



CITY COUNCIL MEETING
City Hall—Council Chambers, 3989 Central Ave NE
Monday, August 12, 2024
6:00 PM

Mayor
Amáda Márquez Simula
Councilmembers
Connie Buesgens
Kt Jacobs
Rachel James
Justice Spriggs
City Manager
Aaron Chirpich

AGENDA

ATTENDANCE INFORMATION FOR THE PUBLIC

Members of the public who wish to attend may do so in-person, or by using Microsoft Teams Meeting at columbiaheightsmn.gov/joinameeting: ID 286 466 516 904, Passcode cjnZoS. Additionally, members of the public may view the meeting live at columbiaheightsmn.gov/watch. For questions, please call the Administration Department at 763-706-3610.

Auxiliary aids or other accommodations for individuals with disabilities are available upon request when the request is made at least 72 hours in advance. Please contact Administration at 763-706-3610 to make arrangements.

WELCOME/CALL TO ORDER/ROLL CALL

MISSION STATEMENT

Columbia Heights is a vibrant, healthy and connected City. We are here to actively support the community, deliver equitable services, build and strengthen connections, improve upon our past, and uphold our successes. We strive to be better and ensure Columbia Heights is a great place for everyone, today and in the future.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

APPROVAL OF AGENDA

(The Council, upon majority vote of its members, may make additions and deletions to the agenda. These may be items submitted after the agenda preparation deadline.)

PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Monarch Butterfly Day Proclamation.

B. Senior Citizen Day Proclamation.

CONSENT AGENDA

These items are considered to be routine by the City Council and will be enacted as part of the Consent Agenda by one motion. Items removed from consent agenda approval will be taken up as the next order of business. (The City Council will make motion to approve the Consent Agenda following the statement of all items.)

- 1. Approve the July 22, 2024 City Council Meeting Minutes.**
MOTION: Move to approve the July 22, 2024 City Council Meeting minutes.
- 2. Approve the August 4, 2024 City Council Work Session Meeting Minutes.**
MOTION: Move to approve the August 4, 2024 City Council Work Session Meeting minutes.
- 3. Accept April 18, 2024 Charter Commissioner Meeting Minutes.**
MOTION: Move to accept the April 18, 2024 Charter Commission Meeting minutes.
- 4. Accept July 1st EDA Meeting Minutes.**
Motion: Move to accept the July 1st, 2024, EDA Meeting minutes.
- 5. Accept May 7, 2024 Planning Commission Meeting Minutes.**
MOTION: Move to accept the May 7, 2024 Planning Commission Meeting minutes.
- 6. Accept June 5, 2024 Library Board Minutes.**
MOTION: Move to Accept the Library Board minutes from June 5, 2024
- 7. Adopt Resolution 2024-58, Appointing Park and Recreation Commission Member Brian Timm.**
MOTION: Move to waive the reading of Resolution 2024-58, there being ample copies available to the public.
MOTION: Move to adopt Resolution 2024-58, appointing City of Columbia Heights Board and Commission Member Brian Timm.
- 8. Corrective Resolution of a Minor Subdivision (Lot Line Adjustment) 334 and 344 40th Avenue NE.**
MOTION: Move to waive the reading of Resolution 2024-56, there being ample copies available to the public.
MOTION: Move to approve Resolution 2024-56, a resolution approving a Minor Subdivision for the properties located at 334 and 344 40th Avenue NE, within the City of Columbia Heights, Minnesota, subject to certain conditions stated in the resolution.
- 9. Renew Lease Agreement for Mailing Equipment With Quadiant Leasing.**
MOTION: Move to approve renewal of the mailing equipment lease with Quadiant leasing at the nationally bid price of \$418.63 per month
- 10. License Agenda.**
MOTION: Move to approve the items as listed on the business license agenda for August 12th, 2024, as presented.
- 11. Rental Occupancy Licenses for Approval.**
MOTION: Move to approve the items listed for rental housing license applications for August 12, 2024, in that they have met the requirements of the Property Maintenance Code.

12. Review of Bills.

MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8 the City Council has reviewed the enclosed list to claims paid by check and by electronic funds transfer in the amount of \$2,811,325.58.

PUBLIC HEARINGS

This is the public's opportunity to speak regarding this matter. Speakers that are in-person are asked to complete a Speaker Form and submit it to the City Clerk. Speakers attending virtually should send a request to speak with this information to the moderator using the chat function and wait to be called on to speak. When speaking, virtual attendees should turn their camera on. Any comments made after the public hearing is closed will not be considered by the City Council and will not be included as part of the formal record for this matter as the item will have been voted on and the item formally closed by the Council.

13. Consideration of Resolution 2024-050, Revocation of the License to Operate Rental Units Within the city of Columbia Heights against the rental property at 3849 Edgemoor Place NE for failure to meet the requirements of the Residential Maintenance Codes.

MOTION: Move to close the public hearing and waive the reading of Resolution 2024-050, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2024-050, being a Resolution of the City Council of the city of Columbia Heights approving revocation, pursuant to City Code, of the rental license listed.

14. Consideration of Resolution 2024-57, Revocation of the License to Operate Rental Units Within the city of Columbia Heights against the rental property at 4207/4209 2nd Street NE for failure to meet the requirements of the Residential Maintenance Codes.

MOTION: Move to close the public hearing and waive the reading of Resolution 2024-57, there being ample copies available to the public.

MOTION: Move to adopt Resolution 2024-57, being a Resolution of the City Council of the city of Columbia Heights approving revocation, pursuant to City Code, of the rental license listed.

ITEMS FOR CONSIDERATION

Ordinances and Resolutions

15. First Reading of Ordinance No. 1700, an Ordinance to Amend Chapter 9 - Land Use: 9.103 Definitions, 9.104 Administration and Enforcement, 9.105 Nonconformities, 9.106 General Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, and 9.111 Industrial Districts.

MOTION: Move to waive the reading of Ordinance No. 1700, there being ample copies available to the public.

MOTION: Move to set the second reading of Ordinance 1700, being an ordinance to amend Chapter 9 - Land Use: 9.103 Definitions, 9.104 Administration and Enforcement, 9.105 Nonconformities, 9.106 General Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, and 9.111

Industrial Districts, in the City of Columbia Heights for August 26, 2024 at approximately 6:00pm.

16. Approval of Ordinance 1703, Establishing a Moratorium on Cannabis Retail Businesses.

MOTION: Move to waive the reading of Ordinance No. 1703, there being ample copies available to the public.

MOTION: Move to approve Interim Ordinance 1703, being an interim ordinance establishing a moratorium on cannabis retail businesses within the City of Columbia Heights.

Bid Considerations

No Bid Considerations.

New Business and Reports

No New Business or Reports.

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Report of the City Manager

COMMUNITY FORUM

The Community Forum is the public's opportunity to address the Council regarding any matter that has not had a public hearing earlier in the meeting.

Speakers that are in-person are asked to complete a Speaker Form and submit it to the City Clerk.

Once called to the podium, the speaker should state their name and connection to Columbia Heights.

Speakers attending virtually should send a request to speak as well as their address and connection to Columbia Heights to the moderator using the chat function and wait to be called on to speak.

When speaking, virtual attendees should turn their camera on.

All speakers should limit their comments to five (5) minutes.

Personal attacks, threats, the use of profanity, and other disrespectful comments are prohibited.

The City Council will listen to the public comments, ask clarifying questions, and if needed, request staff to follow up or direct the matter to be added to an upcoming agenda. Generally, the City Council will not take official action on items raised at the Community Forum at the meeting on which they are raised.

ADJOURNMENT

Auxiliary aids or other accommodations for individuals with disabilities are available upon request when the request is made at least 72 hours in advance. Please contact Administration at 763-706-3610 to make arrangements.

COLUMBIA HEIGHTS

PROCLAMATION

Monarch Butterfly Day, August 8, 2024

The Monarch butterfly, a symbol of North American wildlife, is renowned for its incredible migration and transformation. Twenty years ago, over one billion Eastern Monarch butterflies migrated to Mexico, but by the winter of 2014, only 60 million made the trip, marking a significant population decline.

Cities, towns, and counties play a crucial role in saving the Monarch butterfly. The City of Columbia Heights is committed to this cause. Residents are encouraged to plant native milkweed and nectar plants to create habitats for Monarchs and other pollinators.

Columbia Heights is a national leader in the Mayor's Monarch Pledge, a program of the National Wildlife Federation, dedicated to protecting endangered pollinators. The city proudly hosts a bilingual Monarch festival in collaboration with community partners. This family-friendly event celebrates pollinators in both English and Spanish, emphasizing the need for global cooperation to preserve these vital creatures.

The Monarch butterfly is a seasonal immigrant to Minnesota, symbolizing the importance of global cooperation in preserving our shared environment.

Now, therefore, I, Amáda Márquez Simula, Mayor of the City of Columbia Heights, County of Anoka, State of Minnesota, U.S.A., do hereby proclaim August 8, 2024, as Monarch Butterfly Day and urge all residents to join in efforts to create and protect habitats for the Monarch butterfly and other pollinators.

Amáda Márquez Simula, Mayor

August 12, 2024

COLUMBIA HEIGHTS

PROCLAMATION

Senior Citizen Day: August 21, 2024

On August 19, 1988, President Ronald Reagan proclaimed August 21 as National Senior Citizens Day, a day to recognize and show appreciation for the value and contribution of elderly people to the family and society as a whole.

Throughout history, older people have achieved much for our families, communities, and country. That remains true today and gives us ample reason this year to reserve a special day in honor of the senior citizens who mean so much to our land.

With improved health care and more years of productivity, older citizens are reinforcing their historical roles as leaders and links with our patrimony and sense of purpose as individuals and as a Nation. Many older people are embarking on second careers, giving younger Americans a fine example of responsibility, resourcefulness, competence, and determination. More than 4.5 million senior citizens are serving as volunteers in various programs and projects that benefit every sector of society. Wherever the need exists, older people are making their presence felt -- for their good and that of others.

For all they have achieved throughout life and for all they continue to accomplish, we owe older citizens our thanks and a heartfelt salute. We can best demonstrate our gratitude and esteem by making sure that our communities are good places in which to mature and grow older -- places in which older people can participate to the fullest and can find the encouragement, acceptance, assistance, and services they need to continue to lead lives of independence and dignity.

Therefore, I, Amáda Márquez Simula, proclaim August 21, 2024, as SENIOR CITIZEN DAY in the City of Columbia Heights, County of Anoka, State of Minnesota, U.S.A.

Amáda Márquez Simula, Mayor

August 12, 2024



CITY COUNCIL MEETING
City Hall—Council Chambers, 3989 Central Ave NE
Monday, July 22, 2024
6:00 PM

Mayor
Amada Márquez Simula
Councilmembers
Connie Buesgens
Kt Jacobs
Rachel James
Justice Spriggs
City Manager
Aaron Chirpich

MINUTES

The following are the minutes for the Meeting of the City Council held at 6:00 pm on Monday, July 22, 2024, in the City Council Chambers, City Hall, 3989 Central Avenue NE, Columbia Heights, Minnesota

WELCOME/CALL TO ORDER/ROLL CALL

Mayor Márquez Simula called the meeting to order at 6:04 pm.

Present: Mayor Márquez Simula; Councilmember Buesgens; Councilmember Jacobs; Councilmember Spriggs; Councilmember James

Also Present: Andrew Boucher, City Planner; Aaron Chirpich, City Manager; Mitchell Forney, Community Development Director; Kevin Hansen, Public Works Director; Sara Ion, City Clerk; Scott Lepak, City Attorney; Matthew Markham, Chief of Police; Charlie Thompson, Fire Chief

MISSION STATEMENT

Columbia Heights is a vibrant, healthy and connected City. We are here to actively support the community, deliver equitable services, build and strengthen connections, improve upon our past, and uphold our successes. We strive to be better and ensure Columbia Heights is a great place for everyone, today and in the future.

A. Minnesota State Flag Acknowledgement.

Mayor Márquez Simula read an acknowledgement about the Minnesota State Flag. She explained that the acknowledgement was going to be presented to the American Indian school representative liaison, Yolanda Dorr-Slowey but she was unable to attend the meeting due to the weather. The acknowledgement will be given to the school district and the American Indian community to help represent how the City would move forward and rectify the past.

B. Color Guard Presentation of Minnesota State Flag.

The Color Guard presented and posted the flag.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Mayor Márquez Simula thanked the Police and Fire Honor Guard and the local Boy Scout Troop 123

APPROVAL OF AGENDA

Motion by Councilmember Jacobs, seconded by Councilmember James, to approve the Agenda as presented. All Ayes, Motion Carried 5-0.

PROCLAMATIONS, PRESENTATIONS, RECOGNITION, ANNOUNCEMENTS, GUESTS

A. Fern Shawhan Ostberg 100th Birthday Recognition.

Mayor Márquez Simula read the recognition of Fern Shawhan Ostberg's 100th birthday.

Fern Shawhan's daughter, Anne received the proclamation and noted that Fern has been an inspiration to many in the community and expressed what an honor it was to have Fern's birthday recognized.

B. National Night Out Proclamation.

Mayor Márquez Simula proclaimed August 6, 2024 as National Night Out and read the City's proclamation.

