



AGENDA
BIG LAKE PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

April 6, 2026
6:00 p.m.

- 1) CALL TO ORDER**
- 2) PLEDGE OF ALLEGIANCE**
- 3) ROLL CALL** (Members: A. Heidemann, L. Odens, P. Seefeld, T. Velishek, J. Geroux, M. Busch, B. Tradewell)
- 4) ADOPT AGENDA**
- 5) OPEN FORUM**
- 6) PLANNING COMMISSION MEETING MINUTES OF MARCH 2, 2026**
- 7) BUSINESS ITEMS**
 - 7A. **PUBLIC HEARING** –Chapter 10 (Zoning) Amendments and Review of Amendments to Chapters 2 (Administration), Chapter 5 (Nuisances), Chapters 6 (Traffic) of the Big Lake City Code.
 - 7B. Amendments to Subsection 1003.11 (R-5, Residential Redevelopment District) and Section 1004.03 (Shoreland Management Overlay District) of Chapter 10 (Zoning Ordinance) of the Big Lake City Code
 - 7C. Planning Commission Strategic Plan
- 8) COMMUNITY DEVELOPMENT REPORT**
- 9) COMMISSIONERS' REPORT**
- 10) OTHER**
- 11) ADJOURN**

Disclaimer: This agenda has been prepared to provide information regarding an upcoming meeting of the Big Lake Planning Commission. This document does not claim to be complete and is subject to change.

Notice of City Council Quorum: A quorum of the City Council members may be present at this meeting. No action will be taken by the Council.



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>Tara Kohl, Planning Technician</i>	Meeting Date: <i>4/6/2026</i>	Item No. 6
Item Description: <i>March 2, 2026 Planning Commission Meeting Minutes</i>	Reviewed By: <i>Marie Popp, Community Development Director</i>	
	Reviewed By:	

ACTION REQUESTED

Motion to approve the March 2, 2026 Big Lake Planning Commission meeting minutes as presented.

BACKGROUND/DISCUSSION

The draft minutes of the March 2, 2026 Planning Commission meeting are attached for review.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

N/A

ATTACHMENTS

March 2, 2026 Planning Commission meeting minutes

**BIG LAKE PLANNING COMMISSION
MEETING MINUTES**

MARCH 2, 2026

1. CALL TO ORDER

Chair Odens called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIENCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Commissioners present: Chair Lisa Odens, Alan Heidemann, Paul Seefeld, Bryce Tradewell, Tony Velishek, Mason Busch, and Jake Geroux. Also present: Community Development Director Marie Popp, and Planning Technician Tara Kohl.

4. ADOPT AGENDA

Commissioner Heidemann motioned to adopt the agenda. Seconded by Commissioner Tradewell. Unanimous ayes, motion carried.

5. OPEN FORUM

Chair Odens opened the open forum at 6:01 p.m. No one came forward. Chair Odens closed the open forum at 6:01 p.m.

6. APPROVE PLANNING COMMISSION MEETING MINUTES OF JANUARY 5, 2026

Commissioner Velishek motioned to approve the January 5, 2026 Planning Commission meeting minutes as presented. Seconded by Commissioner Busch, unanimous ayes, motion carried.

7. BUSINESS

7A. PUBLIC HEARING – COMPREHENSIVE PLAN LAND USE MAP AMENDMENT TO GUIDE THE RAIL-SERVED INDUSTRIAL PARK STUDY AREA AS INDUSTRY/OFFICE

Tara Kohl reviewed the staff memo for the proposed Comprehensive Plan Land Use Map

Amendment to guide the area designated as Rail-Served Industrial Park Study Area as Industry/Office. Kohl shared that the area was already on the land use map, but it needed to be cleaned up to define the boundaries of the area and color coordinate it with the rest of the map.

Commissioner Heidemann stated that he is concerned about the parcels on the eastern side of the study area and questioned if there would be issues with the water feature and residential areas nearby.

Chair Odens asked what the buffer would be between industrial and residential.

Popp replied that the shoreland management overlay district would address setbacks and other buffering requirements.

Heidemann asked if the parcels make sense as industrial.

Popp responded that the parcels are already included in the rail-served industrial park study area and that the study is available to the public. Popp shared that they have been marketed as industrial and there is an annexation request for the parcels along the eastern border of the study area.

Heidemann stated that he just wanted to bring it to the attention of the commission.

Commissioner Seefeld stated that most of the concerns mentioned would be addressed with the code during development.

Odens stated that it was noted in the study that the parcels near residential areas would likely be light industrial.

Heidemann stated that his primary concern was not the buffering of the use, but the use of prime land for industrial purposes rather than step-up housing.

Chair Odens opened the public hearing at 6:09 p.m. No one came forward.

Chair Odens closed the public hearing at 6:10 p.m.

Commissioner Heidemann motioned to recommend approval of the Comprehensive Plan Amendment to amend the land use map to guide the area designated as Rail-Served Industrial Park Study Area as Industry/Office. Seconded by Commissioner Tradewell, unanimous ayes, motion carried.

8. COMMUNITY DEVELOPMENT UPDATE

Marie Popp reviewed the Community Development Department update. Popp reviewed ongoing projects including the shoreland ordinance update, general code housekeeping, two upcoming annexations, and the Hudson Woods concept plan. Popp shared that there is continued interest in residential, industrial, and commercial developments. Popp shared an update on the hiring of the Community Development Coordinator position and that a Community Development Technician position opening has been posted.

Commissioner Seefeld asked how many industrial park lots were still available. Popp responded that there were three parcels still available.

9. COMMISSIONERS' REPORTS

Commissioner Seefeld shared that the City Council has been discussing a water distribution model, street projects, and getting a CMAR for the public safety facility.

10. OTHER - None.

11. ADJOURN

Commissioner Seefeld motioned to adjourn the meeting at 6:16 p.m. Seconded by Commissioner Tradewell unanimous ayes, motion carried.



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>Kendra Lindahl, Consulting Planner</i>	Meeting Date: <i>4/6/2026</i>	Item No. 7A
Item Description: PUBLIC HEARING. <i>Chapter 10 (Zoning) Amendments and Review of Amendments to Chapters 2 (Administration), Chapter 5 (Nuisances), Chapters 6 (Traffic) of the Big Lake City Code.</i>	Reviewed By: <i>Hanna Klimmek, City Administrator</i>	
	Reviewed By: <i>Marie Popp, Community Development Director/EDA Executive Director</i>	

60-DAY REVIEW DEADLINE: *N/A*

ACTION REQUESTED

Hold the public hearing and provide a recommendation on the amendments to Chapter 10 (Zoning) of the City Code.

Provide a recommendation on the amendments to Chapter 2 (Administration), Chapter 5 (Nuisances), and Chapters 6 (Traffic) of the Big Lake City Code.

BACKGROUND/DISCUSSION

The City of Big Lake completed a repeal and replace of the Zoning Ordinance, Subdivision Ordinance and Sign Ordinance in 2023 (ordinance adopted April 26, 2023). When the new ordinances were adopted, staff noted that regular review and updates should be expected to correct any errors and address policy changes as needed. The most recent regular review and update to the Code was approved in Ordinance 25-09 at the December 10, 2025 City Council meeting. During the presentation of the ordinance update, it was noted that updates to Nuisance Ordinances and Reasonable Accommodation would be prioritized during the next revision.

The Planning Commission is only required to hold a public hearing for amendments to the Zoning Ordinance, but, because the other chapters contain information that is relevant to the Commission's work, staff is presenting all four chapters for review and recommendation.

ANALYSIS OF REQUEST

Staff will provide a summary of key changes for each chapter below. The majority of the amendments are not substantive but are housekeeping items to correct spelling, comply with State laws, correct inconsistencies, and add clarity. The more substantive changes are described in this report. The attached ordinance shows all of the recommended changes by deleting the ~~stricken~~ material and adding the underlined material.

CHAPTER 2 (OPERATIONS AND ADMINISTRATION)

A new Section 295 has been drafted to allow the City to evaluate and regulate requests for reasonable accommodations pertaining to housing in accordance with the federal Fair Housing Amendments Act of 1988. These provisions establish a process for the City to administratively waive or modify specific provisions of the City Code which may hinder an applicant with a qualifying disability from having fair and equal access to housing. This reasonable accommodation ordinance would, for example, allow City staff to administratively review and approve a request for an ADA ramp for a home with a setback encroachment. Currently, such a request would be evaluated as a variance by the Planning Commission and City Council, which can be a burden both financially and would typically take 2-3 months to process. Other cities in the region have adopted similar reasonable accommodation ordinance language and this draft language was developed in consultation with the City Attorney.

This addition to the Code includes subsections establishing definitions, procedures, transferability, and conditions and guarantees for staff to evaluate and place reasonable conditions on reasonable accommodation requests. Requests will be evaluated by the Community Development Director, or a designee, and are non-transferable, except in cases where the accommodation cannot reasonably be removed from the structure or the accommodation is to be used by another individual with a qualifying disability who applies under the procedure established in the Code. A zoning permit fee will be collected to process applications for these requests.

CHAPTER 5 (NUISANCES, OFFENSES, AND OTHER REGULATIONS)

Section 510 of the City Code has been amended to comply with MN Statute § 412.925. This Statute states, “A statutory city or home rule charter city shall allow an owner, authorized agent, or authorized occupant of any privately owned lands or premises to install and maintain a managed natural landscape.” A managed natural landscape is defined as “A planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes do not include turf-grass lawns left unattended for the purpose of returning to a natural state.” This Statute also establishes that a “turf-grass lawn” may be no greater than eight inches in height. Language has been drafted to adopt these changes. Amendments to Subsection 1006.06 (Landscaping) of the Zoning Ordinance have also been drafted to permit managed natural landscapes on private property.

Section 550 of the City Code has been amended to update the City’s noticing requirements for sidewalk snow removal in cases where a property owner has failed to clear snow from a sidewalk within 24 hours of a snowfall event. Instead of requiring the City to notify a property owner prior to each instance of snow removal, the Code has been amended to require City Staff to provide an annual notice of the sidewalk clearing Ordinance and related fees to all properties adjacent to sidewalks. This simplifies the noticing process for City staff while still providing adequate information to property owners regarding the City’s snow removal policies.

