fees (see attached letter).
- 5.) PID# 120294400AD0009 - \$377.25 – Property owners stated that the legal work that was done was not authorized by them (see attached letter).
- 6.) PID# 142260010090009 - \$100.00 – no reply.
- 7.) PID# 142580020010009 - \$222.00 – Applicants' contractor stated that the applicants were not going to pay the fees because the project did not go through and they have never owned the property in question. Property has since sold to new owner.
- 8.) PID# 14149041011Z009 - \$64.00 – Property owners replied that they purchased the property in September 2013 and had no part of the Variance issued in 2012 and recorded in November 2013.
- 9.) PID# 142020010030009 - \$1,743.75 – Property owner stated that he reimbursed the City \$2,968.25 on 3/4/11 for work completed in 2010 and that he will not pay anything more.

Please note that at the bottom of each invoice it is noted:

“Sec. 26-1451. - Certification of unpaid charges. (Crosslake City code Chapter 26)
Nothing in this section shall be held or construed as in any way stopping or interfering with the city's right to certify as unpaid service charges or assessments against any premises affected, any past due and/or delinquent fees, including interest and late fees. Each and every unpaid fee is hereby made a lien upon the lot, land, or premises served, and such charges that are past due and/or delinquent on October 15 of each year shall be certified to the Crow Wing County auditor. The charges shall be collected and the collection thereof enforced in the same manner as Crow Wing County and State of Minnesota taxes, subject to like penalties, costs and interest charges. Upon certification to the Crow Wing County auditor, any past due and/or delinquent fees shall be due and payable to the office of the Crow Wing County auditor.

The City will have this option for collecting unpaid fees; however that may be difficult if the applicant is no longer the property owner.

City of Crosslake

From: "Majestic Custom - Andre Chouinard" <andre@majesticcustom.com>
Date: Wednesday, January 08, 2014 11:50 AM
To: "Julie Chouinard" <julie@majesticcustom.com>; <cityclerk@crosslake.net>
Subject: PID #141790010080009

PID #141790010080009

Charlene Nelson,

Per our discussion, this e-mail is in response to the invoice I have received for \$145.00 for additional fees from our variance request.

I originally received this invoice and called in and spoke with Brian (in your office) regarding its validity. When we originally applied for our variance we were directed (by your office) to the City website and were told to use your online paperwork package. When we applied for our variance request we used this online paperwork package and the additional form that referenced the additional fees was not part of your online paperwork. We were never made aware of these extra fees, thus making it outside of our agreement for the variance request. For this invoice to be valid we would have had to have been made aware of the fees before signing our documents and pursuing the variance.

Per my discussion with Brian, due to the issue discussed above, this invoice was going to be taken care of by the City.

Please let me know how your office plans to handle this invoice so we can close this matter.

Thank You

Andre' Chouinard

President

Majestic Custom Construction, Inc. - MN License # BC512927

Majestic Custom Electric, Inc. - MN License # EA004449

Majestic Custom Heating & Air Conditioning

8800 Royal Court NW | Ramsey, MN 55303

Office: (763) 241-8411

Cell: (612) 419-2173

Fax: (763) 441-0887

andre@majesticcustom.com

www.majesticcustom.com



To whom it may concern,

In regards to your invoice dated 12-06-13, in the amount of \$377.25.

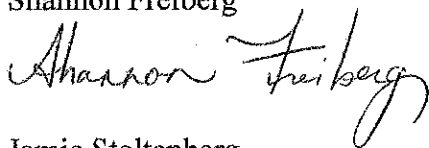
We, Shannon Freiberg, Jamie Stoltenberg and Katie Freiberg, owners and operators of Pine View Child Care, have no intentions of paying this. We believe that we are not liable for these fees, as Ken Anderson took it upon himself to unnecessarily hire Person & Breen.

We feel that Ken Anderson was opposed to Pine View Child Care opening and that he did everything in his power, which he frequently over used, to make it not happen. He required us to have an additional \$5000.00 septic system installed that was not needed to accommodate the children at Pine View. That money was to be used for the children's playground. He requested that we put in a 27 stall, paved and striped parking lot. It goes on and on. For a city that supposedly wants to bring businesses into the community, Ken Anderson certainly made it difficult for us.

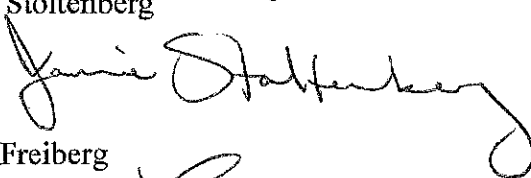
We are now open for business and doing well! We believe that Pine View Child Care is an asset to Crosslake and to the families that bring their children to us for care. We offer a safe, affordable and loving environment for the children and are very happy that Ken Anderson didn't succeed by having us bring our business elsewhere.

Thank you,

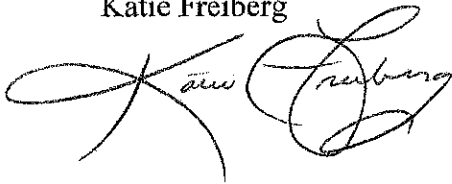
Shannon Freiberg



Jamie Stoltenberg



Katie Freiberg



ORDINANCE NO. _____,
AN ORDINANCE AMENDING CHAPTERS 26 AND 50 REGARDING THE
ASSESSMENT OF UNPAID CHARGES
CITY OF CROSSLAKE
COUNTY OF CROW WING
STATE OF MINNESOTA

The City Council of the City of Crosslake, in the County of Crow Wing, State of Minnesota, does ordain as follows:

SECTION 1. Section 26-1451 is hereby amended as follows:

Sec. 26-1451. Certification of unpaid charges.