Police Chief Markham accepted the proclamation and thanked the Council. He noted that there were 20 registered parties and would like to have 40-50 parties registered. He explained that if anyone would like to host a party, they can call at 763-706-8100.

Mayor Márquez Simula added that it is free to host a National Night Out party. The City will provide some barricades for the street.

Police Chief Markham explained that everyone who signed up to host a party would receive a sign for their yard so people would know where the party is at.

C. Assistance Dog Day Proclamation.

Mayor Márquez Simula proclaimed August 4, 2024 as Assistance Dog Day and Councilmember James read the City's proclamation.

Police Chief Markham received the proclamation and noted that Officer Airreon Austin would be the dog handler for the new therapy dog. The Police Department is currently in the process of finding a dog. The dog will be a therapy dog for the Police Staff and plan to use the dog for special events.

D. Introduction of Police Department Leadership Team and New Personnel.

Police Chief Markham introduced the Police Department leadership team and new personnel.

Leadership Team

Capt. Erik Johnston, Capt. Jackie Urbaniak, Sgt. Tim Noll, Sgt. Jason Piehn, Sgt. Mohammed Farah, Sgt. Troy Vaughn, Sgt. Guy Juran, Lead Records Tech Becky Romanik

New Personnel

Officer Ahmed Abdullahi, Community Service Officer Alyssa Erickson, Community Service Officer Hunter Deinhammer, Records Tech Brenda Pliego-Geniz.

Mayor Márquez Simula expressed her pride in the Police Department and thanked them for their work.

CONSENT AGENDA

Motion by Councilmember Buesgens, seconded by Councilmember Spriggs, to approve the Consent Agenda as presented. All Ayes, Motion Carried 5-0.

- 1. Approve the July 8, 2024 City Council Meeting Minutes.**
MOTION: Move to approve the July 8, 2024 City Council Meeting minutes.
- 2. Second Reading of Ordinance No. 1699, an Ordinance Amending Chapter 3.315 of the City Code Relating to the Youth Commission.**
MOTION: Move to waive the reading of Ordinance No. 1699, there being ample copies available to the public.
MOTION: Move to approve Ordinance No.1699, an Ordinance amending chapter 3.315 of the City Code Relating the Youth Commission of the City of Columbia Heights and to direct staff to send a summary of the ordinance as presented, for publication in the legal newspaper.
- 3. Adopt Resolution 2024-54 Amending the Community Development Fee Schedule to Update the Business Use Certificate of Occupancy Fee.**
MOTION: Move to waive the reading of Resolution 2024-54, there being ample copies available to the public.
MOTION: Move to approve Resolution 2024-54, a resolution amending the 2024 Community Development fee schedule
- 4. Request to Purchase Mobile Pro Systems 3100 Surveillance Trailer.**
MOTION: Move to approve the Police Department’s purchase of a Mobile Pro Systems Commander 3100 camera trailer in the amount of \$57,008.00, with the expenditure coming from the Police Department’s operating budget.
- 5. Police Department Purchase of Pass-through Evidence Lockers.**
MOTION: Move to authorize the Police Chief to purchase evidence lockers from Mid-America business systems in the amount of \$29,494.43 as quoted.
- 6. License Agenda.**
MOTION: Move to approve the items as listed on the business license agenda for July 22nd, 2024, as presented.
- 7. Rental Occupancy Licenses for Approval.**
MOTION: Move to approve the items listed for rental housing license applications for July 22, 2024, in that they have met the requirements of the Property Maintenance Code.

- 8. Temporary Rental Occupancy License for Approval for 3806 Jackson St. NE.**
MOTION: Move to approve the item listed for a temporary rental housing license for July 22, 2024, in that the owner has met the requirements of the Property Maintenance Code.
- 9. Review of Bills.**
MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8 the City Council has reviewed the enclosed list to claims paid by check and by electronic funds transfer in the amount of \$1,393,294.65.

PUBLIC HEARINGS

- 10. Consideration of Resolution 2024-55, Revocation of the License to Operate Rental Units Within the City of Columbia Heights Against the Rental Property at 4228 Madison Street NE For Failure to Meet the Requirements of the Residential Maintenance Codes.**
Fire Chief Thompson noted on May 25, 2024, Inspection Staff sent a letter requesting the owner of the property to submit the rental license application and fee for the property. The letter was sent by regular mail to the address listed in the property records. That on July 9, 2024, inspection office staff reviewed the property file and noted that the property remained unlicensed. A Statement of Cause was mailed by regular mail to the owner at the address listed in the property records. Based upon the records of the Enforcement Office, the property owner failed to submit the rental renewal license application and fees. All parties, including the License Holder and any occupants or tenants, have been given the appropriate notice of the hearing according to the provisions of the City Code.

Fire Chief Thompson added that Staff physically contacted the individual via phone and she indicated that she would come in on July 18, 2024 to take care of the application and fees. No one showed up to the office that day.

Mayor Márquez Simula asked if the property owner was in attendance. Fire Chief Thompson replied that he did not think the property owner was in attendance.

Mayor Márquez Simula opened the public hearing. There were no public comments.

Motion by Councilmember Jacobs, seconded by Councilmember James, to close the public hearing and waive the reading of Resolution 2024-55, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Motion by Councilmember Jacobs, seconded by Councilmember James, to adopt Resolution 2024-55, being a Resolution of the City Council of the City of Columbia Heights approving revocation, pursuant to City Code, of the rental license listed.

Councilmember James asked Fire Chief Thompson if the property owner had any previous revocations and if they had any other properties. Fire Chief Thompson replied that there have been no revocations on the property in the past. However, since 2020 there have been a number of violations that have gone uncorrected for several months until the statement of cause. He added that there have been violations about three different times.

All Ayes, Motion Carried 5-0.

ITEMS FOR CONSIDERATION

Ordinances and Resolutions

11. **Consideration of a Rental License Exemption for 4302 2nd Street NE.**

City Planner Boucher stated on July 16, 2024, the owner of 4302 2nd Street NE, reached out to the Community Development Department requesting an exemption from the single-family rental density cap. The property is located on Block 19 with three single family rentals out of 24 total single-family units and an allotment of two single family rentals. The property owners have parents that passed away and are going through the process of acquiring the property. The property owners intend to do some upgrades in the home and pass it onto their children. The rental density exemption would allow them more time to do the necessary upgrades and figure out the next steps. He added that the property owners are available via Teams to answer any questions.

Mayor Márquez Simula opened an opportunity for the property owners to speak.

Property Owner Barb Hagberg mentioned that City Planner Boucher covered it all.

Motion by Councilmember Buesgens, seconded by Councilmember Jacobs, to waive the reading of Resolution 2024-053, there being ample copies available to the public. All Ayes, Motion Carried 5-0.

Mayor Márquez Simula expressed her condolences for the family's loss. She added that one of the best reasons to have the exemption is for situations like this and that she would be voting in favor.

Motion by Councilmember Buesgens, seconded by Councilmember James, to approve Resolution 2024-053, being a Resolution of the City Council of the City of Columbia Heights approving the single-family rental exemption request for the rental application at 4302 2nd Street NE, Columbia Heights, MN 55421. 4 Ayes, 1 Nay, Motion Carried 4-1. Ayes: Márquez Simula, James, Spriggs, Buesgens. Nay: Jacobs.

Bid Considerations

12. **Bid Award for Safe Routes to School, City Project 1807.**

Public Works Director Hansen noted on September 25, 2023, the City Council awarded a contract to SRF Consulting for engineering design and construction services for the City's Safe Routes to School (SRTS) project consisting of sidewalk, pedestrian ramp, and pedestrian crossing improvements along and adjacent to 49th Avenue from Madison Street to Johnson Street and 47th Avenue from Fillmore Street to east of Pierce Street. In June, plans and specifications were advertised for bids in the *LIFE newspaper* and electronically on the City website and through Quest Construction Data Network. Four bids were received and publicly read aloud at the July 10, 2024 bid opening. Staff estimated that the

project would be \$600,000 and the lowest bid came in at \$488,503.50. Staff originally planned to do the work during the summer. The contractor will be able to do the majority of the work during the summer but it will be dependent on the release and approval of the bid process by the State. The project is an 80/20 split so if the City is eligible, the grant will pay for 80% of the costs. Columbia Heights and Hilltop will pay for the other 20%, depending on where the work is done.

Mayor Márquez Simula asked if the \$488,503.50 bid was the full bid for the project or the 20% the City would have to pay. Public Works Director Hansen replied that it was the full bid for the project.

Councilmember James noted that the improvements would make a big difference in safety. She expressed her excitement about the project. Mayor Márquez Simula added that she has received a few phone calls over the years about Monroe Street and 49th Avenue and that the community will be happy about the changes.

Motion by Councilmember Spriggs, seconded by Councilmember Jacobs, to accept bids and award the Safe Routes to School Construction, City Project 1807, to Concrete Idea, Inc. of Maple Lake, Minnesota, based upon their low, qualified, responsible bid in the amount of \$488,503.50 with about \$390,800.00 from SRTS Grant funding which uses an 80/20 split and the remaining from project funds; and, furthermore, to authorize the Mayor and City Manager to enter into a contract for the same. All Ayes, Motion Carried 5-0.

CITY COUNCIL AND ADMINISTRATIVE REPORTS

Report of the City Council

Councilmember Spriggs mentioned he attended Music in the Park and a meeting with Congresswoman Omar, Representative Feist, and the Mayor of Saint Anthony to discuss the cost of living. He added that he has had discussions with the Housing Justice Center about ideas and options renters have. He noted that he had a meeting with Mayor Márquez Simula, City Manager Chirpich, and a representative from Blue Zones to learn more information and possibilities within the City.

Councilmember Jacobs stated she did a police ride-along and attended the National Substance Addiction Conference in Las Vegas. She congratulated the Police Department for their new positions as well as Mitch Forney for his new position. She facilitated two resident reach outs.

Councilmember James explained that she spoke with residents regarding alley conditions, and issues with native plants and grasses. She mentioned that she is looking forward to National Night Out.

Councilmember Buesgens noted she attended the Mississippi River Watershed Management Organization board meeting, the Sustainability Commission meeting, Music in the Park, and volunteered at Blooming Sunshine Garden. She congratulated the Staff and Police Officers that were promoted.

Mayor Márquez Simula stated she has been planning for the Monarch Fest that will be on August 8,

2024 at Sullivan Park from 5-8 pm and will be a bilingual event. She thanked the City, the Rotary for Columbia Heights and Fridley, HeightsNext and the Sister City for making the event possible. She attended Music in the Park, the Silver Lake Association picnic, a meeting with the Anoka Mediation Center, the Fire Department Association meeting, the neighborhood watch meeting, the Charter Commission meeting, the Blue Zones meeting with Councilmember Spriggs, and a meeting with the Police Chief and City Manager to coordinate the flag ceremony. She welcomed all the new businesses in Columbia Heights.

Report of the City Manager

City Manager Chirpich explained that Music in the Park continues this week and will feature Kathy G & the Hot Lemons on July 24th at Huset Park from 6:30-8 pm. Community members can register for National Night Out until July 24th. National Night Out will be on August 6th.

City Manager Chirpich mentioned that the Communications Staff won a Northern Lights Award at the Community Engagement Awards for the small entity. The award was for the City partnering with local artists on art work in the central place room.

City Manager Chirpich stated the Police Department is hosting the annual eat and greet event on Tuesday, July 30, from 5-7 at McKenna Park. There will be food, activities, face painting and more. The City is developing a safety action plan that is evaluating the safety issues for people driving, walking, biking, rolling and using transit in the City. There is an interactive map on the City's website where community members can provide feedback and input.

City Manager Chirpich noted that the Parks and Recreation Board and Charter Commission each have one current opening. Applications can be found on the City's website, the Library or City Hall and are due by August 1.

COMMUNITY FORUM

Derek Lind, City of Ramsey resident, stated he is with a citizen advocate group regarding election integrity called ACEIT. He asked if he would be able to come back and do a presentation which can range from 20-45 minutes. He stated two cities in Anoka County have already passed resolutions to extend the post-election review which means 10 days after the election, people would hand count the votes to ensure the machine count and hand count are the same.

ADJOURNMENT

Motion by Councilmember Jacobs, seconded by Councilmember Spriggs, to adjourn. All Ayes, Motion Carried 5-0.

Meeting adjourned at 6:58 pm.

Respectfully Submitted,

Sara Ion, City Clerk/Council Secretary



CITY COUNCIL WORK SESSION
City Hall—Shared Vision Room, 3989 Central Ave NE
Monday, August 05, 2024
6:00 PM

Mayor
Amada Márquez Simula
Councilmembers
Connie Buesgens
Kt Jacobs
Rachel James
Justice Spriggs
City Manager
Aaron Chirpich

MINUTES

CALL TO ORDER/ROLL CALL

The meeting was called to order by Mayor Márquez Simula at 6:33pm.

Present: Mayor Márquez Simula; Councilmember Buesgens; Councilmember Jacobs; Councilmember James, Councilmember Spriggs

Also Present: Andrew Boucher, City Planner; Aaron Chirpich, City Manager; Mitch Forney, Community Development Director; Sara Ion, City Clerk; Joe Kloiber, Finance Director; Andrew Splinter, Assistant Finance Director, Rebecca Peterson, Red Path and Co.