CHAPTER 6 (TRAFFIC AND MOTOR VEHICLES)

Section 620.03 (Parking, Stopping, Standing) lists prohibited parking locations. At the request of the Big Lake Police Department, this list has been modified to add language prohibiting parking within ten feet of mailboxes during standard mail delivery hours. It’s staff’s understanding that the Post Office will not deliver mail if the mailbox is blocked and this language will allow the Police Department to ticket those in violation of this standard.

CHAPTER 10 (ZONING CODE)

A number of definitions were added or amended. Several definitions added or amended pertain to Section 1004.03 (Shoreland Overlay Management Area). Amendments to Section 1004.03 are scheduled for a Public Hearing at the May 4th Planning Commission meeting.

Several changes are proposed to Section 1003.05 (Use Table). Many of these changes reduce redundancy, correct section reference errors, and improve consistency with other sections of Code. Proposed changes include replacing “Public, educational, and religious buildings” with “Places of assembly,” as staff found a broader term to be needed for such uses in order to comply with case law regarding these types of uses. “Alternative energy systems” has also been removed from the table while specific types of alternative energy systems (wind, solar, etc.) have been added in accordance with the standards in Subsection 1005.08. The use table in Section 1004.06 (Transit Oriented Development District) has also been updated to align with the new uses and definitions.

Changes are also proposed to parking standards. A significant change includes removing “Parking ramp” as a permitted use and adding “Parking facility, commercial” as a principal use with a Conditional Use Permit in all business and most industrial districts. “Parking facility, commercial” is defined in the proposed definitions and includes surface parking lots and parking ramps which are owned by the City and private entities. Performance standards have also been drafted for parking ramps in Section 1006.03 (Parking and Loading). Amendments have also been proposed to Table 27 (Parking Standards) to reduce redundancy and align with updated uses/definitions.

Performance standards have been established for Contractor’s Operations, as this use was previously listed in the use table but did not have any established standards. The drafted standards reduce the impact of exterior storage yards to neighboring properties by limiting exterior storage yards to the I-2 district for contractor operations, requiring yard areas to be surfaced with dustless materials, limiting noise, and prohibiting junk. More broadly, standards for outdoor storage have also been updated to reestablish a ratio of 3.5:1 (storage area to building footprint) for outdoor storage in the I-2 District, which was inadvertently missed in the April 26, 2023 comprehensive Code update, as this section was updated by City staff via a separate process (approved February 2, 2023). This oversight will be corrected with this update.

Significant amendments have been drafted to Section 1005.11 (Non-Conforming Structures, Uses, and Lots). Most significantly, language has been included to allow expansions to non-conforming structure, so long as those expansions do not increase the structure’s non-conformity. For example, an owner of a home which does not meet setback standards would now be able to add or expand a second floor of their home over an existing non-conforming first floor, so long as the setback encroachment is not increased. Other modifications to this section have been drafted to provide clarity and comply with State statutes.

SUMMARY

Staff believes the proposed amendments will make the City Code easier for residents to understand by clarifying a number of issues. The amendments will also address issues identified by residents and staff and will make it easier for the City Code to be implemented and enforced. This Code revision also includes several amendments which are relevant to the implementation of the upcoming revision of the Shoreland Management Overlay District Ordinance.

FINANCIAL IMPACT

None

STAFF RECOMMENDATION

The Planning Commission should hold the public hearing and review the Zoning Ordinance, Traffic Ordinance, Subdivision Ordinance and Sign Ordinance and make a recommendation to the City Council on the final ordinances. Staff will make any desired changes for adoption at the April 15th City Council meeting.

ATTACHMENTS

1. Draft Ordinance approving Amendments

**CITY OF BIG LAKE
MINNESOTA**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Paul Knier at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, on Wednesday, April 15, 2026. The following Council Members were present: Ken Geroux, Ken Halverson, Paul Knier, Kim Noding, and Paul Seefeld. A motion to adopt the following ordinance was made by Council Member _____ and seconded by Council Member _____.

**CITY OF BIG LAKE
ORDINANCE NO. 2026-XX**

ORDINANCE AMENDING CITY CODE CHAPTER 2 (ADMINISTRATION), CHAPTER 5 (NUISANCES), CHAPTER 6 (TRAFFIC), AND CHAPTER 10 (ZONING)

WHEREAS, The City Council finds that the amended administration, nuisances, traffic, and zoning code protects the public health, safety, comfort, convenience and general welfare of the residents of the community; and

WHEREAS, the amendments will provide clarity, correct errors in the text, and provide conformity with State laws; and

WHEREAS, the Big Lake Planning Commission conducted a public hearing on April 6, 2026 and recommended that the City Council approve the ordinance amendments; and

WHEREAS, notice of the public hearing was duly published and posted in accordance with applicable Minnesota Statutes and persons interested in said applications were afforded the opportunity to present their views and objections related to the project; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Big Lake that it hereby approves the following:

SECTION 1. Chapter 2 (Operations and Administration) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to Chapter 2 (Operations and Administration):

SECTION 295: REASONABLE ACCOMODATION

§ 295.01 Purpose.

The city has a legitimate interest in imposing regulations to protect the public health, safety, and general welfare. However, these regulations may not be applied in a manner that denies reasonable accommodation as required by the federal Fair Housing Amendments Act of 1988. It is the policy of the city to provide reasonable accommodation for persons with disabilities seeking fair and equal access to housing, in compliance with federal law.

§ 295.02 Definitions

For the purpose of this section, the following definitions apply unless the context clearly indicates or requires a different meaning.

Disability. Those disabilities which are recognized under applicable federal law.

Qualified Person. An individual with a disability, his or her representative, or a developer or provider of housing for an individual with a disability.

Reasonable Accommodation. The process by which the city may provide a modification or waiver of city building, zoning, or other regulations or policies to a qualified person, when necessary to eliminate barriers to housing opportunities as required by the Fair Housing Amendments Act of 1988.

§ 295.03 Procedure.

The process for making and acting upon requests for reasonable accommodation is set forth below:

1. A qualified person may request the modification or waiver of city regulations or policies by submitting all required application materials and fees to the community development director, or their designee, on forms furnished by the city. The application must include a detailed explanation of why the modification or waiver is reasonably necessary to make the specific housing available to the person, including verification of the disability, as well as other information required by the director. If the request also requires another city review or approval, then the applicant must file the request concurrently with that application.

2. The community development director, or their designee, in consultation with the city attorney, has the authority to consider and act on requests for reasonable accommodation, except that requests associated with another city review or approval will be considered and decided concurrently with that application. A decision must be in writing. A decision may include the imposition of conditions the director, or their designee, deems necessary to mitigate any adverse

impacts of granting such reasonable accommodation. In making a decision, the following factors must be considered:

- a. whether there is a disability;
- b. whether the request is needed to allow a disabled person equal opportunity to use and enjoy a dwelling, or to live in a particular neighborhood, as a person with a disability;
- c. whether the request is reasonable, considering such things as the potential impact on surrounding uses, the potential impact on the subject property, the extent to which the accommodation meets the stated need, and the availability of other alternatives that may meet that need;
- d. whether the request would constitute a fundamental alteration of the city's regulations, policies, or procedures;
- e. whether the request would impose an undue financial or administrative burden on the city;
- f. whether the requested accommodation would impose an undue financial or administrative burden on the city; and
- g. any other factor that may have a bearing on the request.

3. The director, or their designee's, written decision, including notice of the right to appeal, must be mailed to the applicant and to the owners of all properties that are immediately adjacent to the property that is the subject of the request. An aggrieved party may appeal the director's decision to the city council by submitting a written request setting forth fully the grounds of the appeal to the city clerk within 10 days after the decision was mailed to that party. The director's decision is the final decision of the city, unless properly appealed to the city council. Only the aggrieved applicant and immediately adjacent property owners who received notice of the written determination have a right to appeal.

§ 295.04 Transferability.

Any approved request shall allow the property owner or occupant to continue to rely upon such accommodation only so long as they own or occupy the property. Approval of a reasonable accommodation does not constitute a property right, does not run with the land, and does not provide future owners or occupants any rights to rely upon such accommodation approvals unless the director, or their designee, determines and provides a written decision that:

1. the accommodation is physically integrated into the residential structure and cannot easily be removed or altered; or
2. the accommodation is to be used by another individual with a disability who, pursuant to the procedure above, submits an application, fee, and required materials.

§ 295.05 Conditions and Guarantees.

The director, or their designee, may require that the applicant record a covenant agreeing to comply with conditions established in the determination before the issuance of any permits related to an approved reasonable accommodation with respect to the use of real property.

SECTION 2. Chapter 5 (Nuisances, Offenses, and Other Regulations) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §510 (WEEDS AND GRASS):

§ 510.01 Definitions~~Weeds Defined.~~

For the purpose of this section, the following definitions apply unless the context clearly indicates or requires a different meaning.

Managed Natural Landscape. A planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes do not include grass left unattended for the purpose of returning to a natural state and may not include noxious weeds.

~~“Weeds,” as used in this section, shall mean not only~~ Such noxious weeds as are enumerated by the State Noxious Weed Law, M.S. §§ 18.75 et. seq., and acts amendatory thereto, but also such useless and troublesome plants as are commonly known as weeds to the general public. Weeds shall also be construed to mean all rank vegetable growth which exhales unpleasant or noxious odors, and also high rank vegetable growth that may conceal filthy deposits.

And

§ 510.02 A Nuisance.

Any weeds or grass growing upon any lot or parcel of land, including the lands between the curb line of the street or alley and the property line of private properties to a height greater than eight inches ~~one foot~~, or which are about to go to seed, are hereby declared to be a nuisance and dangerous to the health, safety, and good order of the city; excluding managed natural landscapes, storm sewer holding ponds, storm sewer drainage areas, surface water drainage areas, wet lands, shoreline vegetation, nature preserve, and other unplatted property.