Nothing in this section shall be held or construed as in any way stopping or interfering with the city's right to certify as unpaid service charges or assessments against any premises affected, any past due and/or delinquent fees, including interest and late fees. Each and every unpaid fee is hereby made a lien upon the lot, land, or premises served, and such charges that are past due and/or delinquent on **May 15 and/or** October 15 of each year shall be certified to the Crow Wing County Auditor. The charges shall be collected and the collection thereof enforced in the same manner as Crow Wing County and State of Minnesota taxes, subject to like penalties, costs and interest charges. Upon certification to the Crow Wing County Auditor, any past due and/or delinquent fees shall be due and payable to the office of the Crow Wing County Auditor.

SECTION 2. Section 50-624 is hereby amended as follows:

Sec. 50-624. Certification of unpaid charges.

(a)

~~Nothing in this section shall be held or construed as in any way stopping or interfering with the city's right to levy as taxes against any premises affected, any delinquent or past due sewer use, or connection charges, including interest and late fees.~~

(b)

~~Each and every sewer charge levied by and pursuant to this section is hereby made a lien upon the lot, land, or premises served, and such charges which are on October 15 of each year past due and delinquent, shall be certified to the county auditor-treasurer in which such property is situated, and the same shall be collected and the collection thereof enforced in the same manner, in all respects, as county and state taxes, subject to like penalty, costs and interest charges.~~

a) **Nothing in this section shall be held or construed as in any way stopping or interfering with the city's right to certify as unpaid service charges or assessments against any premises affected, any past due and/or delinquent fees, including interest and late fees. Each and every unpaid fee is hereby made a lien upon the lot, land, or premises served, and such charges that are past due and/or delinquent on May 15 and/or October 15 of each year shall be certified to the Crow Wing County Auditor. The charges shall be collected and the collection thereof enforced in the same manner as Crow Wing County and State of Minnesota taxes, subject to like penalties, costs and interest charges. Upon certification to the Crow Wing**

County Auditor, any past due and/or delinquent fees shall be due and payable to the office of the Crow Wing County Auditor.

b) Upon certification to the County Auditor-Treasurer, the entire amount including any unpaid connection charge payments shall be due and payable to the Office of the Crow Wing County Auditor-Treasurer. For purposes of this section, delinquent charges to be certified for collection shall be defined as any account for which a payment has not been received for a period of four months or the outstanding delinquent/past due balance is \$350.00 or more.

c) In addition to all penalties and costs attributable and chargeable to recording notices of the lien or filing a civil action, the owner or user of the real estate being serviced by the treatment works shall be liable for interest upon all unpaid balances at the rate of ten percent per annum.

SECTION 3. This ordinance shall be in full force and effect upon its passage and publication according to law.

Passed by the Crosslake City Council on _____, 2014.

Darrell Schneider
Its Mayor

ATTEST:

Charlene Nelson
City Clerk

Published on _____.
Recorded at the Crow Wing Recorder's Office on _____.

THIS DOCUMENT DRAFTED BY:

J. Brad Person
Breen & Person
510 Laurel Street, Box 472
Brainerd, MN 56401

PLEASE RETURN DOCUMENTS TO THE ABOVE ADDRESSEE.

2014 DATA

CUSTOMER SERVICE INQUIRY 2014

INQUIRY TYPE	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD TOTAL
Counter	51	48	0	0	0	0	0	0	0	0	0	0	99
Phone	67	60	0	0	0	0	0	0	0	0	0	0	127
Email	31	16	0	0	0	0	0	0	0	0	0	0	47
Call for Service Shore Rip	0	2	0	0	0	0	0	0	0	0	0	0	2
Call for Service Shore Non-Rip	0	0	0	0	0	0	0	0	0	0	0	0	0
Call for Service Non-shore	1	1	0	0	0	0	0	0	0	0	0	0	2
TOTAL INQUIRIES MONTHLY	150	127	0	0	0	0	0	0	0	0	0	0	277

ENFORCEMENT 2014

ENFORCEMENT	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD TOTAL
Case Load	1	1											2
Case Load Closed		1											1
Case Load Open	1												1
Case Load Closure Rate	0.0%	100.0%											50.0%

PERMITS 2014

PERMIT TYPE	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD TOTAL
New Construction(Dwig)	2	0											2
Septic - New	1	0											1
Septic Upgrades	1	0											1
Porch / Deck / Patio	1	1											2
Additions	2	0											2
Travel Trailer	0	0											0
Landscape/Alterations	1	0											1
Access Structures	1	1											2
Driveway	0	0											0
Demo	1	0											1
Sign	0	0											0
Commercial	0	0											0
Fence	0	0											0
Tree Removal	0	1											1
E911 Addresses Assigned	1	0											1
Footing Inspection	1	0											1
Final Inspection	0	0											0
Miscellaneous	0	0											0
TOTAL PERMITS MONTHLY	12	3	0	0	0	0	0	0	0	0	0	0	15

SEPTIC SYSTEM INFORMATION 2014

SEPTIC INFO	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD TOTAL
Designs	0	0											0
Compliance Inspections (CI's)	1	0											1
Site Suitability	0	0											0
TOTAL SEPTIC INFO MONTHLY	1	0	0	0	0	0	0	0	0	0	0	0	1

Note: Current Monthly data may change if the planning and zoning commission meeting occurs before the last business day of the month.