WORK SESSION ITEMS

1. Presentation by Independent Auditor, Regarding Audit of the 2023 City of Columbia Heights Financial Statements.

Finance Director Joe Kloiber introduced Rebecca Peterson from Red Path and Co. and also gave Council a hard copy of the audit of the [2023 Financial Statements](#) (an electronic copy of the documents can be found on the city website). Ms. Peterson gave the council a high-level review of the final audit as well as the takeaways that she had related to the audit.

Mayor Márquez Simula inquired if the amount in the general fund balance gave sufficient breathing room for City operations.

Ms. Peterson indicated to the Council that she felt that this was a healthy spot to be in.

Director Kloiber indicated that there will be further information available related to the refuse and water funds at the September budget introduction meeting.

Councilmember Buesgens thanked the Finance Director for the hard work that he does to keep the finances of the City in great standing.

Director Kloiber stated that this is a brief presentation and that he is available for additional comments or concerns as needed.

Mayor Márquez Simula clarified that if there were questions, that these questions be forwarded on to the entire Council.

2. Cannabis Retail Business Moratorium Discussion.

Community Development Director Mitch Forney led an overall review of the status of this

item with the Council. He clarified that at the July Council Work Session, staff spoke with the Council about creating a cannabis business ordinance establishing rules and regulations for businesses that deal with the newly established cannabis market. After that meeting, staff began working with the City attorney to draft an ordinance that met the goals outlined by the Council. Staff have a draft ordinance that is almost ready to be moved forward but would not be officially in place until October 2024 at the earliest. Normally this would not be an issue, as state licensing will commence in January of 2025, but equity applicant preliminary approvals are set to start locating business prospect locations sometime after August 12.

Director Forney informed the Council that there was the option of enacting a short-term cannabis retailer moratorium to halt any retailers from moving in or establishing themselves prior to the City's registration procedure and regulations being enacted.

Director Forney recommended establishing a short-term moratorium to allow the City's ordinance to be in place prior to the entrance of new cannabis retailers.

Council consensus was to move forward with the interim ordinance creating a moratorium until the state licensing can come into effect.

3. Discussion on Humane Pet Stores Ordinance.

City Planner Andrew Boucher relayed to the council that he received direction to examine a Humane Pet Store ordinances after Council received correspondence from the MN State Director for the Humane Society of the United States informing the City of a model ordinance that municipalities across the country have enacted, including 7 cities in Minnesota including Roseville, Eden Prairie, St. Paul, Carver, Cloquet, Minneapolis, and Coon Rapids. Minnesota Statutes Section 412.221, Subdivision 21 allows municipalities to regulate the keeping of animals, and to protect the health, safety, and welfare of the community. Each of these cities have adopted similar version of a model ordinance including Definitions, Prohibition on Sales, Certificate of Source, and Violations. Some cities included inspection language. The model ordinances adopted by the cities listed above reflect the language in Minnesota SF 1317 and HF 1276, proposed bills in the 2023-2024 legislative session that did not pass but is expected to be reintroduced in the 2025 session.

City Planner Boucher recommended updating the existing ordinance to reflect the following:

1. Adding a policy section identifying that the City Council has the authority under Minnesota Statute Section 412.221, Subdivision 21 to regulate the keeping of animals regarding the sale of dogs and cats at pet stores.
2. Amending the Definitions section of 5.607 to remove the definition of Animal and Veterinary Hospital, revise the language in Kennels and Pet Shop, and include definitions for Animal Control Authority, Animal Rescue Organization, Animal Shelter, Cat, Certificate of Source, Dog, and Pet Store Operator.

3. Introducing a Certificate of Source process and procedures for enforcement and inspections including that the Certificate of Source is required to be provided as part of the adoption of any cat or dog; the Certificate of Source shall be posted and maintained within three feet of the cat or dog's enclosure and is required to be immediately provided upon request; and that falsification of a Certificate shall be considered a violation of this section.
4. Identifying violations of this section as an administrative offense under 5.701 of the City Code and subjects Pet Store Operators to the procedures and penalties contained therein.

Councilmember Buesgens clarified that as it currently stands, the State Legislature would not be acting on the bill introduced in the 2024 session. She would prefer to pass an ordinance here in Columbia Heights and to make edits later if the State moves their legislation forward.

Councilmember James clarified that the ordinance was updated to reflect the Human Society suggested language.

Council consensus was to move forward with this ordinance as presented for the August 12, 2024, City Council meeting as presented in the packet.

4. Discussion on Administrative Citations.

City Planner Boucher introduced the topic to the council and stated that the updates to administrative citations was in direct feedback to the City's use of criminal citations and examining the Administrative Citation processes and fines ordinances to provide an alternative means to achieving compliance with code enforcement cases in a more informal, less intimidating, and more effective method than utilizing the Anoka County Court System.

City Planner Boucher outlines that Minnesota Statute 462.362 – Enforcement and Penalty enables a municipality to, by ordinance, provide for the enforcement of ordinances or regulations adopted; Chapter 6 – Administration of City Affairs in the City Charter explicitly states that the City Manager has the authority to prepare and submit to the Council for adoption an administrative code incorporating the details of administrative procedure and suggest amendments to the same.

City Planner Boucher further clarified that the Cities of Crystal, Fridley, Hopkins, New Hope and Richfield and their administrative enforcement processes were examined in preparation for the Work Session. Each of these cities that have implemented administrative enforcement ordinance violations have several common components that the City Council should address in a draft ordinance such as: purpose; general provisions defining administrative offense, exemptions, civil penalties, and schedule of fines and fees; procedures for administrative citations and hearings, and payments/recovery of civil penalties.

Additionally, Boucher clarified that the City Manager will need to provide a list of lawyers for the City Council to approve as hearing officers, these officers cannot be city employees, and the fee schedule will need to either address fines based on the type of offense or whether a flat consistent fee is desired.

Councilmember Jacobs inquired as to when and where this subject matter has been called to Staff's attention. She would like to know if other departments are in approval of these updates.

City Planner Boucher informed the Council that this was brought forward related to the Police Department, Fire Department and Community Development need for consistency between departments. Only in the case of appeals would their need to be a hearing by the hearing examiner or via the City Council. The fees for this would be paid for by the citations.

City Manager Chirpich informed the Council that this update will go hand in hand with the computer software that will be utilized in the future. He believes this will be a more efficient process and will limit the staff time to chase these items to bring compliance.

Community Development Director Forney informed Council that this has been discussed with the staff and all departments that it impacts. Additionally, the Fire Department would like to make sure that there is a carve out for the abatement process.

Councilmember James stated that she appreciates how this process will go hand in hand with the software that we will be using in the future. She also inquired about what a "good faith effort is" and wants to make sure that the homeowner is not in charge of setting the timeline.

City Manager Chirpich stated that he would follow up with the City Attorney to see what the correct language is for "good faith effort".

Councilmember Spriggs asked if the Council should play more of role in the process.

City Manager Chirpich stated that would be unduly burdensome to the Council.

Councilmember Buesgens stated that she is looking forward to this updated ordinance. She inquired about if a CUP (Conditional Use Permit) can be revoked. She wanted to make sure that the standard of abatement was consistent. She also liked the fee structure in Crystal. She asked when the fee schedule would be updated.

Director Forney stated that they would bring the fee schedule to the Council at the time the Ordinance update is completed.

It was the consensus of the council to move forward with this ordinance with the clarification of "good faith effort" and if there is the ability for a CUP to be revoked, as well as the ability for the Fire Department to continue to utilize the abatement process.

Added Item: Update on Charging and Fueling Infrastructure.

The Council asked Planner Boucher for additional details on providing a letter of support for the Metropolitan Council as they are applying to the U.S. Department of Transportation discretionary grant program for Charging and Fueling Infrastructure so the Met Council can provide a competitive bid process for municipalities in the Twin Cities region. The goal is to accelerate the adoption of EVs and achieving shared climate goals by expanding access to Level 2 charging infrastructure. The Metropolitan Council seeks to identify that there is a need for this infrastructure in strategic locations such as: Neighborhoods and multi-family dwellings such as apartment complexes, condominium buildings, and areas with high residential density; Multi-modal hubs such as transit stations, park-and-ride facilities, or intermodal transportation center; Shared-use fleets and services such as car-sharing services, bike-sharing stations, or ride-sharing hubs; Multi-purpose workplaces and destinations such as office buildings, retail centers, hospitals, or educational institutions.

City Planner Boucher informed the council that he was in the process of drafting the letter of support on behalf of the City.

5. Review Applicants for the Park and Recreation Commission Opening.

City Manager Chirpich informed the Council that The City posted for and received two applications for the Park and Recreation Commission seat left vacant by Dana Gulley giving notice that she was not able to complete the remainder of her term expiring on March 31, 2025. The recommendation is that the Council review the attached applications and select one person to fill the remaining term of eight months. Whoever is appointed to the vacant position can then re-apply for a full term if they wish when the term expires in March of 2025. A resolution will be drafted for Council's approval on the consent agenda at the upcoming August 12th City Council meeting.

The council briefly discussed the appointment of Mr. Timm and that they would like the resolution to be drafted appointing him to the vacancy on the Park and Recreation Commission for the remainder of Dana Gully's term, expiring in March of 2025.

6. City Hall Condo Transfer Update.

City Manager Chirpich reviewed the status of the transfer with the Council: in October of 2020, the City executed a City Hall Transfer Agreement with BPOZ Columbia Heights, LLC (Alatus). The Transfer Agreement specified the terms for completion and conveyance of the new City Hall condo unit by Alatus to the City. Since execution of the agreement, Alatus has completed the City Hall condo unit and delivered on their obligations under the agreement. However, the City has not taken ownership of the unit. Rather, the City was allowed to move into the new City Hall under a Move In Agreement that was executed in July of 2023.

The delay in transferring ownership to the City was initially related to challenges and delays at the County level with recording the CIC plat (condo plat). Due to the complex chain of ownership for the underlying parcels that make up the redevelopment site, it took the City,

Alatus, and the County more time than expected to unpack all the encumbrances that impacted the title transfer and recording of a new clean plat.

City Manager Chripich additionally clarified that the title and plat issues were resolved in late 2023, and the City was set to close on the transfer of the City Hall condo in March of 2024. However, during the final review of the closing documents, the City's general counsel at Barna Guzy identified issues with the property insurance that is in place for the condo association. The primary concern is the type of coverage that is now in place for the association and whether the policy is consistent with the association declarations. Currently, the association is covered by a policy that does not guarantee full replacement of the project in circumstances of total loss like a catastrophic fire or severe tornado occurrence. In other words, under the current policies in place, if the entire building (City Hall, apartments, and commercial space) were damaged to the point where everything was demolished completely, there is no guarantee that the project would be rebuilt in its current form with insurance proceeds. City Manager Chripich emphasized that there was currently sufficient coverage on the condo unit however this coverage is not fully compliant with the association declarations as currently drafted. It is important to note that currently, in cases of total loss, the City would be covered for its own unit and paid out for the replacement cost of the City Hall condo including all contents. However, if Alatus as the majority stakeholder in the association decides not to rebuild, there would be no City Hall condo rebuilt, as the City Hall condo is integrated into the larger project.

City Manager Chripich stated that since March of this year, staff and the City's general counsel have worked with the Alatus team to try to find a solution to the insurance coverage challenges. Alatus has taken the position that the association cannot secure coverage that guarantees full replacement of the project following catastrophic loss and Alatus represents a 95% stake in the association given the size of their condo in comparison to the City Hall unit. Rather than moving forward with a contested closing, staff believe it is prudent to renegotiate the terms of the association covenants in a way that allows the City to manage risk at acceptable level while maintaining a productive partnership with Alatus and BPOZ. Following discussion with the Council, he intends to bring revised association covenants to the Council for review and approval at a regular meeting and finalize closing on the transfer of the City's Condo.

Councilmember Buesgens clarified that she thinks the City should move ahead with a compromise, and that this is not unreasonable.

Consensus of the council was to allow staff to manage the process and move forward as outlined.

7. City Council Travel Options for 2025.

City Manager Chripich informed Council that staff are preparing the preliminary 2025 budget for review by the Council in September. To finalize the City Council 2025 travel/conference schedule, he wants to have a conversation about the official Council travel plans that are expected in 2025. Some of the typical conferences to consider include:

The League of Minnesota Cities Annual Conference (June 25-27, Duluth MN, 2025), The National League of Cities, Congressional City Conference (March 11-13, Washington DC, 2025), Sensible Land Use Coalition events (local, TBD).

Councilmember Buesgens and Mayor Márquez Simula asked for clarification related to what the budget would be.

Councilmember Buesgens would like to see a variety of MN based training and conferences to be available. She would like to include topics such as sustainability, revitalizing downtown areas and the local recycling conference.

Councilmember James would like to see it staggered for attendance and for the approved educational opportunities to be expanded.

City Manager Chirpich clarified that there is currently approximately \$6500 budgeted for learning and development opportunities for the Council and that there would be further discussion for 2026 and beyond opportunities.