SECTION 3. Chapter 5 (Nuisances, Offenses, and Other Regulations) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §550.02 (Failure to Clean Sidewalks):

Subd. 1. Whenever the owner or occupant of any premises in the city fails to clear their sidewalk of snow and loose or melting ice within 24 hours after the completion of any snowfall, or fails to maintain the clearance of their sidewalk thereafter, the city or its authorized contractor shall ~~serve a notice on the owner or occupant of the lot or parcel of land,~~ clear the sidewalk, and bill the property owner for all costs. ~~Such notice shall state that in case of further non-compliance, the clearing of sidewalks will be done by the city or its authorized contractor at the owner's expense.~~ The owner of the property will be determined as shown by the records of the office of the County Recorder. ~~When the premises shall appear to be vacant and unoccupied or when the owner or occupant cannot be found, then notice may be served by posting upon the premises in a conspicuous place.~~ Notice of sidewalk clearing and related fees shall be provided annually.

Subd. 2. For each successive violation concerning clearing of snow and loose or melting ice from sidewalks, the city will ~~post a notice of violation on the property stating that the city or its authorized contractor will,~~ without further notice, correct the conditions creating such violations and assess the cost there for against the property. The City Council shall determine an hourly rate for clearing of sidewalks.

SECTION 4. Chapter 6 (Traffic and Motor Vehicles) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §620.03 (Parking, Stopping, Standing):

16. In an area designated as a fire lane; ~~or~~

17. Move a vehicle not owned by the person into any prohibitive area or away from a curb such distance as is unlawful; ~~or~~

18. Within ten feet of a mailbox during the hours of 8:00 a.m and 6:00 p.m Monday through Saturday.

SECTION 5. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1001.02 (Definitions):

Accessory Structure. A structure subordinate to, incidental to, and/or serving the principal structure on the same lot (~~or immediately adjacent lot in the R-5 district~~except as permitted by Section 1006.7, Subd. 8 of this chapter) and the use of which is clearly incidental to that of the main building or to the use of the premises. Examples of accessory structures include detached garages, greenhouses, gazebos, ice-fishing shacks, storage sheds, tool sheds, platforms, trash enclosures, and the like.

And

Accessory Structure, Water-Oriented. A small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to surface water, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include, watercraft and watercraft equipment storage structures, gazebos, screen houses, fish houses, pump houses, patios, and detached decks. Boathouses and boat storage structures given the meaning under Minnesota Statutes, Section 103G.245 are not water-oriented accessory structures.

And

~~Accessory Structure or Facility (Shoreland). Any building or improvement subordinate to a principal use which, because of the nature of its use, can reasonably be located at or greater than normal structure setbacks.~~

And

Animals. See City Code subsection ~~380.01~~390.01 for animal definitions.

And

Bluff (Shoreland). A topographic 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 ordinary high water level of the water body;
3. The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30% or greater; except an area with an average slope of less than 18% over a distance for 50 feet or more shall not be considered part of the bluff; and
4. The slope must drain toward the water body; ~~and~~
- ~~— 5. An area with an average slope of less than 18% over a distance for 50 feet or more shall not be considered part of the bluff.~~

And

Boathouse. A facility as defined by Minnesota Statutes, Section 103G.245.

And

Buffer. The use of land, topography, difference in elevation, space, fences, or landscape plantings, including perennial vegetation, to screen or partially screen a use or property from another use or property to shield or mitigate undesirable influences such as: sight, noise, dust, lights, runoff pollution, and other external

impacts; and, when adjacent to bodies of water, stabilizes soils, shores, and banks and provides riparian corridors.

And

~~Business. Any establishment, occupation, employment, or enterprise where merchandise is manufactured, exhibited, or sold, or where services are offered for compensation.~~

And

~~Catering/Commercial Kitchen. An establishment where meals are regularly prepared for consumption within an on-site event center or catered to off-site events, having a minimum seating capacity of 160 providing food and beverages service, which may include accessory on-sale liquor and live entertainment, where meals are regularly prepared on the premises and served at tables for special events sponsored by persons or entities who are members of the general public, but which is not open for business on a daily basis, and which may provide catering services for special events for consumption off the premises.~~

And

~~Commissioner (Shoreland). Commissioner of the Department of Natural Resources.~~

And

Contractor Operation. An area and/or building devoted to use by a person who contracts to supply certain materials or to perform certain work in the field of building or construction trades. A contractor operation may include an exterior storage yard for the storage of materials, vehicles, and machinery associated with the business operation.

And

Data Center. A facility used primarily for the management, storage, processing, and transmission of digital data which contains computer or network equipment, systems, services, appliances, and other associated components related to digital data storage and operations.

And

~~Duplex, Triplex, and Quad. A dwelling structure on a single lot, having two, three, and four units respectively, being attached by common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.~~

And

Dwelling, Two-Family. A building designed exclusively for occupancy by two families in separate dwelling units.

1. Duplex. A two-family dwelling with one unit above the other.

2. Twinhome. A two-family dwelling with two units side by side.

Dwelling Unit. A dwelling unit is a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Dwelling units may be located within single-family, two-family, townhouse or multiple-family buildings.

1. In the Shoreland Management Overlay District, a Dwelling Unit may be designed as short- or long-term living quarters and includes accommodations such as motels, hotels, resort rooms, and cabins.

~~Dwelling Unit (Shoreland). 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, resort rooms, and cabins.~~

And

Essential Service Structures. Structures and buildings necessary for the operation of essential services, including, but not limited to: telephone buildings, telephone booths, gas regulator stations, substations, electrical stations, water tanks, water towers, and lift stations. Essential service structures shall not include transmission/reception antennas or electric transmission lines in excess of 35 KV and associated poles, towers and other appurtenances 60 feet or more in height above the natural ground level.

And

Event Center. A facility located on private property with a minimum seating capacity of 160 that primarily functions to provide space for special events with or without live entertainment, such as receptions, weddings, dances, or meetings, that are sponsored by persons or entities who are members of the general public. Food and beverage may be catered to the site or be provided through an on-site commercial/catering kitchen. An event center may include accessory on-sale liquor. ~~a facility for any type of social gathering that is available for use by various groups for such activities as public assemblies, meetings, private meetings, retreats, parties, weddings, receptions, and dances.~~

And

Extractive Use. The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minnesota Statutes, Sections 93.44 to 93.51.

And

Feedlots. A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the

enclosure. Open lots used for feeding and rearing of poultry (poultry ranges) and barns, dairy farms, swine facilities, beef lots and barns, horse stalls, mink ranches, and zoos shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots, nor shall any area as above described which contains ten or fewer farm animals ~~or less~~.

And

Forest Land Conversion. The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

Funeral Home.

1. A building or part thereof used for human funeral services. Such building may contain space and facilities for:

a. Embalming and the performance of other services used in the preparation of the dead for burial;

b. The performance of autopsies and other surgical procedures;

c. The storage of caskets, funeral urns, and other related funeral supplies; and

d. The storage of funeral supplies.

2. This classification excludes cemeteries and crematoriums.

Garage. An accessory building or accessory portion of the principal building which is intended for and used to store ~~the~~ private passenger vehicles and trucks.

And

Health Club. A ~~facility place of assembly and activity~~ where membership may be required and is directed toward the general public with the commercial promotion of sports and physical fitness. Uses include, but are not limited to, personal training, gymnastics, martial arts, aerobics, exercise, and dance studios.

Home Occupation. Any activity engaged in by the occupant of a residential dwelling unit, which is carried out for business purposes and which activity is clearly incidental and secondary to the residential use of the premises, and which activity does not change the residential character thereof. This includes home offices used for conducting affairs of a recognized business, profession or service solely by the occupant of the dwelling and does not involve the on-site sale of products or client/patron site visitations. "Home occupation" does not include any cannabis business or hemp business, as defined in Minnesota Statutes Chapter 342 as amended, or any business licensed under Minnesota Statutes Chapter 18K as amended.

And

Intensive Vegetation Clearing ~~(Shoreland)~~. The complete removal of trees or shrubs in a contiguous patch, strip, row, or block.

And

~~Lot (Shoreland). A parcel of land designated by plat, metes and bounds, registered land survey, auditors plot, or other accepted means and separated from other parcels or portions by said description for the purpose of sale, lease, or separation.~~

And

Lot, Controlled Access. A lot used to access public waters or as a recreation area for owners of non-riparian lots within the same subdivision containing the controlled access lot.

And

Lot Width. The horizontal distance between the side lot lines measured at right angles to the lot depth, at the minimum front building setback line. For riparian lots, lot width is also the horizontal distance between side lot lines at the ordinary high water level.

~~Lot Width (Shoreland). The shortest distance between lot lines measured at the midpoint of the building line.~~

And

Managed Natural Landscape. A planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes do not include turf-grass lawns left unattended for the purpose of returning to a natural state and may not include noxious weeds.

And

Non-Conforming Structure, Parcel, or Use, Illegal. A structure or use that has been established in a manner that does not conform to the applicable conditions required by the regulations in place at the time the structure or use was established.

Non-Conforming Structure, Parcel, or Use, Legal. Any lawfully established structure or use which, on April 26, 2023 (effective date of the ordinance from which this chapter is derived) does not conform to the applicable conditions if the structure or use was to be erected under the guidance of this chapter.

~~Non-Conformity (Shoreland). 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, if the official controls had been in effect prior to the date it was established, recorded, or authorized.~~

And

Office, Professional or Medical Business (General). An establishment located within a building or portion of a building for the conduct of business activities involving predominantly professional, administrative, ~~or clerical~~, or medical service operations including attorneys, financial advisors, consultants, insurance, travel, outpatient medical services, and other uses of similar character.

~~Office/Warehouse: A building or group of buildings that combine office functions with warehousing, storage, or light industrial activities. The office component may include administrative, sales, or support functions directly related to the warehousing or industrial operations conducted on-site. The use shall not include retail sales to the general public unless specifically permitted.~~

And

Ordinary High Water Level (~~Shoreland~~). 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 shall be the operating elevation of the normal summer pool.

Outdoor Storage (Exterior Storage). Any open land used or occupied for the purpose of outdoor storage of material, equipment, or products not including uses defined as "temporary outdoor seasonal sales." Outdoor storage shall not include the temporary parking of licensed and operable motor vehicles in designated parking stalls, or trucks being serviced in designated loading areas, except in an outdoor storage yard accessory to a contractor operation, ~~or uses defined as "temporary outdoor seasonal sales."~~

And

Parking Facility, Commercial. A commercial parking facility owned and operated by the city or by a private entity and designed to accommodate the off-street parking of motor vehicles. Such parking may be located in a structured parking ramp facility, a surface lot, or a combination thereof.