8. Malcolm Watson Sign at Silver Lake Beach Park.

City Manager Chirpich informed the council that the City has been approached by former City employee Malcolm Watson and his family with a request to commemorate Mr. Watson's involvement in the development of Silver Lake Beach Park. Malcolm Watson was the City Engineer for Columbia Heights starting in 1951 and then served as City Manager from 1957 to 1977. During his time with the City, he played an instrumental role in the creation of Silver Lake Beach Park. The Council has considered recognition for Mr. Watson on two occasions recently. The first was the October 2022 Work Session, where the Council considered a request by the family to place a plaque in Silver Lake Park. The second occasion was the April 2023 Work Session (minutes attached), where the Council discussed the installation of a commemorative bench to be paid for by the City. In both cases, no action was taken. Most recently, in the fall of 2023, Mr. Watson and his family approached the Council at the end of a Council meeting with a request to install a plaque once again. Following the meeting, the family contacted the City to further the conversation.

Additionally, City Manager Chirpich informed the Council that the family has agreed to pay for the sign, and he would support this effort to be overseen by the Public Works Department.

Mayor Márquez Simula felt that Mr. Watson was personally and professionally involved in the community and that giving credit for the beach, not renaming the beach.

Consensus of the council was to allow a plaque to be installed recognizing Mr. Watson.

9. Council Corner.

City Attorney

Councilmember Jacobs brought up concerns related to replacing the City Attorney. City Manager Chirpich stated that this is an item for review at a future Work Session to decide if the Council would like to see the City go out to bid for new representation.

Tracking of Council Corner Items

City Manager Chirpich stated that there is a tracker in development for the to the council related to when and what things the Council would like to see on the Council Corner Agenda as well as the Work Session and Council Meetings.

Councilmember Buesgens would like to make sure that there is clear department and the specific item was aligned with a specific part of the mission statement and goals of the City.

Winter Parking.

City Manager Chirpich stated that Councilmember James requested that this item be added to the work session agenda. City staff is currently working on a cross-department plan to amend the City code to accurately reflect the Council's initiatives to enforce winter parking requirements. He inquired if the Council would like to use the same condensed time frame for enforcement as last year, as they would need to be incorporated into an ordinance to amend the City Code.

Mayor Márquez Simula stated that the Public Works team would like to see the threshold amended to two inches instead of three and a half inches of snow. Additionally she would like to use December 1 to March 15 as the time frame. She would like to see the Police Department CSO's utilized to tow cars and not to write advisory / warning tickets.

Councilmember Jacobs stated that she is not in support of changing the dates for the enforcement of winter street parking. She feels that "we have been too nice for too long".

Councilmember Buesgens would like to see if this year would be a better measure of snow fall impact related to the time frame adjustment of winter parking. She would like to see cars towed immediately (if a towing company can be found to take on the task). Additionally she would like to see what the inflow of parking permits would be if they were granted to everyone requesting one. She would be ok with updating the dates for enforcement if we are able to get a contract for towing when the snow threshold meets two inches of snow.

Councilmember James would like to see the measurement of snow fall updated to two inches. She would like to see permits to be revoked as an enforcement mechanism, and for anyone who applies for a permit to be granted.

Councilmember Spriggs would like to see the process simpler for people to apply for permits, and to update the timeframe for winter parking as well as reducing the snow fall threshold overall.

City Manager Chirpich clarified that he would like to speak to the department heads about how to proceed before making commitments to the Council about drafting an ordinance to update the City Code. This information would be brought to the Council at a future date.

Proclamation Updates

Mayor Márquez Simula informed the council that she would be simplifying the proclamation language to eliminate the “whereas” and “therefore”.

Invitation from Council to Use Council Chamber Space

Councilmember Buesgens would like to invite the High School student government to use the Council Chambers.

Councilmember James will follow up with the 9th grade civics class advisor to see if they would like to attend a meeting.

Piano

Councilmember Buesgens would like to see the piano with the mural used at City Hall for events.

City Manager Chirpich stated that he would like to check in with the public works department about their ability to safely and securely move the piano related to City events. Additionally he wanted to clarify if this is related to wanting music in chambers or to highlight the piano in the community.

Councilmember Buesgens also stated an alternate option would be for the piano to be placed at a local business like the Central Fixx. So that it was in a permanent location and protected from the elements.

Mayor Márquez Simula would like to see a special event scheduled for the piano, and plan accordingly.

Blue Zones

Councilmember Spriggs indicated that he had a meeting with the Mayor and a Blue Zone representative to discuss the opportunities and costs involved. The cost of the program could be up to a million dollars. He will have more information in the future.

Upcoming Events

Mayor Márquez Simula mentioned upcoming events regarding National Night Out and the Monarch Festival.

Impervious Surface Calculations

Mayor Márquez Simula brought up her concerns related to a lawn that is paved in her neighborhood.

City Manager Chirpich stated that the Planning Commission is reviewing information related to the current ordinance and there will be updates presented to the Council for review and approval.

10. Old Business.

There was no old business to discuss.

ADJOURNMENT

Meeting adjourned at 9:20 pm

Respectfully Submitted,

Sara Ion, City Clerk/Council Secretary

DRAFT



CHARTER COMMISSION
Columbia Heights City Hall, 3989 Central Ave NE, Shared Vision
Thursday, April 18, 2024
7:00 PM

MINUTES

ATTENDANCE INFORMATION FOR THE PUBLIC

Members of the public who wish to attend may do so in-person. For questions, please call the Administration Department at 763-706-3610.

CALL TO ORDER

ROLL CALL/STATUS OF MEMBERSHIP

Members present: Matt Abel, Kathy Ahlers, Wolid Ahmed, Ramona Anderson, Larry Betzhold, Christine Brown, Ben Harris, Bill Hugo, Veronica Johnson, Carolyn Laine, Frost Simula, Gregory Sloat, Marsha Stroik, Susan Wiseman

Members absent: Excused: Nick Ziemet

Also Present: Council Liaison Rachel James, Interim City Attorney Scott Lepak

1. Appointment of Commissioner Christine Brown

APPROVAL OF AGENDA

Motion by Matt Abel, second by Gregory Sloat. Motion passes.

APPROVAL OF MINUTES

2. January 18, 2024 Meeting Minutes

Motion by Ramona Anderson, second by Sue Wiseman. Motion passes.

CORRESPONDENCE

Email from Interim City Attorney Scott Lepak regarding his role with regards to the Charter Commission and his suggestion that no changes be made to the Charter regarding Recall until after the Supreme Court issues their opinion on the past recall court ruling.

OLD BUSINESS

(None)

NEW BUSINESS

3. Discussion and possible motion for Charter revision of Recall section

Briefly reviewed that Minnesota State law sets the high bar of malfeasance and nonfeasance for Recall.

Some possible revisions to the Recall section could include:

- grounds for removal that include malfeasance and nonfeasance
- grounds for removal that include “OR conviction of a serious crime” (similar to Mankato)
- changes to the information collected and formatting of the Recall Petition
- splitting the Recall and the Succession into separate special elections
- further defining the Succession election, such as the case for a primary election
- defining the eligibility of the recalled official in the Succession election (similar to Mankato)

In general the Commission agreed that the Recall section should be revised to include clarifications that align with Minnesota State Law.

Interim City Attorney Scott Lepak will notify the Commission when the Supreme Court opinion of the past recall case is released.

ADJOURNMENT

Motion by Gregory Sloat, second by Ramona Anderson. Motion passes. Meeting adjourned at 7:33pm.



ECONOMIC DEVELOPMENT AUTHORITY

City Hall—Council Chambers, 3989 Central Ave NE

Monday, July 01, 2024

5:00 PM

Item 4.

MINUTES

The meeting was called to order at 5:00 pm by President Szurek.

CALL TO ORDER/ROLL CALL

Members present: Connie Buesgens; Kt Jacobs; Rachel James; Amada Márquez-Simula; Justice Spriggs; Marlaine Szurek; Lamin Dibba

Staff Present: Andrew Boucher, City Planner; Aaron Chirpich, City Manager; Mitchell Forney, Community Development Coordinator; Sarah LaVoie, Administrative Assistant

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Approve the minutes of the regular EDA Meeting of June 3, 2024.
2. Approve financial reports and payment of bills for May 2024 – Resolution No. 2024-17

Motion by Jacobs, seconded by James, to approve the Consent Agenda as presented. All ayes of present. MOTION PASSED.

RESOLUTION NO. 2024-17

A RESOLUTION OF THE ECONOMIC DEVELOPMENT AUTHORITY OF COLUMBIA HEIGHTS, MINNESOTA, APPROVING THE FINANCIAL STATEMENTS FOR THE MONTH OF MAY 2024 AND THE PAYMENT OF THE BILLS FOR THE MONTH OF MAY 2024.

WHEREAS, the Columbia Heights Economic Development Authority (the “EDA”) is required by Minnesota Statutes Section 469.096, Subd. 9, to prepare a detailed financial statement which shows all receipts and disbursements, their nature, the money on hand, the purposes to which the money on hand is to be applied, the EDA's credits and assets and its outstanding liabilities; and

WHEREAS, said Statute also requires the EDA to examine the statement and treasurer's vouchers or bills and if correct, to approve them by resolution and enter the resolution in its records; and

WHEREAS, the financial statements for the month of May 2024 have been reviewed by the EDA Commission; and

WHEREAS, the EDA has examined the financial statements and finds them to be acceptable as to both form and accuracy; and

WHEREAS, the EDA Commission has other means to verify the intent of Section 469.096, Subd. 9,

including but not limited to Comprehensive Annual Financial Reports, Annual City approved Budgets, Audits and similar documentation; and

WHEREAS, financial statements are held by the City’s Finance Department in a method outlined by the State of Minnesota’s Records Retention Schedule,

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Columbia Heights Economic Development Authority that it has examined the referenced financial statements including the check history, and they are found to be correct, as to form and content; and

BE IT FURTHER RESOLVED the financial statements are acknowledged and received and the check history as presented in writing is approved for payment out of proper funds; and **BE IT FURTHER RESOLVED** this resolution is made as part of the permanent records of the Columbia Heights Economic Development Authority.

ORDER OF ECONOMIC DEVELOPMENT AUTHORITY

Passed this 1st day of July 2024

Offered by: Rachel James
Seconded by: KT Jacobs
Roll Call: All ayes of present. MOTION PASSED.

President

Attest:

Secretary

BUSINESS ITEMS

3. Approval of Demolition Contract for 941 44th, 3851 Central Ave, and 3853 Central Ave

Forney reported that there are weeds growing on 3853 Central Avenue and Staff have been in contact with the Public Works Department about it to get them taken care of. Earlier this year, the EDA purchased the properties located at 941 44th Ave, 3851 Central Ave NE, and 3853 Central Ave NE to hold them for redevelopment. 3851 and 3853 Central Ave NE are being held in combination with 3841 Central Ave to create what is shaping up to be a significant redevelopment opportunity. Other than one house separating these properties the EDA owns .47 acres of land across the three properties. 941 44th Ave NE, was more of a strategic acquisition which will be held for a longer period. Throughout the summer, the Columbia Heights Fire Department was able to utilize both structures for a variety of training, ultimately burning down 3851 Central Ave NE in a training burn on May 6, 2024. The next step in the redevelopment of these properties is to demolish the remaining structures on all properties.

Forney noted that Staff prepared bid sheets and submitted bid requests to several contractors and

received six bids. To make the project easier to bid on, the EDA had taken on the environmental testing and removal of all personal items and hazardous materials from the buildings. As part of the demolition bid, the contractor is responsible for the removal of all outbuildings and site improvements to the properties. This also includes the removal and capping of the water and sewer lines at the property line to prepare the sites for redevelopment. Staff recommend awarding the project to the low bidder Nitti Rolloff Services for \$65,925. The City has worked with Nitti Rolloff Services many times over the years.

Questions/Comments from Members:

Szurek asked if there were any chances of acquiring the lot that sits between the two properties on Central Avenue. Forney replied that the property owners have expressed interest at a very high price. He added the City will wait and see if the property owners would want to sell eventually or see what the market does in the future.

Buesgens asked what the property owners wanted for the property. Forney replied that they wanted \$1,000,000.

James noted that the proposal references the alley pad may not be saved. Forney replied there is about three to four feet of sidewalk that Staff asked the bidders to try to save as much as possible so that the sidewalk would not be disturbed. One contractor did not think they would be able to get in there without causing damage. Ultimately, if a contractor causes damage to it, it will be fine but they would be required to replace the sidewalk. There is a parking area in the alley that will be maintained so it can be used by the apartments.

Motion by Buesgens, seconded by Jacobs, to accept the proposal from Nitti Rolloff Services, in the amount of \$65,925 for the removal of burnt materials at 3853 Central, the demolition of all buildings and site improvements, the cutting and capping of all utilities at the property lines, and the regrading of the lots located at 941 44th Ave NE, 3851 Central Ave NE, and 3853 Central Ave NE; and furthermore, to authorize the President and Executive Director to enter into an agreement for the same. All ayes of present. MOTION PASSED.

4. Deconstruction of 4416 Central Ave NE

Forney reported when prepping previous EDA Properties for demolition the commission looked to better futures for the recycling and reuse of building materials. By partnering with Better Futures, the EDA had prevented a large number of materials from ending up in the landfill.

Forney added that Better Futures Minnesota is a nonprofit organization dedicated to transforming the lives of men who have faced incarceration, homelessness, and unemployment. Through their comprehensive program, they provide a range of supportive services including transitional housing, employment training, job placement assistance, personal development workshops, mental health counseling, and substance abuse support. They support this mission through offering deconstruction services. These deconstruction services involve the dismantling and repurposing of buildings, which provide valuable job skills training while also promoting sustainable practices.

Forney explained that the bid for 4416 Central is split into two parts, the first containing items and finishes within the home and the other including items and the overall deconstruction of the garage. It is important to note that the garage is in good enough shape for Better Futures to reuse a large portion of the garage's building materials. With the bid, Better Futures' staff estimated that, if approved in whole, the project would divert 3-4 tons of materials for reuse from the waste stream. The Fire department is seeking to utilize this home for a training burn which brought Staff to limit the scope of the bid to internal materials. Included in the contract is the use of plywood to re-secure the flooring affected by the removal of finishes. This is a precaution that Better Futures will be able to handle and was raised by the fire department during the burn of 3851 Central Ave. The EDA has budgeted \$55,000 for the demolition of 4416 Central, Staff believe that there are ample amounts of funds to support all abatement and demolition activities if the EDA decides to go forward with all or part of the Better Futures bid.

Forney stated Better Futures is a great organization which not only offers deconstruction services but utilizes them for job training. By utilizing deconstruction, the EDA can keep items and finishes that are as good as new from ending up in the landfill. With that being said, deconstruction is an added cost in the demolition of a property. Increasing the amount the EDA needs to spend on each project. Staff recommends considering the projects on a case-by-case basis as the EDA deliberates if it wants to go the deconstruction route.

Questions/Comments from Members:

Szurek asked if the property owners approached the City about selling the property. Forney agreed and added that the children of the property owners inherited the property and contacted the City. Szurek asked if the owners had taken all items that they wanted out of the house. Forney replied that they took all the items they wanted and held an estate sale as well. What is left in the house is just junk that they could not get rid of.

Buesgens asked how much more the garage would cost. Forney replied \$2,200. Buesgens asked what the total costs would be. Forney replied \$11,010. Buesgens stated that she supported the costs.

Chirpich noted that Better Futures replaces flooring to prepare for training exercises. Forney added that this was an issue in the past with the Fire Department but Staff are working with the Fire Department for them to have the ability to secure the floor. Jacobs asked if Better Futures would pick up debris and nails. Forney replied that they would.

Szurek asked when the house was built. Forney replied in the 1940s. Szurek asked if there were any renovations done since then. Forney replied that he assumed there had been but the renovations are old.

Jacobs asked if Better Futures was a nonprofit organization. Forney replied that they are. Jacobs asked if the City could claim credit for on donation. Chirpich replied that it was a question for the finance director. Buesgens added that it was too bad that the State did not provide credit for usin

a place like Better Futures since it keeps more materials out of dumps and is a good motivator for cities. Forney noted that the State does grant programs for organizations like Better Futures.

Motion by Spriggs, seconded by Jacobs, to accept the proposal from Better Futures Minnesota, in the amount of \$11,010 for deconstruction work on the property located at 4416 Central Ave NE; and furthermore, to authorize the President and Executive Director to enter into an agreement or agreements for the same. All ayes of present. MOTION PASSED.

5. Junk Removal from 4416 Central Ave NE

Forney reported when the EDA purchased 4416 Central Ave NE, there were some remaining personal items left in the property. The EDA traditionally buys properties "as is" due to their blighted or aging conditions and the generally exigent circumstances of the families or homeowners involved. Because of the remaining personal items, Community Development staff reached out to the Fire Department's abatement contractor to procure a bid for removing all the junk from the home.

If approved, any items identified in the deconstruction bid will be left for Better Futures. Aside from the items identified by Better Futures, all other items in the home will be discarded. The previous owner hosted a couple of estate sales and Habitat for Humanity salvaged what they could, leaving the remaining items with no other place to go but to be removed

Staff recommend approving Bauer Services' bid of \$3,999.22 to remove the junk from the premises. Working with the Fire Department's abatement contractor allows the EDA to maintain a tight timeline in order to clear the junk before asbestos removal and deconstruction projects begin.

Questions/Comments from Members:

Szurek asked if junk removal would come first. Forney replied that it would go first.

Motion by Dibba, seconded by Spriggs, to accept Bauer Services bid of \$3,999.22, for the removal of all junk and household items located at 4416 Central Ave NE; and furthermore, to authorize the President and Executive Director to enter into an agreement for the same. All ayes of present. MOTION PASSED.

6. Asbestos and Hazardous Material Abatement for the EDA Owned Property Located at 4416 Central Ave NE

Forney reported earlier this year, the EDA purchased the property intending to demolish it and prepare the site for redevelopment. As with other EDA properties the Fire Department would like to utilize the structure in a training burn scenario. Due to this, the abatement of all hazardous materials is being bid separate from the demolition. In response to the request for bids, the EDA received four quotes. The lowest quote came from Dennis Environmental at \$2,500. Looking at previous projects, this is well within the expected range per property. Dennis Environmental shall furnish the services and necessary equipment to complete all work specified in the scope of work. All work will be performed in accordance with OSHA regulations, Minnesota Department of Health

Asbestos Abatement Rules, and other applicable Federal and State regulations. Dennis Environmental shall insure proper clean up, transport, and disposal of hazardous and asbestos-containing materials and household items.

Motion by Buesgens, seconded by Jacobs, to accept the bid of \$2,500 by Dennis Environmental, for the removal of all hazardous materials located at 4416 Central Ave NE; and furthermore, to authorize the President and Executive Director to enter into an agreement for the same. All ayes of present. MOTION PASSED.

7. Façade Improvement Grant Report for Las Americas Ecuadorian Bakery located at 4355 Central Ave

Forney reported the property business owner is applying for the façade improvement grant to install two signs, one on the store front and one on the already established pylon. A rendering of the proposed awning has been included in the packet. The lowest bid for the signs came in at \$8,988, which sets them up for a grant amount of \$4,494. Community Development Staff recommend funding the project in full as it is a new Ecuadorian bakery coming into the City, which will be filling the long vacant space next to redwing shoes.

Forney noted that the EDA has approved 6 façade improvement grant applications, approving \$29,750 this year with \$4,494 being asked for at this meeting. This leaves \$15,756 in Façade Grant funds for the remainder of the year.

Questions/Comments from Members:

Szurek explained that her friend had someone shoot at her house and encouraged residents to install cameras.

Motion by James, seconded by Buesgens, to waive the reading of Resolution No. 2024-18, there being ample copies available to the public. All ayes of present. MOTION PASSED.

Motion by James, seconded by Jacobs, to adopt Resolution No. 2024-18, a Resolution of the Economic Development Authority of Columbia Heights, Minnesota, approving the form and substance of the façade improvement grant agreement, and approving authority staff and officials to take all actions necessary to enter the authority into a façade improvement grant agreement with the owner of Las Americas Ecuadorian Bakery. All ayes of present. MOTION PASSED.

RESOLUTION NO. 2024-18

A RESOLUTION OF THE ECONOMIC DEVELOPMENT AUTHORITY OF COLUMBIA HEIGHTS, MINNESOTA, APPROVING THE FORM AND SUBSTANCE OF THE FAÇADE IMPROVEMENT GRANT AGREEMENT, AND APPROVING AUTHORITY STAFF AND OFFICIALS TO TAKE ALL ACTIONS NECESSARY TO ENTER THE AUTHORITY INTO FAÇADE IMPROVEMENT GRANT AGREEMENT WITH LAS AMERICAS ECUADORIAN BAKERY

WHEREAS, the City of Columbia Heights (the “City”) and the Columbia Heights Economic Development Authority (the “Authority”) have collaborated to create a certain Façade Improvement Grant Program (the “Program”); and

WHEREAS, pursuant to guidelines established for the Program, the Authority is to award and administer a series of grants to eligible commercial property owners and/or tenants for the purposes of revitalizing existing store fronts, increasing business vitality and economic performance, and decreasing criminal activity along Central Avenue Northeast, in the City’s Business districts, pursuant to a Façade Improvement Grant Agreement with various property owners and/or tenants; and

WHEREAS, pursuant to the Program, the City is to coordinate a surveillance camera monitoring program by placing surveillance cameras on some of the storefronts that are part of the Program for the purposes of improving public safety in and around the Central Business District; and

WHEREAS, the Authority has thoroughly reviewed copies of the proposed form of the Grant Agreement. NOW,

THEREFORE BE IT RESOLVED that, after appropriate examination and due consideration, the Authority

1. approves the form and substance of the grant agreement, and approves the Authority entering into the agreement with Las Americas Ecuadorian Bakery
2. that the City Manager, as the Executive Director of the Authority, is hereby authorized, empowered, and directed for and on behalf of the Authority to enter into the grant agreement.
3. that the City Manager, as the Executive Director of the Authority, is hereby authorized and directed to execute and take such action as they deem necessary and appropriate to carry out the purpose of the foregoing resolution.

ORDER OF ECONOMIC DEVELOPMENT AUTHORITY

Passed this 1st day of July 2024

Offered by: Rachel James

Seconded by: Connie Buesgens

Roll Call: All ayes of present. MOTION PASSED.

President

Attest:

Secretary

8. Home Improvement Loan Program Discussion

Forney reported in May 2024, the City Council established a housing trust fund to hold the

Metropolitan Affordable Sales Tax funds for future expenditure. These funds originated from the State and must be spent in accordance with State law, to include income limits on the expenditure of funds. At the March EDA meeting, the EDA came up with the idea of spending the funds on low-income home improvement loans, naturally occurring affordable housing loans, and affordable housing home ownership redevelopment projects. Directing Staff to prioritize the creation of low-income home improvement loans. Staff have worked with our program contractor Center for Energy and Environment (CEE) to produce the loan materials for the EDA's Discussion.

Forney explained that Staff have not received an update on the amount of funds the City will be receiving from the Metropolitan Affordable Sales Tax. League of Minnesota Cities staff expect the updated numbers to be released on July 1st with the first payment of those funds coming later that month. Due to not knowing the exact number, Staff are operating off the initial estimate of approximately \$260,000. If the EDA is interested it can add more funding to the Trust Fund to further enhance the funds' offerings. The Minnesota Housing Finance Agency (MHFA) is offering a grant that matches City contributions to the fund at 100% up to \$150,000, and 50% up to \$300,000. Staff have reached out to MHFA who are still working on putting together that grant program. Further information will be brought to the EDA when available.

Forney stated due to the EDA directing Staff to prioritize the low-income home improvement loans, Staff reached out to CEE to begin the process of setting up the administration of the said loan program. The Community Development department does not have the Staff capacity to effectively manage complex loans, which is why partnering with CEE is essential. When discussing the EDA's goals with CEE and comparing them to other communities, it became very clear that the expected \$260,000 doesn't go as far as Staff originally expected. With loans at \$20,000 the EDA will only be able to offer 10 loans per year. This is with \$200,000 committed to the program and the cost of servicing the loans with some funds possibly left over. Due to this CEE recommended that the EDA commit fully to one loan program rather than spreading the \$260,000 across two separate programs.

Forney noted when considering what type of loan program the EDA wants to establish there are two primary routes, deferred loan programs and traditional loan programs. The deferred loan program would offer a loan at 0% interest for a specified term. If the homeowner lived in the home longer than the term of the loan then the loan is forgiven, essentially a grant. If the owner sells the home before the term expires, they are required to pay the loan back in full at the sale of the property. Deferred loans are less expensive to manage, costing \$1.00 per month with very few additional fees. With 36% of the population living in their home for more than 15 years the City could expect 64% of the loans to be paid back. Whereas traditional loans can be set at a certain interest rate. This means that the City makes income on the loans and the loans are paid back in full at the end of the term. These loans are more expensive to service (\$15 per loan, per month) and carry additional fees. With basic math and assumptions: On a \$15,000, 15-year loan, at 3% interest. The City would recoup \$3645.70 in interest but would pay \$2,700 in monthly payments leaving the City with an income of \$945.70 per loan, prior to the implementation of any additional fees.

Forney explained whichever route the EDA wants to take, Staff are looking to establish a base set

guidelines for the loan program. Staff are looking to talk through these decision points with the EDA and get feedback on how the EDA would like to structure the program.

Questions/Comments from Members:

Szurek asked if the amount of money varies by the size of the city. Forney replied that it is based off of the city's population and how much tax money is brought in.

Buesgens asked if the programs that provide matching funds are competitive or easier to receive. Forney replied that he believed they were easy to receive. Buesgens asked if the City received the matching funds, if the money could be used for another type of program. Forney replied that the funds would need to be used in the Housing Trust Fund.

Buesgens noted she is in favor of the NOAH option since it would include fourplexes. She added that her concern with not helping fourplexes is that property owners would leave and new owners would come in and raise the rent costs. She mentioned that she would rather focus on the renters and the buildings.

Márquez-Simula agreed with Buesgens comments and added that the buildings were built in the 1960s and 1070s and have large rooms that property owners typically section off to create two bedrooms instead of three bedrooms which creates less parking issues. She noted that the greed of landlords coming in could create additional issues by trying to make more bedrooms out of the space.