And

Parking Ramp. A structure or portion of a structure composed of one or more levels or floors used for the parking of vehicles and which may be totally below grade (as in an underground garage) or either partially or totally above grade with those levels being either open or enclosed.

And

Place of Assembly. A structure or portion of a structure where facilities are provided primarily for the gathering of people for civic, educational, political, social, or religious purposes.

Place of Public Accommodation. A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

Places of Worship. Any place of worship, A place of assembly used for religious purposes, including any church, synagogue, temple, mosque, or other building or facility, primarily engaged in religious worship. The term does not include uses, such as schools, recreational facilities, day care or child care facilities, kindergartens, dormitories, or other facilities, for temporary or permanent residences, which are connected or related to the worship facility or the principal buildings on the site, or are located on the same site, even if the curriculum or services offered as part of such use includes religious services and/or training.

And

Planned Unit Development (Shoreland). A type of development characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent, or lease, and also usually involving clustering of these units or sites to provide areas of common open space, density increases, and a mix of structure types and land uses. These developments may be organized and operated as condominiums, cooperatives, full fee ownership, commercial enterprises, or any combination of these, or cluster subdivisions of dwelling units, residential condominiums, townhouses, apartment buildings, campgrounds, recreational vehicle parks, resorts, hotels, motels, and conversions of structures and land uses to these uses.

Planned Unit Development, Commercial (Shoreland). Uses that typically provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreation vehicle and camping parks, and other primarily service-oriented activities are commercial planned unit developments.

Planned Unit Development, Residential (Shoreland). A use where the nature of residency is non-transient and the major or primary focus of the development is not service-oriented. For example, residential apartments, time share condominiums, townhouses, cooperatives, and full fee ownership residences would be considered as residential planned unit developments.

And

Public, Educational, and Religious Buildings. Buildings arranged for public use (as defined below), the purposes of instruction, or religious worship.

And

Public Waters. ~~Waters of the state~~ Any water as defined in M.S. § 103G.005, subd. 15 and 15a, as amended from time to time.

And

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.

And

Setback. The minimum required distance between a building or structure and the property line nearest thereto;

1. Within-shoreland districts the Shoreland Management Overlay District, it shall also mean the minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, highway, property line, or other facility.

2. In cases where there is no foundation, setbacks shall be measured to the closest part of the structure to the lot line and/or right-of-way line and/or ordinary high watermark.

And

Sewer System. Pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

And

Shore Impact Zone ~~(Shoreland)~~. Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback.

Shoreland ~~(Shoreland)~~. Land located within the following distances from public waters: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced when ~~ever~~ the shoreland of water bodies with different classifications overlap and waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.

Shore Recreation Facilities. Swimming areas, docks, watercraft mooring areas and launching ramps and other water recreation facilities.

And

Slope, Steep. ~~Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or~~

~~other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of this chapter. Where specific information is not available, steep slopes are~~ Lands having average slopes over 12%, as measured over horizontal distances of 50 feet or more, that are not bluffs.

And

Structure. Anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, decks, sheds, detached garages, cabins, manufactured homes, and travel trailers/vehicles, and excluding aerial or underground utility lines such as sewer, electric, telephone, telegraph, gas lines, towers, poles, and other supporting facilities.

And

~~Subdivision (Shoreland). Land that is divided for the purpose of sale, rent, or lease, including planned unit developments.~~

~~Substandard Use (Shoreland). Any use of shoreland in existence prior to the date of enactment of the ordinance from which this chapter is derived (October 29, 1985), which shall be permitted within the applicable zoning districts, but do not meet the minimum lot area, setbacks, or other dimensional requirements of this chapter, shall be considered substandard uses.~~

And

~~Surface Water Oriented Commercial Use. The use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conduct of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.~~

And

Warehouse. A building or part of a building used primarily for the storage of goods, materials, merchandise, or equipment. Warehouses may include loading docks and facilities for the receipt, storage, and distribution of goods but shall not include retail sales to the general public unless otherwise permitted. Data centers and manufacturing facilities are not warehouses.

And

Water-dependent use. The use of land for commercial, industrial, public or semi-public purposes, where access to and use of a public water is an integral part of the normal conduct of operation. Marinas, resorts, and restaurants with transient docking facilities are examples of uses typically found in shoreland areas.

Wetlands. 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, as defined by Minnesota Rule, part 8420.0111.

SECTION 6. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1003.05 (Use Table):

TABLE 1							
Use	AG	R-1	R-2	R-3	R-4	R-5	Code Reference
Accessory dwelling unit	C	C	C			C	Subsection 1006.07
Accessory structures and uses incidental and customary to the uses allowed	AP	AP	AP	AP	AP	AP	Subsection 1005.0 1 <u>2</u>
Agriculture, farms, nursery farms, greenhouses for growing only, landscape gardening, including sale of products only grown on premises	P						
Alternative energy systems	AP	AP	AP	AP	AP	AP	Subsection 1005.08
Antennas	A, AP, C, P	A, AP, C, P	A, AP, C, P	A, AP, C, P	A, AP, C, P	A, AP, C, P	Subsection 1005.02
Assisted living facility				C			Subsection 1006.07
Cannabis cultivation (outdoor)	P						Subsection 1005.15
Cemeteries and memorial gardens	C	C				C	Subsection 1006.07
Day care facility, commercial	C						Subsection 1006.07
Day care facility, in home	A	A	A	A	A	A	Subsection 1006.07
Detached accessory structure (off-site)						C	Subsection 1006.07
Dwelling, multifamily				P			

TABLE 1							
Use	AG	R-1	R-2	R-3	R-4	R-5	Code Reference
Dwellings, single-family detached	P	P	P			P	
Dwellings, townhomes			P	P		C	
Dwellings, two-family			P	P		C	
Essential services	P, AP, C	P, AP, C	P, AP, C	P, AP, C	P, AP, C	P, AP, C	Subsection 1005.04, 1006.07
Fences	AP	AP	AP	AP	AP	AP	Subsection 1006.05
Garage	A	A	A	A	A	A	Subsection <u>1005.01</u> , 1006. <u>0402</u>
Gardening and other horticultural uses, with no sale of products on premises	A	A	A	A	A	A	
<u>Geothermal system</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP,I</u>	<u>AP</u>	<u>AP</u>	<u>Subsection 1005.08</u>
Golf courses, archery ranges, ski clubs, and other private recreational land uses of a similar nature	P						
Grading and mining operations	I	I	I	I	I	I	Subsection 1005.05
Grading, filling, and excavating	AP	AP	AP	AP	AP	AP	Subsection 1005.05
Home occupations	A, C	A, C	A, C	A, C	A, C	A, C	Subsection 1005.12
Keeping of animals	A	A	A	A	A	A	Section 390
Kennels, commercial	I						Subsection 1006.07
Manufactured home park					C		

TABLE 1							
Use	AG	R-1	R-2	R-3	R-4	R-5	Code Reference
Model homes/temporary real estate office		AP	AP	AP	I	AP	Subsection 1005.06
Off-street loading			A	A	A	A	Subsection 1006.03
Outdoor wood burner	A	A	A	A	A	A	
Public, educational, and religious buildings Places of assembly	C	C	C	C	C	C	Subsection 1006.07
Recreation, public	P	P	P	P	P	P	
Recreational field, structure, or building	C	C	C	C	C	C	Subsection 1006.07
Recreational vehicles	A	A	A	A	A	A	Subsection 1005.07
Septic and well	I						Subsection 1006.07
Short-term rental housing	AP	AP	AP	AP		AP	Subsection 1006.07
Signs	A	A, C	A, C	A, C	A, C	A, C	Section 1300
Solar farms and gardens	I						Subsection 1005.08
Solar, ground-, roof-, or building-mounted, accessory	A	A	A	A	A	A	Subsection 1005.08
State licensed residential facility (6 or fewer people)	P	P				P	
State licensed residential facility (7 or more people)			C	C	C		Subsection 1006.07
Temporary classroom	I	I	I	I	I	I	
Temporary mobile towers for personal wireless service antennas	AP	AP	AP	AP	AP	AP	Subsection 1005.02

TABLE 1							
Use	AG	R-1	R-2	R-3	R-4	R-5	Code Reference
Temporary structures and uses	AP	AP	AP	AP	AP	AP	Subsection 1002.10
Uses incidental and directly related to public and private recreational facilities	A	A	A	A	A	A	
<u>Wind energy conversion system</u>	<u>A,C</u>	<u>A,C</u>	<u>A,C</u>	<u>A,C</u>	<u>A,C</u>	<u>A,C</u>	<u>Subsection 1005.08</u>

And

Table 2							
Use	B-1	B-2	CI	I-1	I-2	I-3	Section Reference
Accessory structures and uses incidental and customary to the uses allowed	AP	AP	AP	AP	AP	AP	Subsection 1005.0 12
Animal hospital	P	P	P	P	P	P	
Animal grooming <u>and veterinary clinic</u>	P	P	P	P	P	P	
Antennas	A, AP, C, P	A, AP, C, P	A, AP, C, P	A, AP, C, P	A, AP, C, P	A, AP, C, P	Subsection 1005.02
Artisan studio/makerspace	P	P	P	P		P	
Auction facility	P	P	P	P	P	P	
Auto mobile repair (major/minor), with a retail component		C					Subsection 1006.07
Automobile repair, major				P	P	P	
Banks, credit unions, and other financial institutions	P	P	P				

Table 2							
Bed and breakfast establishment	P	P					
Breweries, taproom	P	P	P	P	P	P	
Brewpubs	P	P	P				
Cannabis cultivation (indoor)	P	P	P	P	P	P	Subsection 1005.15
Cannabis manufacturing, processing, extraction	P	P	P	P	P	P	Subsection 1005.15
Cannabis retail	P	P	P	P			Subsection 1005.15
Cannabis wholesale	P	P	P	P	P	P	Subsection 1005.15
Canopies	A	A	A				Subsection 1006.07
Car wash	C	C					Subsection 1006.07
Catering/commercial kitchen	P	P	P			P	
Contractor's operations				P	P		Subsection 1006.07
Co-working space/flexible office space	P	P	P	P		P	
Day care facility, commercial	C	C					Subsection 1006.07
Day care, as a conditional accessory use			C	C	C	C	Subsection 1006.07
Dispatch center	P						
Distribution center				P	P		
Drive through lanes	A	A					Subsection 1006.07
Dry cleaning, laundromat, laundry service	P	P					

Table 2							
Essential services	P, AP, C	P, AP, C	P, AP, C	P, AP, C	P, AP, C	P, AP, C	Subsection 1005.04, 1006.07
Event center	P	P	P	P	P	P	
Farmer's market	AP	AP	AP	AP	AP	AP	
Fences	AP	AP	AP	AP	AP	AP	Subsection 1006.0 5 ⁴
Firearm range					C		
Funeral homes and mortuaries	P	P	P	P	P	P	
Garage, private	A	A	A	A	A	A	
<u>Geothermal system</u>	<u>AP, I</u>	<u>AP, I</u>	<u>AP, I</u>	<u>AP, I</u>	<u>AP, I</u>	<u>AP, I</u>	<u>Subsection 1005.08</u>
Grading, land filling, and excavation	AP, I	AP, I	AP, I	AP, I	AP, I	AP, I	Subsection 1005.05
Grocery, supermarket		P					
Health clubs	P	P	P	P			
Hemp manufacturing	P	P	P	P	P	P	Subsection 1005.15
Hospitals and medical campus	P	P	P	P	P	P	
Hotels and motels	P	P	P				
Keeping of animals		A	A	A	P		Section 390
Kennels, commercial				I	I		Subsection 1006.07
Laboratories			P	P	P	P	
Liquor, on-sale or off-sale	P	P					
Manufacturing, compounding, assembly, packaging, treatment of products	C	C	P	P	P	P	

Table 2							
Motor fuel station	C	C					Subsection 1006.07
Motor vehicle sales, <u>service, leasing/rental, and repair (major/minor)</u>		C		C	C		Subsection 1006.07
Motor vehicle sales, indoor						P	
Retail and personal service business	P	P	P				
Offices, professional/medical	P	P	P				
Office/warehouse or business				P	P	P	
Off-street loading	A	A	A	A	A	A	<u>Subsection 1006.03</u>
Open sales lot		A					
Outdoor dining, accessory	AP	AP	AP	AP	AP	AP	Subsection 1006.07
Outdoor sales, and services, <u>and rentals</u> accessory	C	C					Subsection 1006.07 <u>and 1005.14</u>
Outdoor storage, accessory					I	AP, I	Subsection 1006.07 <u>and 1005.14</u>
<u>Parking facility, commercial</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>Subsection 1006.03</u>
Parking ramp	P	P	P	P	P	P	
<u>Places of assembly</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>Subsection 1006.07</u>
Processing or fabrication			P	P	P	P	
Public, educational, and religious buildings	C	C	C	C	C	C	<u>Subsection 1006.07</u>
Radio and television stations	P	P	P	P	P	P	

Table 2							
Recreation, commercial		P	P	P	P	P	
Recreation, field, structure, or building	C	C	C	C	C	C	Subsection 1006.07
Recreation, public	P	P	P	P	P	P	
Restaurant	P	P	P				
Restaurant/cafeteria accessory to an allowed use	A	A	A	A	A	A	Subsection 1006.07
Self-service storage facility				P	P	P	
Sexually oriented business	P, A	P, A	P, A	P, A	P, A	P, A	Subsection 1005.11
Shopping center		P					
Signs	A, AP, C	A, AP, C	A, AP, C	A, AP, C	A, AP, C	A, AP, C	Section 1300
<u>Solar, ground-, roof-, or building-mounted, accessory</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>Subsection 1005.08</u>
Sports arena and stadiums					C	C	
State licensed residential facility (> 7 or more persons)	P	P					
Storage, containerized		I					
Temporary structures and uses	AP	AP	AP	AP	AP	AP	Subsection 1002.10
Trade or business schools		P	P				
Transit station	P	P	P	P	P	P	
Truck or freight terminal					C		Subsection 1006.07
Vehicle rental, accessory		I					Subsection 1006.07
<u>Warehouse</u>				<u>P</u>	<u>P</u>	<u>P</u>	

Table 2							
Wholesale showrooms, warehousing, and indoor storage		P	P	P	P	P	
<u>Wind energy conversion system</u>	<u>A, C</u>	<u>A, C</u>	<u>A, C</u>	<u>A, C</u>	<u>A, C</u>	<u>A, C</u>	<u>Subsection 1005.08</u>

SECTION 7. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1004.06 (Transit Oriented Development District), Subd. 3, Table 23:

Conditional Uses		
Accessory outdoor seating associated with food service businesses	Accessory outdoor seating associated with food service businesses	All conditional uses as allowed within the B-1, Business Campus Zoning District
<u>Parking facility, commercial</u> Commercial parking lots and structures (as a principal use)	Convenience stores with gas	Office/warehouse
Commercial recreation (indoor)	Restaurants with drive-through facilities	<u>Places of assembly</u> Public, educational, and religious buildings and m
Stadiums and sports facilities over 10,000 seats	Hotels	<u>Municipal</u> government buildings
Grocery stores over 10,000 square feet	Hospitals	All conditional uses as allowed within the R-3 High Density Residential Zoning District
All permitted uses in the B-2 Neighborhood Business District not already permitted in the Station Zone	<u>Places of assembly</u> Public, educational, and religious buildings and m	
	<u>Municipal</u> government buildings	
	All permitted uses in the B-2 Neighborhood Business District not already permitted in the Midway Zone	

SECTION 8. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1004.06 (Transit Oriented Development District), Subd. 4:

4. Parking ~~Structures~~Ramps.

- a. Parking ~~structures~~ramps shall incorporate pedestrian walkways and connections to the neighborhood sidewalk system.
- b. Parking ~~structures~~ramps are encouraged to include ground level retail uses along streets and sidewalks.
- c. Parking ~~structures~~ramps shall adhere to the guidelines of the City Downtown Design Standards. Application of the standards shall follow the same procedure as in the Downtown Design Standards-Transition Zone.

SECTION 9. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1005 (GENERAL REQUIREMENTS):

§ 1005.11 Non-Conforming ~~Buildings~~, Structures, Uses, and Lots.

Subd. 1. ~~Non-Conforming Building, Structures, and Uses~~Purpose and General Provisions. It is the purpose of this subsection to provide for the regulation of non-conforming ~~buildings~~, structures, lots, and uses and to specify those requirements, circumstances and conditions under which non-conforming ~~buildings~~, structures, lots, and uses may be operated and maintained. The zoning ordinance establishes separate districts, each of which is an appropriate area for the location of uses, which are permitted in that district. It is necessary and consistent with the establishment of these districts that non-conforming ~~buildings~~, structures, lots, and uses not be permitted to continue without restriction. Furthermore, it is the intent of this subsection that all non-conforming structures, uses and lots shall be eventually brought into conformity with this chapter.

1. Grandfather Clause. Any structure, ~~or~~ use, or lot of record lawfully existing on July 20, 2002 (effective date of chapter) shall not be altered in a manner to increase enlarged the non-conformity, but may be continued in a manner which does not increase the non-conformity at the size and in the manner of operation existing upon such date except as hereinafter specified or subsequently amended.

~~2. Remedial Work. Nothing in this chapter shall prevent the placing of a structure in safe condition when said structure is declared unsafe by the Building Official providing the necessary repairs shall not constitute more than 50% of fair market value of such structure. The County Assessor will determine said fair market value.~~

2. Conditional Uses. Any established use, building or lot legally existing prior to July 20, 2002 and which is herein classified by this chapter as requiring a conditional use permit may be continued in like fashion and activity and shall automatically be considered as having received conditional use permit approval. Any change to such a use or building shall however require a new conditional use

~~permit be processed according to this chapter. — 3. Normal Maintenance. Maintenance of a building or other structure containing or used by a non-conforming use will be permitted when it includes necessary non-structural repair and incidental alterations, which do not extend or intensify the non-conforming building or use. Repairs shall be considered structural if they relate to foundations, walls, rafters, joists, headers, beams, timbers, structural sheathing, structural siding, or similar items.~~

~~3. Interim Uses. Any established use, building or lot legally existing prior to July 20, 2002, and which is herein classified by this chapter as requiring an interim use permit may be continued in like fashion and activity and shall automatically be considered as having received interim use permit approval. Any change to such a use or building shall, however, require a new interim use permit be processed according to this chapter. 4. Reversal of Non-Conformity. When any lawful non-conforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any non-conforming use—~~

~~45. Reduction of Non-Conformity. A lawful non-conforming use, structure, or lot of record a structure or parcel of land may be changed to lessen the non-conformity of use. Once a non-conforming use, structure or lot of record parcel of land has been changed, it shall not thereafter be so altered as to increase the non-conformity. 6. Restoration and Alteration.~~

~~a. Restoration. No lawful non-conforming building or structure which has been damaged by fire, explosion, rot, decay, act of God or the public enemy, to the extent of more than 50% of its value, as determined by the County Assessor, shall be restored, except in conformity with the regulations. — b. Alterations to Lawful Non-Conforming Structures. Alteration and normal maintenance to a lawful non-conforming building or structure may be made, provided:~~

~~i. The alterations do not expand the building size;~~

~~ii. The alterations do not change the building occupancy capacity or parking demand; and~~

~~iii. The alteration does not increase the number of bedrooms in any dwelling unit.~~

~~c. Decks. Lawful non-conforming single-family detached dwelling units in the R-1, R-1E, R-2, and R-5 districts may be expanded by adding a deck, provided that the deck itself meets the current zoning regulations, including all setback requirements. Structures that are lawful non-conforming due to a failure to meet the required setback from the ordinary high water level shall be subject to the conditions of subsection 1005.01.~~

~~7. Discontinuance. Whenever a lawful non-conforming use of a structure or land is discontinued for a period of one year, following written notice from an~~

~~authorized agent of the city, any future use of said structure or land shall be made to conform to the provisions of this chapter.~~

~~85.~~ Threats to General Welfare. Non-conforming ~~buildings~~ structures and/or uses, which based upon documented study and evidence, pose a danger and/or threat to the health, safety, and general welfare of the community, shall:

- a. Be legally described as a nuisance by the City Council; and
- b. Upon being identified by the City Council and upon the owner being notified in writing by the Zoning Administrator, the owner shall provide to the City Council a documented time schedule and program, which will result in the termination or correction of the non-conformity.
 - i. The termination/correction time schedule shall be based upon, but not be limited to, factors such as the initial investment and the degree of threat or danger being posed.
 - ii. The acceptability of the time schedule shall be determined by the City Council with right of appeal.
 - iii. In no case shall a time schedule exceed two years.