Forney explained that the State has passed some funding for eightplexes and above but it does not include fourplexes.

Buesgens explained that she would rather go with the NOAH option rather than the Homeowners program because it is more of a priority for her to help the rental properties and keep them affordable. She added that the Metropolitan Council used to have a similar program and had some restrictions where property owners could not raise the rent for a certain amount of time and also incentive them to fix the building up. Jacobs noted that having a cap on how much the rent can be raised should be a part of the process. Szurek agreed.

Jacobs stated she wished there was a way there could be a balance between homeowners and the fourplexes since there are many young people purchasing starter homes and do not have the money to do upgrades to the homes.

James agreed with the comments that have been made. She mentioned that she has had discussions with community members who have raised concerns that their house needs improvements and are not able to afford to do so. Due to the time of sale, there are restrictions on what people can do with their homes. She noted that she would interested in doing something with the low income home improvement loans since there are already restrictions being placed on it.

Buesgens asked if the loans could be split and have \$20,000 for five homeowners and \$160,000 for the fourplexes with NOAH. Forney replied that it is an option to split it but the issue is that the first five loans would be gone right away. Buesgens replied that it would be fine because if the matching funds come through than funds could be added later on. Forney explained another caution point is that the City would need to build in the administration for the second program.

Spriggs asked if each grant needed to be \$20,000. Forney replied that it did not need to be. Spriggs noted that he could see people having \$6,000 or \$7,000 loans. He agreed with James' comments of people needing the money for improvements on their homes. He mentioned that he qualified for a similar program in Anoka County when he first moved into his home but it has been a slow process and would like to see the City be more efficient and would be his first option in how to move forward. He added that the NOAH option would be a close second option for him. The third option would be the down payment assistance program.

Forney explained that the numbers the EDA has in the Agenda Packet are what Staff have discussed with CEE. The next portion to discuss is how much and what percentage and what kind of loan programs the EDA wants to do. The County program is through CDBG and is extremely hard to get and is a long process. The County is looking to use some of their tax funds for the down payment assistance program and some other programs. Having a program through the City would be easier and a lot more direct.

Márquez-Simula wondered if the EDA could rotate the focus of a program each year so Staff do not have to juggle two different programs. Forney replied that the EDA can choose which kind of funding it wants to do and simply pay the servicing loans are ongoing. Márquez-Simula asked if the Staff hours would be easier if there was only one loan program to focus on. Forney agreed.

Márquez-Simula noted that repairs can be included in the mortgage. She mentioned that if the seller is able to identify what needs to be fixed in the home, the new owner can include the cost of repairs into the mortgage.

Jacobs expressed her concern of low income property owners purchasing a home and not being able to afford improvements. She added that she would like to see those people taken care of so that they can remain the neighborhood and not go in foreclosure. She mentioned that she appreciates the desire to upgrade the fourplexes, however it is a business as opposed to an individual who is going into a home and trying to build some equity in their life.

Buesgens explained that if the City does not help assist the fourplexes, property owners could leave and the Metropolitan Council could change the requirements of the City.

James stated it would be worth it to use 100% of the matching program. Forney mentioned that the EDA would be receiving funds back from the Anoka County HRA levy for the purchase of the properties on Central Avenue.

Buesgens asked if the City could do one year of the Homeowners Improvement loan and then the next year do NOAH and focus on fourplexes. Forney replied that the City would need to confirm

with CEE. Buesgens stated that she would be on board with alternating between the two programs. Márquez-Simula agreed and explained that she would like to help property owners and would not like to see greedy rental business come into the City and raise prices.

Dibba agreed with Márquez-Simula's comments and wondered if there was something the City could do to help the issue of rental businesses coming in and creating more bedrooms in spaces and raising the prices.

Chirpich stated that the City's minimum development standards within the zoning require four areas for housing units. If a new order is submitted, the City has to review it and will at the very least maintain the baseline requirements per unit. Forney added that the rental licensing process would also create a guardrail.

Márquez-Simula explained that new apartment buildings are creating small bedrooms and has seen apartments in other cities take a dining nook and put up drywall and a doorway and call it a bedroom.

Spriggs asked if there was a difference in Staff time between the traditional versus deferred loan structure. Chirpich replied that it is cheaper to do one loan program. He added that the cost of home improvements have skyrocketed.

Szurek noted that she would like to finish the meeting at 6 pm so that the City Councilmembers would be able to do their next meeting. She added that the EDA could continue to discuss the item at a different meeting.

Chirpich mentioned that it sounded like Staff needed to do more research on NOAH. He added that Staff has not fully vetted it to know if CEE is a partner to administer it. Forney stated that they do multi-family homes.

Szurek asked if this was CEE's proposal. Chirpich replied that it was. Szurek noted that after reading the proposal they could eat up the loan program with the charges.

Forney explained that the deferred loans are less expensive to manage and cost \$1.00 a month with some additional fees but nothing compared to the traditional loans with monthly servicing fees. With deferred loans, citizens are not making monthly payments so the CEE is not actively connecting with citizens. With 36% of the population living in their home for more than 15 years, the City would expect 64% of the loans to be paid back. He added that is if the City does a 15-year term. The City would still recoup costs, but would not be making money from insurance. If the EDA decides to do a traditional loan, insurance does not make the City a whole lot of money because, after all of the administration fees, the City is looking at \$945 per loan prior to the implementation of fees. The deferred program would have less of a cost. Staff would recommend moving forward with a deferred loan instead of a traditional loan as well as moving forward with a version of the low-income home program because the program will not get out until later this fall.

James noted on page 168 of the Agenda Packet that it read "eligible properties one to four units"

and asked if that covered what the EDA was discussing. Forney replied that it a decision point for the EDA. The EDA can determine what properties are eligible.

James stated she would be in favor of moving forward with the home improvement loan, knowing it could go up to four as long as they are owner-occupied. She added that she thinks the City should invest from Anoka County or any other funds to get the funds 100% matched. Márquez-Simula and Jacobs agreed with James' comments.

Forney clarified that the EDA would like to move forward with the deferred loan at 0% interest, with a 15 year term for maximum and 10 year term for \$10,000 less. He asked if the EDA would like to stick with the \$20,000 maximum loan amount. Jacobs replied that she would prefer no more than \$20,000. The EDA agreed. Forney mentioned that the EDA could do a \$20,000 maximum this year and then readdress it at a later date. He asked if the EDA had any issues with the eligible improvements. Szurek replied that she liked the exclusion of a swimming pool. Jacobs noted that the requirement currently says only one bid is required and would like to see three. Szurek suggested having two bids required. The EDA agreed.

James noted that one thing she liked about the Fridley home improvement program was that if a homeowner did not need a contractor, they could use the funds to purchase the materials needed for the home improvement. She wondered if there needed to be a requirement that the homeowner needed to apply for permits to do the work themselves in order to receive the loan. Chirpich replied that the loan program could mandate a follow-up inspection to ensure that the work was completed correctly.

Spriggs asked if there was a reference in the loan program for the owner to occupy the property after the home improvement. Forney replied that Staff could look into doing a deed restriction. Chirpich added that the previous program that City had included the same requirement.

Buesgens clarified that there would still be fees with the deferred loan because inspections will be required. She asked what would happen if someone did not pass the inspection. Forney replied that he would look into it.

Márquez-Simula noted that the minutes did not say "draft" in the Agenda Packet. She added that it should have "draft" on it until it is voted to be approved. Forney replied that he would get that updated.


BUSINESS UPDATES

Forney mentioned there was an email to the EDA commissioners with a map application of the EDA properties. He displayed the map for the EDA and briefly reviewed the property locations. He added that he could include this as a discussion topic in a future meeting.

ADJOURNMENT

Motion by Buesgens, seconded by Spriggs to adjourn the meeting at 6:09 pm. All ayes. MOTION PASSED.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah LaVoie". The signature is written in a cursive, flowing style.

Sarah LaVoie, Recording Secretary



COLUMBIA HEIGHTS PUBLIC LIBRARY

3939 Central Ave NE, Columbia Heights, MN 55421

BOARD OF TRUSTEES: MEETING MINUTES

Wednesday, June 5th, 2024

Approved Item 6.
8/7/2024

ATTENDANCE INFORMATION FOR THE PUBLIC

Members of the public who wished to attend could do so in-person, or via Microsoft Teams at columbiaheightsmn.gov/join-a-meeting and entering Meeting ID 211 422 335 081 and passcode NfgDWf at the scheduled meeting time. For questions, please call the library at 763-706-3690.

The meeting was called to order in the Library Community Room by Melanie Magidow at 5:34pm.

Members present: Melanie Magidow; Rachele Waldon; Amina Maameri; Chris Polley. **Members absent:** Carrie Mesrobian. **Others present:** Justice Spriggs (City Council Liaison); Renee Dougherty (Library Director); Nick Olberding (Board Secretary); Elizabeth Ripley (Adult Services Librarian). **Public present:** N/A.

1. The Meeting Agenda was **approved as-is**.
2. The **Minutes** of the **May 1st, 2024**, Board Meetings were **moved and approved**.
3. **Review 2024 Operating Budget:** 41.53% of the year and 36.67% of the budget expended.
 - a. **42010/42012 (Equipment):** This line reflects costs incurred for the replacement of an interior security camera and an exterior parking lot camera (plus wiring), and the installation of a rugged outdoor Wi-Fi access point in the parking lot for public usage.

Community Forum: Opportunity for public input. No correspondence and no public in attendance. The City website has a Contact Form for each Board/Commission as a new method for the public to submit questions or concerns: https://www.columbiaheightsmn.gov/government/boards_and_commissions/index.php after clicking desired group, scroll to the bottom of their page to find the contact form.

New Business:

4. **Informational Presentation from Adult Services Librarian:** Elizabeth Ripley gave an informational overview of the essential components of her job and her impression of the diverse and accommodating community that is Columbia Heights. Elizabeth talked about different programs such as the Tiny Art Show (that gives participating patrons a sense of pride and inclusion); COPAL Licenses for All Bilingual Information Session (inspired by the new state initiative and a surge of interest in Spanish driver's license manuals); the social aspects of the Puzzle Contests; all-ages involvement in Winter Reads/Summer Reading Programs; craft programs like Weaving Water with Indigo Dyes in partnership with the MWMO; local author visits as part of a Saturday Scribes series. It was also mentioned that Columbia Heights embraces the idea of the library being a "third space" of the community (a place away from home or work where people can come together and just be--without expectations). Elizabeth mentioned the effort to continue to diversify the collection (other languages, materials, and formats) to reflect community needs. Also mentioned was the At-Home Delivery program offered to homebound residents and the volunteer Technology Docent who can assist visitors with technology-related tasks.
 - a. The Board expressed their gratitude. Chris mentioned that he may know some upperclassmen at CHHS who may be willing to be Technology Docents. The Board brainstormed some ideas for how to promote some of the existing programs.
5. **Proposed Elimination of the \$2.00 Fee for Replacing a Library Card:** Anoka County Libraries have already made the decision to remove the fee and their Library Board has approved it; CHPL would like to follow suit. The fee may present a barrier to youth who tend to misplace their library cards more often, and staff would like to remove as many barriers to library use as possible. The Library Board agreed with the sentiment. **A Motion was made to eliminate the \$2.00 fee for replacement library cards effective July 1st, 2024; it was unanimously approved.**
6. **Minnesota Ban on Book Bans Bill ([HF4373/SF3567-Art.7-Sec.2](#)):** Renee made the Board aware of the recent

Minnesota legislation prohibiting the banning or removal of books on the basis of their viewpoint or the m ideas, or opinions conveyed. Because CHPL and Anoka County Libraries already have solid collection development policies and Reconsideration of Materials processes in place, CHPL is minimally affected by this legislation. In future any formal Requests for Reconsiderations must be reported to the Minnesota Department of Education/State Library.

7. **2-Day Book Sale during City-Wide Garage Sale:** With the help of some of the Friends, the Library will host a small book sale on Friday/Saturday of the city-wide garage sale this weekend. We did not solicit donations for the sale due to lack of storage space but will weigh the possibility in future years.

Reports:

8. **April Operational Report:** Provided as an FYI.
- a. No meeting in July; we should have 2025 proposed budget information ready for the August meeting.
 - b. New Friday/Saturday hours started last week. Went well, but there were a few issues with the automated lighting and badge readers that are now fixed.
 - c. Mississippi River Pearl artwork in the lobby provided by Art to Change the World will be here for one more week before it moves on to the next stop on its tour, the Stone Arch Bridge Festival.
9. **Board Books:**
- a. Chris: *Mutha: Stuff+Things* Vincent D’Onofrio; *Pluto Rocket (series)* Paul Gilligan
 - b. Amina: *Vitamin N: The Essential Guide to a Nature-Rich Life* Richard Louv
 - c. Rachelle: *Persepolis: The Story of an Iranian Childhood* and *Woman, Life, Freedom* Marjane Satrapi
 - d. Melanie: *Joy of Movement* Kelly McGonigal; *Shakespeare & Hathaway* BBC (streaming on Kanopy)
 - e. Nick: *Marvel’s Spider-Man 2* (PS5) Insomniac Games (available via Anoka County Library)
 - f. Justice: *The Color of Law: Forgotten History of How Our Government Segregated America* Richard Rothstein
 - g. Renee: *North Woods* Daniel Mason

There being no further business, the meeting was adjourned at 6:27 pm.