Subd. 2. Non-Conforming Structures

1. Remedial Work. Unless a building permit has been applied for within 180 days of when a property is damaged, no lawful non-conforming building or structure which has been destroyed by fire or other peril to the extent of greater than fifty (50) percent of its market value, as determined by the City Assessor, shall be restored, except in conformity with the regulations of this Chapter. If a building permit has been applied for within 180 days of when the property is damaged, the City may impose reasonable conditions when issuing the permit in order to mitigate any newly created impact on adjacent property.-

2. Alterations and Expansions. Alterations and expansions to a lawful non-conforming building or structure may be made by increasing the structure's height or enlarging the structure area, provided:

a. The alteration or expansion does not increase the non-conformity and complies with all other applicable performance standards.

b. The alteration or expansion meets the required setbacks from the public right-of-way, side and rear lot lines, wetlands, lakes, sewer treatment system, well, and all other requirements of this chapter (Figure 1), except that the expansion may increase the height of the structure over any portion of the existing structure, including those areas which encroach on the required setbacks, provided the footprint of the structure is not expanded to increase the non-conformity. For example, a second floor area may be added or expanded to meet the non-conforming setback over an existing non-conforming first floor so long as the non-conforming area of the first floor is not expanded.

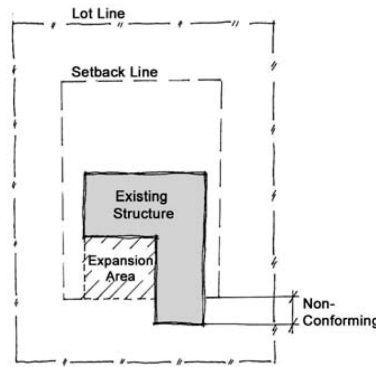


Figure 1. Example of an Allowable Expansion to a Non-Conforming Structure

c. Long-term sewage disposal needs can be met.

3. Non-Conforming Structures in a Floodplain District. Notwithstanding the foregoing paragraphs, any restoration, alteration, replacement, repair, or expansion of a structure located within the floodplain overlay district shall be regulated to the extent necessary to maintain eligibility in the National Flood Insurance Program, and in no case shall increase potential flood damage or increase the degree of obstruction to flood flows in the floodway.

4. Non-conformity or increased non-conformity due to a government action. Where a government action such as a court order or taking by a governmental body under eminent domain or negotiated sale creates or increases a legal non-conformity, the lot owner shall be entitled as a matter of right to obtain a variance to allow the same degree of property improvement or building expansion as was allowed prior to the government action, or to maintain such buildings or structures. This provision shall not apply to acquisitions taking place in the normal course of the land subdivision (platting or replatting) process.

Subd. 3. Non-Conforming Uses

1. Effective Date. The lawful use of buildings or land existing at the effective date of this chapter which does not conform to the provisions of this Chapter may be continued, unless:

a. The non-conformity or occupancy is discontinued for a period of more than one year.

b. Any non-conforming use is destroyed by fire or other peril to the extent of greater than fifty (50) percent of its market value, as determined by the City Building Official, and no building permit has been applied for within 180 days of when the property is damaged. If a building permit has been applied for within 180 days of when the property is damaged, the City may impose reasonable conditions when issuing the permit in order to mitigate any newly created impact on adjacent property.

c. Notwithstanding item (b) above, any non-conforming use located in the floodplain overlay district that is destroyed by fire or other peril to the extent of greater than fifty (50) percent of its market value, as determined by the City Building Official, shall be regulated to the extent necessary to maintain eligibility in the National Flood Insurance Program, and in no case shall be continued or re-established in a manner that results in potential flood damage or obstructs flood flows in the floodway.

2. Continued Use. A lawful, non-conforming use may be continued, including through repair, replacement, restoration, maintenance, or improvement; provided, however, that no such non-conforming use of land shall be enlarged, increased, nor shall any such non-conforming use be expanded to occupy a greater area of land than that occupied by such use at the time of the adoption of this chapter, nor shall any such non-conforming use be moved to any other part of the parcel of land upon which the same was conducted at the time of the adoption of this chapter.

3. Changes to Non-Conforming Uses.

a. When a lawful non-conforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any non-conforming use.

b. A lawful non-conforming use of a structure or parcel of land may be changed to lessen the non-conformity of use. Once a non-conforming use of a structure or parcel has been changed, it shall not thereafter be so altered to increase the non-conformity.

Subd. 4. Non-Conforming Lots of Record

1. Construction on Non-Conforming Lots of Record.

a. Lots of record in the office of the County Recorder on the date of enactment of this chapter that do not meet the requirements of this chapter may be allowed as building sites without variances from lot size requirements under the following provisions:

i. The use is permitted in the zoning district;

ii. The lot was created compliant with official controls in effect at the time;

iii. Sewage treatment and setback requirements of this chapter are met;

iv. The lot has been in separate ownership from abutting lands on or before October 29, 1985.

v. All other dimensional requirements of this subsection shall be complied with. However, in the event a property owner cannot comply with dimensional requirements because of the limited size of the lot, that property owner shall be required to obtain a variance where necessary to prevent hardship. A variance from setback requirements must be obtained before any use, sewage treatment system,

or building permit shall be issued for a lot. In evaluating the variance, the Board of Adjustment shall consider sewage treatment and water supply capabilities or constraints of the lot and shall deny the variance if adequate facilities cannot be provided; and

b. If, in a group of two or more contiguous lots under the same ownership, any individual lot does not meet the requirements of this subsection, the lot must not be considered as a separate parcel of land for the purposes of sale or development. The lot must be combined with the one or more contiguous lots so they equal one or more parcels of land, each meeting the requirements of this subsection as much as possible (Figure 2).

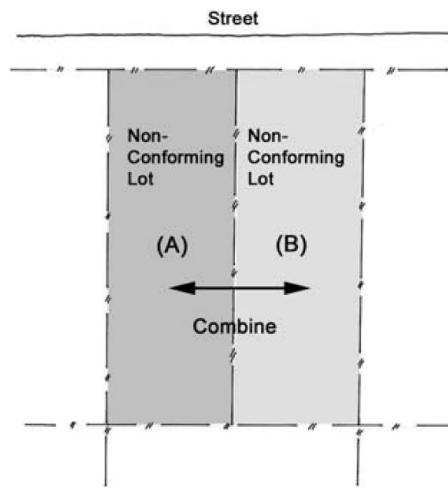


Figure 2. Combination of Contiguously Owned Non-Conforming Lots

2. Non-conformity or increased non-conformity due to a government action. Where a government action such as a court order or taking by a governmental body under eminent domain or negotiated sale creates or increases a legal non-conformity, the lot owner shall be entitled as a matter of right to obtain a variance to allow the same degree of property improvement or building expansion as was allowed prior to the government action, or to maintain such buildings or structures. This provision shall not apply to acquisitions taking place in the normal course of the land subdivision (platting or replatting) process

Subd. ~~52~~. Floodplain District Non-Conforming Uses. Shall follow the requirements set forth in subsection 1004.02.

SECTION 10. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.03 (Parking and Loading), Subd. 3:

Permit Required. An administrative permit is required for installation, expansion, or replacement of residential driveways ~~s-expansion and replacement~~, residential

parking pads, ~~and parking lots, and parking ramps installation/expansion when accessory to a principal use.~~ A conditional use permit is required for the installation or expansion of a commercial parking facility as a principal use.

SECTION 11. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.03 (Parking and Loading), Subd. 5:

10. Parking Ramps. Parking ramps shall be subject to the following additional design standards.

a. Structure design and exterior building finishes shall be in compliance with standards for non-residential uses in subsection 1006.04.

b. The structure must be designed to block the visibility of vehicle headlights from the exterior.

c. The structure shall be screened and landscaped from abutting and surrounding residential uses and the public right-of-way, in compliance with subsection 1006.06.

d. Gates or access limiting devices must be designed and maintained to avoid causing vehicle stacking within the public right-of-way.

SECTION 12. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.03 (Parking and Loading), Subd. 6:

Location. All ~~accessory~~ off-street parking facilities required by this chapter shall be located and restricted as follows.

1. Required accessory off-street parking shall be on the same lot under the same ownership as the principal use being serviced, except for combined or joint parking facilities as regulated by this subsection.

2. Except for single-, two-family dwellings, head-in parking, directly off of and adjacent to a public street, with each stall having its own direct access to the public street, shall be prohibited.

3. There shall be no off-street surface parking or drive aisles within ten feet of any property line within multiple-family, commercial, or industrial zoning districts. The parking and drive aisle setback shall be increased to 20 feet where said facilities are located adjacent to residentially zoned or used property. Parking ramps shall meet the building setback as set forth in the underlying zoning district. The Zoning Administrator may approve a zero-foot setback for shopping centers.

4. All lots having direct driveway access onto collector or arterial roads shall provide turn around facilities on the lot to eliminate vehicles backing onto said roads.