Respectfully submitted,



Nicholas P. Olberding
Recording Secretary, CHPL Board of Trustees



CITY COUNCIL MEETING

AGENDA SECTION	CONSENT
MEETING DATE	AUGUST 12, 2024

ITEM:	Adopt Resolution 2024-58, Appointing Park and Recreation Commission Member Brian Timm.		
DEPARTMENT:	Administration	BY/DATE:	Sara Ion / August 6, 2024
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>			
X Healthy and Safe Community		X Thriving and Vibrant Destination Community	
X Equitable, Diverse, Inclusive, and Friendly		X Strong Infrastructure and Public Services	
X Trusted and Engaged Leadership		X Sustainable	

BACKGROUND

The City Council received two Board and Commission applications for a single Park and Recreation Commission vacancy. The Council conducted a review of the candidates during City Council Work Sessions on August 5, 2024 and chose to appoint Brian Timm to the Park and Recreation Commission for a term ending on March 31, 2025.

RECOMMENDED MOTION(S):
MOTION: Move to waive the reading of Resolution 2024-58, there being ample copies available to the public.
MOTION: Move to adopt Resolution 2024-58, appointing City of Columbia Heights Board and Commission Member Brian Timm.

ATTACHMENT(S):

- Resolution 2025-58

A RESOLUTION APPOINTING BOARD AND COMMISSION MEMBERS

WHEREAS: The Council appoints members to City Boards & Commissions, and

WHEREAS: The City Council met in work sessions on August 5, 2024 to discuss appointment to the vacant seat on the Park and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Columbia Heights, to approve the appointment of Brian Timm to the Park and Recreation Commission from August 12, 2024 to March 31, 2025.

Passed this 12th day of August, 2024

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary



CITY COUNCIL MEETING

AGENDA SECTION	CONSENT AGENDA
MEETING DATE	AUGUST 12, 2024

ITEM:	Corrective Resolution of a Minor Subdivision (Lot Line Adjustment) 334 and 344 40th Avenue NE							
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner – 08/06/2024						
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an “X” in front of the selected text below)</i>								
<table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input checked="" type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community							
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services							
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND

Michael Gondek, owner of Gondek Properties LLC, had requested approval of a Minor Subdivision, per City Code Section 9.104 (k), for abutting parcels of land located at 334 and 344 40th Avenue NE. The proposed lot line adjustment allowed the commercial parking area to be fully located on the commercial parcel at 334 40th Ave NE. The original survey contained an directional error in the legal description of Parcel A: “Lot 10 and the **west** 8””; this was incorrection and should have read as “Lot 10 and the **east** 8””.

The correct survey was recorded successfully with Anoka County, but for a title company to be able to recognize the lot line adjustment, City Council must approve a revised resolution containing the survey with the corrected legal description. The previous resolution included the original survey and legal description; whereas, the corrective resolution contains the revised survey with the corrected legal description.

STAFF RECOMMENDATION

Staff recommends approving corrective resolution 2024-056 as presented.

FINDINGS OF FACT

Section 9.104 (K) of the Zoning Code outlines specific conditions for the City Council to approve a minor subdivision as follows:

- 1. The proposed subdivision of land will not result in more than three lots.***
The proposed subdivision will result in two conforming lots.
- 2. The proposed subdivision of land does not involve the vacation of existing easements.***
No vacation of existing easements will occur as a result of the minor subdivision.
- 3. All lots to be created by the proposed subdivision conform to lot area and width requirements established for the zoning district in which the property is located.***

Both newly created lots will conform to the lot width and lot area requirements of the applicable GB-General Business zoning designation.

4. *The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.*

The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.

5. *The property has not previously been divided through the minor subdivision provisions of this article.*

The subject property has not previously been subdivided via a minor subdivision process.

6. *The proposed subdivision does not hinder the conveyance of land.*

The proposed subdivision will not hinder the conveyance of land.

7. *The proposed subdivision does not hinder the making of assessments or the keeping of records related to assessments.*

The proposed subdivision is not expected to hinder the making of assessments or the keeping of records related to assessments.

8. *The proposed subdivision meets all the design standards specified in Section 9.116.*

As a condition of minor subdivision approval, all applicable design standards of Section 9.116 of the Zoning ordinance must be satisfied.

The Planning Commission held a public hearing on April 2, 2024 for the proposed Minor Subdivision at 334/344 40th Avenue NE where the Commission gave the proposal unanimous support (6-0) and a positive recommendation to City Council for approval of the proposed subdivision, which the Council approved on April 8, 2024.

RECOMMENDED MOTION(S):

MOTION: Move to waive the reading of Resolution 2024-56, there being ample copies available to the public.

MOTION: Move to approve Resolution 2024-56, a resolution approving a Minor Subdivision for the properties located at 334 and 344 40th Avenue NE, within the City of Columbia Heights, Minnesota, subject to certain conditions stated in the resolution.

ATTACHMENT(S):

Resolution 2024-56
Recorded Document (Revised Survey)

R MICHAEL GONDEK

CERTIFICATE OF SURVEY

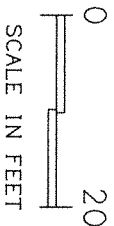
(MEASUREMENTS SHOWN IN FEET AND DECIMALS OF A FOOT)

DATE 12-12-2023

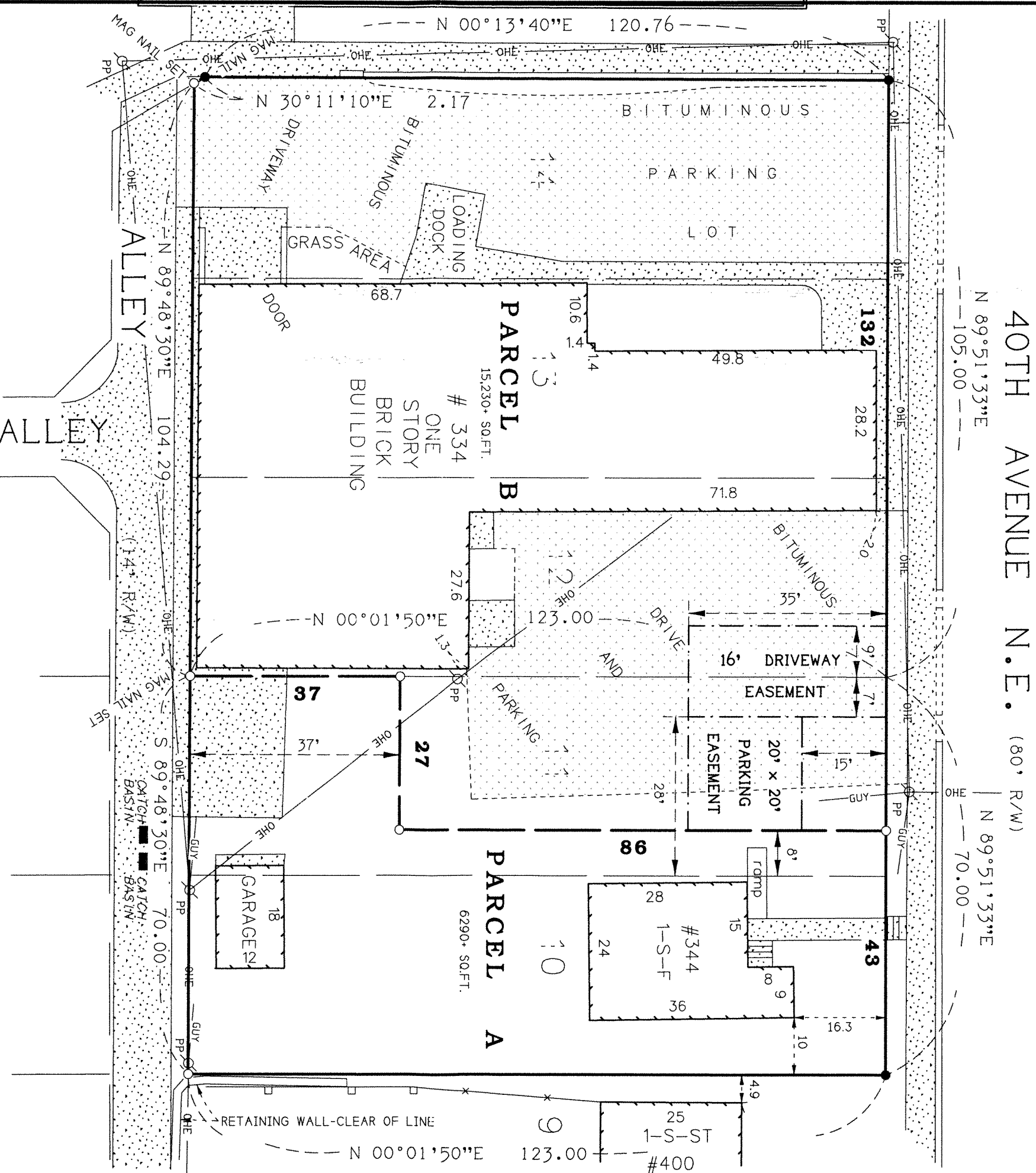
I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

KURTH SURVEYING, INC.
4002 JEFFERSON ST. N.E.
COLUMBIA HEIGHTS, MN 55421
PHONE (763) 788-9769
E-MAIL: kst@kurthsurveyinginc.com

Russell J. Kurth, L.L.S. No. 16113
Randy L. Kurth, L.L.S. No. 20270
REV. 4-22-24 (PARCEL A DESCRIPTION)



- = IRON PIPE MONUMENT SET
- = IRON PIPE MONUMENT FOUND
- ⊗ = SPIKE SET
- *— = CHAIN LINK FENCE (CLF)
- = WOOD PRIVACY FENCE (WPF)
- = POWER POLE-OVERHEAD LINES
- ▭ = CONCRETE SURFACE
- [---] = BITUMINOUS SURFACE



Lot 10 and the east 8.0 feet of Lot 11 and the south 37.0 feet of all of Lot 11, Block 68, COLUMBIA HEIGHTS ANNEX TO MINNEAPOLIS, Anoka County, Minnesota.

Together with an easement for driveway purposes over the east 9.0 feet of the north 35.0 feet of Lot 12 and the west 7.0 feet of the north 35.0 feet of Lot 11 and also an easement for parking purposes over the west 20.0 feet of the east 28.0 feet of the south 20.0 feet of the north 35.0 feet of Lot 11, all in Block 68, COLUMBIA HEIGHTS ANNEX TO MINNEAPOLIS, Anoka County, Minnesota

PROPOSED PROPERTY DESCRIPTION - PARCEL B

That part of Lot 11 lying west of the east 8.0 feet and north of the south 37.0 feet and all of Lots 12, 13 and 14, Block 68, COLUMBIA HEIGHTS ANNEX TO MINNEAPOLIS, Anoka County, Minnesota.

Reserving and subject to an easement for driveway purposes over the east 9.0 feet of the north 35.0 feet of Lot 12 and the west 7.0 feet of the north 35.0 feet of Lot 11 and also an easement for parking purposes over the west 20.0 feet of the east 28.0 feet of the south 20.0 feet of the north 35.0 feet of Lot 11, all in Block 68, COLUMBIA HEIGHTS ANNEX TO MINNEAPOLIS, Anoka County, Minnesota

PROPOSED LOT LINE ADJUSTMENT

RESOLUTION NO. 2024-56

**RESOLUTION APPROVING A MINOR SUBDIVISION (LOT LINE ADJUSTMENT)
FOR THE PROPERTIES LOCATED AT 334 AND 344 40TH AVENUE NE (LOTS 10, 11, 12, 13, AND
14, BLOCK 68, COLUMBIA HEIGHTS ANNEX TO MINNEAPOLIS, ANOKA COUNTY),
WITHIN THE CITY OF COLUMBIA HEIGHTS, MINNESOTA**

WHEREAS, a proposal (Case #2024-0301) has been submitted by Michael Gondek to the City Council requesting Minor Subdivision approval from the City of Columbia Heights at the following sites:

ADDRESSES: 334 and 344 40th Avenue NE.

LEGAL DESCRIPTIONS: Lots 10, 11, 12, 13, and 14, Block 68, Columbia Heights Annex to Minneapolis, Anoka County, Minnesota.

THE APPLICANT SEEKS THE FOLLOWING: A Minor Subdivision for the properties located at 334 and 344 40th Avenue NE.

WHEREAS, the Planning and Zoning Commission has held a public hearing as required by the City Zoning Code on April 2, 2024; and

WHEREAS, the Planning and Zoning Commission has considered the advice and recommendations of the City Staff regarding the effect of the proposed Minor Subdivision upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas; and

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the City of Columbia Heights after reviewing the proposal, that the City Council accepts and adopts the following findings:

1. The proposed subdivision of land will not result in more than three lots.
2. The proposed subdivision of land does not involve the vacation of existing easements.
3. All lots to be created by the proposed subdivision conform to lot area and width requirements established for the zoning district in which the property is located.
4. The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.
5. The property has not previously been divided through the minor subdivision provisions of this article.
6. The proposed subdivision does not hinder the conveyance of land.
7. The proposed subdivision does not hinder the making of assessments or the keeping of records related to assessments.