SECTION 13. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.03 (Parking and Loading), Subd. 9:

Table 27	
Use	Parking Standard
Animal <u>grooming, veterinary clinic, or kennel</u> hospitals and kennel	5 per 1,000 SF GFA
Assisted living facility	One space for each 5 residents, based on the building design and operational needs.
Automobile repair and motor fuel station	3 per 1,000 SF GFA interior sales area, storage/display area, plus 2 per service bay
Bank or financial institution (with or without a drive through)	4 per 1,000 SF GFA
Car wash	2, plus 1 per each 2 peak shift employees
Catering/ <u>commercial kitchen business</u>	2 per 1,000 SF GFA
<u>Clinic</u>	4 per 1,000 SF GFA
<u>Coffee shop</u>	10 per 1,000 SF GFA
Day care facility	2 parking spaces, plus 1 space for every 5 participants based on the building design
Dwelling, multiple-family	2 per dwelling unit
Dwelling, single-family	2 enclosed spaces per dwelling unit
Dwelling, senior	1.5 per dwelling unit
Dwelling, townhouse	2 enclosed spaces per dwelling unit
Dwelling, two-family	2 enclosed spaces per dwelling unit
Grocery store	6 per 1,000 SF GFA
Health club	At least 15 spaces, plus 1 additional space for each 300 square feet of floor area over 2,000 square feet
High intensity/call centers and telemarketing	6 per 1,000 SF GFA
Hospital	4 per 1,000 SF GFA
Large item retail sales	3 per 1,000 SF GFA

Manufacturing, fabricating, or processing of a product or material	1.5 per 1,000 SF GFA
Medical laboratory	5 per 1,000 SF GFA
Motels, motor hotels, hotels	1.5 per dwelling unit, guest room, or hotel room
Municipal administration buildings, post office, and other public service buildings	3 per 1,000 SF GFA
Office, buildings, medical and professional offices	3 per 1,000 SF GFA
<u>Places of assembly and event centers</u>	<u>1 parking space for each 3 seats based upon design capacity</u>
Places of worship	1 parking space for each 4 seats based on the design capacity of the main seating area or areas
Research, experimental, or testing stations	2 per 1,000 SF GFA
Restaurant <u>or cafe</u>	10 per 1,000 SF GFA
Restaurant-tavern, tavern, brewery, micro-brewery, micro-distillery, microwinery, tap room	16 per 1,000 SF GFA
Retail store, service/shopping center or convenience food takeout/delivery establishment	4 per 1,000 SF GFA
School: elementary/middle/junior high (public/private/charter)	One parking space for each classroom plus 1 parking space for each 7 students based upon design capacity
School: senior high (public/private/charter)	One parking space for each classroom plus one parking space for each 4 students based upon design capacity
State licensed residential facility	One parking space for each 4 beds for which accommodations are offered
Places of assembly	One parking space for each three seats based upon design capacity
Warehousing, storage, or handling of bulk goods	1 per 1,000 SF GFA
Wholesale establishments (selling only to retailers and contractors)	2 per 1,000 SF GFA

Note to Table:

For uses not specifically listed above, off-street parking requirements shall be computed by the Zoning Administrator on the same basis as required for the most similar listed uses. In such cases, the Zoning Administrator shall also consult off-street parking reference materials including, but not limited to, manuals prepared by the American Planning Association and Institute of Transportation Engineers.

SECTION 14. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.03 (Parking and Loading), Subd. 10:

1. Joint Use of Parking. The City Council may approve a conditional use permit for one or more businesses or commercial parking facilities to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces provided is less than the sum of the total required for each business, subject to the provisions of subsection 1002.08 and the conditions outlined below.

a. Entertainment Uses. Up to 60% of the parking facilities required for a theater, bowling alley, bar, restaurant, or similar entertainment oriented use may be supplied by the off-street parking facilities provided by types of uses specified as primarily daytime uses in Item 1.d below or by commercial parking facilities.

b. Nighttime or Sunday Uses. Up to 60% of the off-street parking facilities required for any use specified under item 1.d below as primary daytime uses may be supplied by the parking facilities provided by the following nighttime or Sunday uses; auditoriums incidental to a public or parochial school, churches, bowling alleys, theaters, bars, restaurants, or other similar entertainment oriented use, or apartments.

c. Places of Assembly (School Auditorium and Place of Worship and the Like). Up to 80% of the parking facilities required by this section for a place of worship or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities provided by uses specified under item 1.d below as primarily daytime uses or by commercial parking facilities.

SECTION 15. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.03 (Parking and Loading):

Subd. 14. Commercial Parking Facility. Commercial parking facilities as a principal use are permitted as a conditional use as established in subsection 1003.05 in accordance with the provisions of this subsection and subsection 1002.08.

SECTION 16. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.06 (Landscaping), Subd. 2:

1. All exposed ground areas, including street boulevards (landscaped portion of right-of-way), and areas not devoted to off-street parking, drives, sidewalks, patios, or other such improvements shall be landscaped with sod, seed, shrubs, other ornamental landscape materials, managed natural landscaping, and trees, except that trees shall not be planted in boulevard portions of the public right-of-way without approval from the City Engineer. Temporary erosion control measures shall be installed and maintained in proper working order until permanent erosion control measures are in place and functioning properly.

SECTION 17. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.06 (Landscaping), Subd. 3-5:

c. Areas designated as open space or future expansion areas properly planted and maintained with prairie grass or wild flowers or as a managed natural landscape. Seed mixture to be approved by the City Engineer. A managed natural landscape. ~~Native prairie grass~~, or wildflowers may be allowed in other areas subject to Zoning Administrator review and approval of a landscape plan.

SECTION 18. Chapter 10 (Zoning) of the Big Lake Municipal Code is hereby amended to delete the ~~stricken~~ material and add the underlined material as follows to §1006.07 (General Use Standards):

Subd. 6. Contractor operations; provided the following standards are met.

1. An exterior storage yard is not permitted in the I-1 zoning district.

2. A exterior storage yard is an accessory use in the I-2 zoning district in compliance with subsection 1007.06 subd. 18 and the following additional standards.

a. Yard areas must be improved with a dustless surface material. Concrete or bituminous surfacing is required for all areas of a contractor's yard used by vehicles.

b. Stockpiles and non-paved surfaces shall be covered, sprayed, or coated as necessary to reduce airborne particulates.

c. The outdoor repair of motor vehicles or motor vehicle parts anywhere on the property is prohibited.

d. All motorized vehicles, including trucks and trailers and machinery stored in the yard area shall be licensed and in operable condition

e. Yards shall be maintained in a clean and orderly manner. Junk shall not be permitted to be stored.

3. Provisions are made to control and reduce noise in accordance with the noise control provisions of Section 525.

And

Subd. 10. Essential service structures, provided that:

1. No building shall be located within 50 feet from any lot line of an abutting lot in a residential zoning district; and

2. The architectural design of the service structure shall be compatible to the neighborhood in which it is to be located.

3. If the use contains outdoor operations, the following shall be met.

a. Equipment shall be screened in compliance with subsection 1006.05. Water towers shall be exempt from this provision.

b. Open storage of maintenance equipment and trucks over one and one-half tons and stockpiling of aggregate or other materials shall not be permitted.

And

Subd. 17. Outdoor storage, accessory, provided that the following are met.

1. The outdoor storage area shall not be located in the front yard.

2. The outdoor storage area shall be fully fenced, screened, and/or landscaped according to a plan in compliance with subsection 1006.06 and subject to the approval of the Zoning Administrator from all public rights-of-way, commercial land uses, and residential land uses.

3. Surface area:

a. In the I-2 Zoning District, the outdoor storage area is surfaced with asphalt or other similar material to control dust and weeds and subject to the approval of the City Engineer.

b. In the I-3 Zoning District, the outdoor storage area is surfaced with a material to control dust and weeds and subject to the approval of the City Engineer. Outdoor storage directly upon grass or landscaping is prohibited.

4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance within subsection 1006.01.

5. The outdoor storage area shall not encroach upon required parking space or required loading space as required by this chapter.

6. The property stored shall not include any waste, except as provided for in subsection 1006.01.

7. The outdoor storage area shall not encroach into the required rear yard or side yard setback area if abutting a residential district.

8. Procedure:

a. In the I-2 District, an interim use permit is required. The ratio of storage area to building footprint allowed through an interim use permit shall not exceed 3.5:1.

b. In the I-3 District, an administrative permit may be issued provided the ratio of storage area to building footprint does not exceed seven-to-one. An interim use permit is required to exceed the maximum ratio of seven-to-one.

Subd. 18. ~~Public, educational, and religious buildings~~ Places of assembly; provided that the following are met.

1. No building shall be located within 50 feet of any lot line abutting residential districts.

~~2. If the use contains outdoor operations, the following shall be met.~~

~~a. Equipment is completely enclosed in a permanent structure or screened. Water towers shall be exempt from this provision.~~

~~b. Open storage of maintenance equipment and trucks over one and one-half tons, stockpiling of aggregate or other materials, and open storage of shall not be permitted.~~

SECTION 19. When incorporating this ordinance into the City Code, the City Clerk is directed to incorporate definitions in alphabetical order and to renumber subdivisions and tables as necessary to maintain a sequential order.

SECTION 20. EFFECTIVE DATE. This ordinance shall be effective upon its passage and summary publication by the City Council.

Adopted by the Big Lake City Council on the 15th day of April 2026.

Mayor Paul Knier

Attest:

Gina Wolbeck, City Clerk

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Drafted By:

City of Big Lake

160 Lake Street North

Big Lake, MN 55309

DRAFT

STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this _____ day of April 2026 by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

DRAFT



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>Kendra Lindahl, Consulting Planner</i>	Meeting Date: <i>4/6/2026</i>	Item No. 7B
Item Description: <i>Amendments to Subsection 1003.11 (R-5, Residential Redevelopment District) and Section 1004.03 (Shoreland Management Overlay District) of Chapter 10 (Zoning Ordinance) of the Big Lake City Code.</i>	Reviewed By: <i>Hanna Klimmek, City Administrator</i>	
	Reviewed By: <i>Marie Popp, Community Development Director/EDA Executive Director</i>	

60-DAY REVIEW DEADLINE: *N/A*

ACTION REQUESTED

None

BACKGROUND/DISCUSSION

The City of Big Lake approved a proposal for Landform Professional Services, LLC to provide planning services for a significant update to the Shoreland and R-5 Zoning District Ordinances on October 22, 2025. The City has undertaken several code revisions, including a repeal and replace of the Zoning Ordinance in 2023, but has not updated the Shoreland and R-5 Ordinances due to the scale of update required and the need to coordinate with the Department of Natural Resources (DNR). The intent of this Ordinance update is to improve clarity and reduce conflicts while retaining the flexibility in the current Shoreland Ordinance, a task that is made challenging because the adopted Ordinance differs in many ways from the DNR's Model Shoreland Ordinance, including unique standards for the R-5 Zoning District.

Landform's proposal provided an approximate timeline of 5-6 months from project kickoff to ordinance adoption. Since beginning this project in January, Landform has conducted reviews of applicable ordinances and City data, conducted meetings with City and DNR staff, and prepared several drafts of the Code for review by City and DNR staff.

The proposed Code update will be brought before the Planning Commission for review and a public hearing at the May 4th Planning Commission meeting. A summary of the proposed ordinance amendments is being provided to the Planning Commission in preparation for next month's meeting. No action is required prior to the Public Hearing

ANALYSIS OF REQUEST

The goals of this Ordinance update are to modernize, improve clarity, and reduce conflicts while retaining the flexibility in the current ordinance.

Historically, the R-5 Residential Redevelopment zoning district included shoreland standards in that section rather than in the Shoreland Management Overlay District. This has caused confusion when explaining and

enforcing the Shoreland Ordinance, as the regulations are split between two sections. The proposed amendments to the Shoreland Ordinance move the Shoreland regulations in Section 1003.11 (R-5 Residential Redevelopment District) to Section 1004.04 (Shoreland Management Overlay District).

No significant policy changes are proposed with this ordinance. The State requires cities to adopt ordinances in general compliance with MnDNR model ordinance. The City has already been able to secure flexibility in the development standards for the R-5 district and for increased impervious surface limits for other districts beyond what would typically be allowed under the model ordinance. Therefore, the primary amendments have been made to improve clarity and ease of interpretation.

Many of the tables within the Ordinance have been updated or reformatted. This was especially important with the addition of the R-5 District's standards, as special attention was needed to keep the tables from becoming overly large and cumbersome. Figures have also been added to the Code to illustrate concepts, such as the shore impact zone, which staff often receive questions about. Many of the terms and definitions associated with the Shoreland Ordinance have also been updated to modernize the Ordinance and improve consistency with the rest of the City Code and Zoning Ordinance.

While verifying the lakes and rivers classifications tables, we discovered that Beaudry Lake has been reclassified from a Natural Environment Lake to a General Development Lake. Wood Lake has also been added to the lake classifications table, as this lake is now within 1,000 feet of the City's boundaries. The DNR has approved a Special Overlay District for Un-named Wetland 71-65, established in the Sherburne County Zoning Ordinance, which allows this Natural Environment lake to be regulated under the same zoning standards as a Recreational Development lake. This has been added as a note to Table 16. This Ordinance also adopts Sherburne County's Wild & Scenic Rivers Ordinance by reference because one parcel of land within the City's boundaries borders the Mississippi River.

The DNR's Model Shoreland Ordinance was analyzed throughout the Code update process. Several sections, such as standards for stairways, lifts, and landings were added to increase the clarity of the Ordinance and align with best practices recommended by the DNR. However, the areas of flexibility within the current Shoreland Ordinance, including the R-5 standards and the Conditional Use Permit process for increased impervious surface, have been retained.

SUMMARY

Staff believes the proposed amendments will make the Shoreland Ordinance easier for residents to understand by clarifying and modernizing the Ordinance while retaining the flexibility of the current Ordinance. A repeal and replace of the current Ordinance will be brought before the Planning Commission at next month's meeting.

FINANCIAL IMPACT

None



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>Tara Kohl, Planning Technician</i>	Meeting Date: <i>4/6/2026</i>	Item No. 7C
Item Description: <i>Planning Commission Strategic Plan</i>	Reviewed By: <i>Marie Popp, Community Development Director</i>	
	Reviewed By:	

ACTION REQUESTED

Motion to recommend approval of the revised Strategic Plan for Council consideration.

BACKGROUND/DISCUSSION

The Planning Commission adopted a Strategic Plan in June of 2021 and has revised it three times since; twice in 2022 and once in 2023. The purpose of the plan is to serve as a guide for the Planning Commission and planning staff. The objectives and actions of the plan are aligned with the comprehensive plan land use and growth management goals and the wishes of the City Council.

In early 2025, the Planning Commission directed staff to add the strategic plan to a future Planning Commission meeting agenda to review. In September, the Planning Commission reviewed the strategic plan and suggested updates to staff. A joint strategic planning discussion between the Planning Commission and Economic Development Authority was held in December where the draft strategic plan was reviewed by both Commissions. The revised Strategic Plan was presented to the Planning Commission in January for additional feedback.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

The Planning Commission should review the draft strategic plan and determine if any items should be updated or revised.

ATTACHMENTS

- Attachment A: Planning Commission Strategic Plan Draft
- Attachment B: Planning Commission Strategic Plan dated December 13, 2023
- Attachment C: [City of Big Lake Comprehensive Plan](#) (link only)

Planning Commission Strategic Plan

Created June 16, 2021. **Revised December 13, 2023.**



Mission Statement

To effectively facilitate development through implementation of the community vision as established by the Big Lake Comprehensive Plan.

Goals

1. Advise the City Council relating to land use topics.
2. Provide guidance to the City Council relating to long-range planning.
3. Promote collaboration with other committees, departments and agencies.
4. Provide a forum to educate and engage the public in the planning process.
5. Process land development applications efficiently.
6. Prepare, maintain and implement the Comprehensive Plan.
7. Research and discuss new ideas and trends in land use planning.
8. Maintain the Zoning and Subdivision Ordinances.

[Objectives & Actions Table on Next Page]

OBJECTIVES & ACTIONS	GOAL AREA	PARTNERSHIP	STATUS	TIMELINE	PRIORITY
Review and Update Zoning and City Ordinances as Needed					
<u>Action Item 1:</u> Review and update Residential Redevelopment District (R-5), Shoreland Management Overlay District, and Nuisance Ordinances	1, 2, 3, 4, 5, 6, 7, 8	Other Advisory Boards & Departments, MnDNR, Landform	In Progress	2026	High
<u>Action Item 2:</u> Review and refine the code to support a more efficient and accessible development environment.	1, 2, 3, 4, 5, 6, 7, 8	Other Advisory Boards & Departments, MnDNR, Landform	Not started	Continuous	High
Transportation Planning Initiatives					
<u>Action Item 1:</u> Review adopted policies pertaining to road design by classification, including the Comp Plan, Complete Streets Plan, and official controls including the Subdivision Ordinance and Engineer Specs, and provide recommendation to City Council. City Code Section 1107.05, Streets and Alleys, was overhauled with the code revision project (new code adopted April 2023). Road right of way width and pavement width by road classification are featured on p. 25. Standards were established by Comp Plan. Design specs for public infrastructure are housed in the engineering design standards (2013), which are under the discretion of the City Engineer.	1, 2, 3, 6	Engineering Department, Sherburne County Transportation, Landform	In progress	2026	High
<u>Action Item 2:</u> Support short and long-term multi model transportation planning, including safe and efficient routes for residents at all life stages. Support initiatives to secure grant funding for multi-modal transportation infrastructure improvements as they arise.	1, 2, 3, 6	Engineering Department, Sherburne County Transportation, Landform	Ongoing	Continuous	Medium
Assess the Need for Updates to the Comprehensive Plan					
<u>Action Item 1:</u> Review sections under the purview of the Planning Commission.	6	City Commissions & Departments	Not started	Continuous	Medium
<u>Action Item 2:</u> Facilitate the review of other sections.	6	City Commissions & Departments	Not started	Continuous	Medium

Action Item 3: Review and update Transit Oriented Development District (TOD) sections of the City Code and Comp Plan to reflect changes with the Northstar Commuter Rail. <i>Note: City Council reviewed and recommended no policy changes to the Comp Plan in 2021.</i>	6	City Commissions & Departments	Not started	2027	Medium
Align Land Use Controls with Adopted Policies					
Action Item 1: Rezone properties consistent with the Comp Plan. Staff will identify the parcels which are not zoned in accordance with their land use designations and the Planning Commission can discuss which, if any, the City should initiate rezoning.	1, 5, 6, 8	City Commissions & Departments	In progress	Continuous	Medium
Action Item 2: Implement Comp Plan policies into the Zoning and Subdivision Ordinances. This is an ongoing process. Many were integrated with the code revision project. Staff can conduct a thorough review of the land use & growth management chapter and identify opportunities for Planning Commission consideration.	1, 5, 6, 8	City Commissions & Departments	In progress	Continuous	Medium
Street Trees and Green Infrastructure					
Action Item 1: Review benefits and detriments of street trees and compare with existing City policy. If warranted, recommend potential code revisions to City Council.	1, 3, 7	Parks Advisory Committee, Public Works Department	Not started	2027	Medium
Educational Opportunities					
Action Item 1: Provide training resources and opportunities to commissioners.	1, 2, 3, 4, 7	MN APA, League of MN Cities	Ongoing	Continuous	Medium
Action Item 2: Provide education to the general public utilizing available channels of communication.	1, 2, 3, 4, 7	MN APA, League of MN Cities	Ongoing	Continuous	Medium

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Community Development Department Update

Prepared By: Marie Popp, Community Development Director

- **Pizza Factory Relocation:** The City and Pizza Factory entered into a Purchase Agreement for the sale to Pizza Factory of City owned space at 616 Rose Drive. The City Council approved an amendment to the Purchase agreement, allowing for the closing to take place on or before May 22, 2026.
- **Prairie Meadows 5th Addition (formally Parkwood Knolls):** City Council reviewed and approved the Preliminary Plat and Conditional Use Permit for a Shoreland PUD at the March 26, 2025 Regular Council Meeting. The development consists of 99 single-family lots. The applicant will need to submit an application for a final plat in order to move forward with the development. Council approved a 6-month extension on the preliminary plat.
- **Development Pipeline:** Staff continues to receive inquiries on residential, commercial, and industrial projects. Interest remains high.
- **421 Foley Avenue:** The State of MN stated they are working on the Letter of No Association for the City/BLEDA which will clarify that any clean up actions the City takes will not associate us as the responsible party creating the contaminated conditions. In short, this is a legal protection for the City. We anticipate receipt of this letter in the coming month. Following receipt of the letter, we will be finalizing the scope of work for quotes on building demolition.
- **Annexation Applications:** The Shores of Elk River and Dellwood Land Development annexation requests will be reviewed at the April City Council meeting. The Shores of Elk River concept plan was reviewed by Council Q4 2025. The Dellwood Land Development application is not related to any concept plan or development application at this time.
- **Community Development Technician Position:** We will be interviewing candidates the week of April 6th.