8. The proposed subdivision meets all of the design standards specified in Section 9.115.

FURTHER, BE IT RESOLVED that the attached conditions, revised survey, and other information shall become part of this Minor Subdivision and approval; and in granting this Minor Subdivision the City and the applicant agree that this Minor Subdivision shall become null and void if the subdivision has not been filed with the Anoka County Recorder’s Office within one (1) calendar year after the approval date.

CONDITIONS ATTACHED:

The Planning Commission approves the Minor Subdivision for 334 and 344 40th Avenue NE (Lots 10, 11, 12, 13, and 14, Block 68, Columbia Heights Annex to Minneapolis, Anoka County, Minnesota). subject to certain conditions of approval that have been found to be necessary to protect the public interest and ensure compliance with the provisions of the Zoning and Development Ordinance, including:

1. The applicant shall be responsible for filing the approved subdivision with the Anoka County Recorder’s Office. The approved minor subdivision shall become invalid if the subdivision is not filed with the Anoka County recorder’s Office within one year of the date of City Council approval.
2. The adjusted property line shall be marked with newly placed rebar pins that include stamped and numbered caps that identify the licensed surveyor responsible for placing the new boundary markers.

Passed this 12th day of August 2024

Offered by:

Seconded by:

Roll Call:

Attest:

Amáda Márquez Simula, Mayor

Sara Ion, City Clerk



CITY COUNCIL MEETING

AGENDA SECTION	CONSENT
MEETING DATE	AUGUST 12, 2024

ITEM:	Renew Lease Agreement for Mailing Equipment With Quadient Leasing.							
DEPARTMENT: Finance	BY/DATE: Joseph Kloiber, Finance Director August 8, 2024							
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input checked="" type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community							
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services							
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND

City hall uses two primary pieces of equipment for outbound mail, a postage meter with scale to apply postage and a folder/insert machine to stuff envelopes. The machines are generally replaced every five years due to parts availability. In prior five-year cycles, the City has at times owned the machines and at times leased the machines.

In reviewing the available replacement options and selecting a proposed vendor, the City has relied on the bidding process administered by the National Association of State Procurement Officers (NASPO), which is like the MN State Contract process but carried out on a national level.

SUMMARY OF CURRENT STATUS

Currently the City is leasing its two existing machines from Quadient Leasing, and the existing lease ends in September 2024.

STAFF RECOMMENDATION

Staff determined that replacing the existing equipment with the current equivalent models would result in a 30% price increase due to inflation and supply chain issues occurring over the last five years. Fortunately, with the City’s recent change to offering paperless utility bills, the monthly volume of utility bills has decreased from 2,000 per month to about 1,000; with some expectation for continued future decline. This allows the City to downsize the replacement equipment, keeping the cost of the replacements similar to current costs, which staff recommends.

Staff considered purchasing the replacement equipment rather than leasing but recommends leasing in this case as the slightly better alternative. This is primarily because the postage meter and scale can easily become obsolete by a simple change to postage regulations. Leasing that piece of equipment makes it more readily upgradable if required. In broad terms, over the course of the 60-month lease the costs break out as follows:

Postage Meter and Scale		
	Equipment cost	5,000
	Maintenance agreement	5,000
	financing cost	2,500
Folder/Inserter		
	Equipment cost	5,000
	Maintenance agreement	5,000
	financing cost	2,500

RECOMMENDED MOTION(S):

MOTION: Move to approve renewal of the mailing equipment lease with Quadient leasing at the nationally bid price of \$418.63 per month

ATTACHMENT(S):

Purchase Order/Lease From Master Contract Awarded to Quadient by NASPO

Customer

Organization	City of Columbia Heights		
DBA			
Address	3989 CENTRAL AVE NE		
City State Zip	MINNEAPOLIS	MN	55421-3958
Phone	(763) 706-3627	Fax	

Purchase Order - Lease

NASPO/ValuePoint Contract #: CTR058809
 and / or
 State Participating Addendum (PA) #:
 213073 (MN)

Vendor

Company Name	Quadient Leasing USA Inc. FEDERAL ID# 94-2984524		
Attention	Government Sales	DUNS# 150836872	
Address	478 Wheelers Farms Rd		
City State Zip	Milford	CT	06461
Phone	(866) 448-0045	Fax	(203) 301-2600

Ship To

Organization	City of Columbia Heights		
Attention	Joe Kloiber		
Address	3989 CENTRAL AVE NE		
City State Zip	MINNEAPOLIS	MN	55421-3958
Phone	(763) 706-3627	Email	JKloiber@columbiaheightsmn.go

P.O. Number	P.O. Date	Requisitioner	Shipped Via	F.O.B. Point	Terms
			Ground	Destination	Quarterly Invoicing

QTY	Unit	Description	Unit Price	Total
60	Months	Lease Payment	\$418.63	\$25,117.80

Lease payment specified above for products listed below includes, as applicable, reduced price equipment maintenance to reflect first year free, meter rental, meter resets, postal rate changes, software license/support/subscription fees, delivery, installation, and operator training.

Products

QTY	Product ID	Description
1	DS40ITRIFOLD	DS40i TriFold Kit
1	IX7	iX-7 Series Base w/ Mixed Size Feeder, Sealer, Drop Tray & Ink Cartridge
1	IXWP10	IX Series 10 lb Weighing Platform
1	DS40I	DS40i Folder Inserter

- Order is governed under the terms and conditions of the NASPO/ValuePoint Master Price Agreement Contract Number CTR058809. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
- Payments will be sent to:
 Quadient Leasing USA, Inc.
 Dept 3682
 PO Box 123682
 Dallas TX 75312-3682
- Send all correspondence to:
 Quadient Leasing USA, Inc.
 478 Wheelers Farms Rd
 Milford CT 06461
 Phone: 203-301-3400
 Fax: 203-301-2600

 Authorized by Date

 Print Name Title



CITY COUNCIL MEETING

AGENDA SECTION	CONSENT AGENDA
MEETING DATE	08/12/2024

ITEM:	License Agenda.		
DEPARTMENT:	Community Development	BY/DATE:	Sarah LaVoie 08/08/2024
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>			
<input checked="" type="checkbox"/> Healthy and Safe Community		<input type="checkbox"/> Thriving and Vibrant Destination Community	
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly		<input type="checkbox"/> Strong Infrastructure and Public Services	
<input type="checkbox"/> Trusted and Engaged Leadership		<input type="checkbox"/> Sustainable	

BACKGROUND

Attached is the business license agenda for the August 12th, 2024, City Council meeting. This agenda consists of applications for 2024: Temporary Alcohol license, Tobacco license, Food Truck and Contractor licenses. At the top of the license agenda there is a phrase stating "*Signed Waiver Form accompanied application", noting that the data privacy form has been submitted as required. If not submitted, certain information cannot be released to the public.

STAFF RECOMMENDATION

RECOMMENDED MOTION(S):
MOTION: Move to approve the items as listed on the business license agenda for August 12th, 2024, as presented.

ATTACHMENT(S):

1. License Agenda 08/12/2024

TO CITY COUNCIL August 12th 2024

*Signed Waiver Form accompanied application

<u>Temporary Alcohol License</u>		
Church of Immaculate Conception	4030 Jackson St NE Columbia Heights MN 55421	\$100
<u>Tobacco License</u>		
The Golden Nuts	4801 Central Ave NE Columbia Heights MN 55421	\$500
<u>Food Truck</u>		
*Café Cairo	18978 Inlet Road Lakeville MN 55044	*\$10
<u>CONTRACTOR LICENSES – 2024</u>		
BMS Signs & Printing	3125 84 th Lane NE Blaine MN 55449	\$80
*Joel Smith Heating and Air Conditioning INC	4672 236 th Lane NE East Bethel MN 55005	\$80
*Binder Heating & Air Conditioning	222 Hardman Ave N South St Paul MN 55075	\$80
*Hero Home Services	10900 Hampshire Ave S Ste 120 Bloomington MN 55438	\$80
*Warners Stellan	500 Atwater Circle St Paul MN 55103	\$80
*Sc Service LLC	34087 Baugh ST NW Princeton MN 55371	\$80
*Midwest Heating and Cooling	1410 Nicollet Ave Minneapolis MN 55403	\$80
*Earth Wizards	1071 Cty Hwy 10 NE Minneapolis MN 55432	\$80



CITY COUNCIL MEETING

AGENDA SECTION	CONSENT
MEETING DATE	AUGUST 12, 2024

ITEM:	Rental Occupancy Licenses for Approval							
DEPARTMENT:	Fire Department	BY/DATE: Assistant Fire Chief Dan O’Brien/ August 12, 2024						
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an “X” in front of the selected text below)</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><input checked="" type="checkbox"/> Healthy and Safe Community</td> <td style="width: 50%; border: none;"><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td style="border: none;"><input checked="" type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Trusted and Engaged Leadership</td> <td style="border: none;"><input type="checkbox"/> Sustainable</td> </tr> </table>			<input checked="" type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input checked="" type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community							
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services							
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND:

Consideration of approval of attached list of rental housing license applications.

RECOMMENDED MOTION:
MOTION: Move to approve the items listed for rental housing license applications for August 12, 2024, in that they have met the requirements of the Property Maintenance Code.

ATTACHMENT:

Rental Occupancy Licenses for Approval – 8-12-24



825 41st Avenue NE • Columbia Heights, MN 55421 • Ph: (763) 706-8156 • Email: fireinspections@columbiaheightsmn.gov • heightsfire.com

Rental Occupancy Licenses for Approval 8/12/24

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Avery, Alan 4201 Monroe St NE#3B Columbia Heights, MN 55421	4201 Monroe St NE	24-0007732 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Boatman, Lisa 6140 Hytrail Ct N Pine Springs, MN 55115	4318 Benjamin St NE	24-0007740 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Brown, Cynthia 4223 2nd St NE Columbia Heights, MN 55421	4221 2nd St NE	24-0007856 Family Exempt Rental License Number of licensed units: 1 \$75.00
Buecksler, Caleb 517 Heinel Drive Roseville, MN 55113	4442 Tyler Pl NE 4444 Tyler Pl NE	24-0007745 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Bui, Thanh 5625 Bay Meadow Trail Portage, MI 49024	657 47th Ave NE	24-0007783 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Bui, Thomas 5473 Adams St Mounds View, MN 55112	212 42nd Ave NE 214 42nd Ave NE	24-0007829 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
<i>*New License</i>		
Caldas, Blanca 6598 Clover Place NE Fridley, MN 55432	532 38th Ave NE	24-0007913 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Chee, Lit Ung 16800 47th Ave N Plymouth, MN 55446	4619 Taylor St NE 4621 Taylor St NE	24-0007754 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Corbett, Chad 4603 Taylor St NE Columbia Heights, MN 55421	4601 Taylor St NE 4603 Taylor St NE	24-0007752 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Egal, Asli 3858 La Belle St NE Columbia Heights, MN 55421	4946 Jackson St NE	24-0007773 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Esso, Lawrence Esso Apartments LLC 3328 East Lake St Minneapolis, MN 55406	4330 3rd St NE	24-0007598 Rental License [Over 3 Units] Number of licensed units: 5 \$360.00
Ferris, Troy 6945 Knollwood Dr Mounds View, MN 55112	4329 6th St NE	24-0007597 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Flint, Marina 5130 148th St W Apple Valley, MN 55124	563 51st Ave NE 561 51st Ave NE	24-0007665 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Foix, Arthur 4456 Washington St NE Columbia Heights, MN 55421	4456 Washington St NE #Up Up/Down	24-0007746 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Fox, Terese Crest View Corporation 4444 Reservoir Blvd NE Columbia Heights, MN 55421	1675 44th Ave NE	24-0007549 Rental License [Over 3 Units] Number of licensed units: 40 \$1,130.00
Fragale, Pasquale S D Season LLC 13570 Grove Drive#314 Maple Grove, MN 55311	1242 Circle Terrace Blvd NE 1244 Circle Terrace Blvd NE	24-0007690 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Fragale, Pasquale CB Commons, LLC 13570 Grove Drive#314 Maple Grove, MN 55311	1324 Circle Terrace Blvd NE 1326 Circle Terrace Blvd NE	24-0007697 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Gilbert, Brandon Local Housing Now LLC 2400 Ives Lane Plymouth, MN 55441	1041 43 1/2 Ave NE	24-0007678 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Gramith, Charles Gramith Properties LLC 233 Grandview Ave W Roseville, MN 55113	529 Mill St NE	24-0007642 Rental License [Over 3 Units] Number of licensed units: 7 \$404.00
Hadi, Javeed 5485 Lake Ave Shoreview, MN 55126	1140 45th Ave NE 1142 45th Ave NE	24-0007534 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Harlan, Bradley 1799 Chatham Ave Saint Paul, MN 55112	5254 Washington St NE 5252 Washington St NE	24-0007641 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Hendren, Maria 1115 12th Street SE New Prague, MN 56071	4351 3rd St NE	24-0007741 Family Exempt Rental License Number of licensed units: 1 \$75.00

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Jamal, Khalid 5190 Buchanan Street NE Fridley, MN 55421	1141 Cheery Ln NE 1143 Cheery Ln NE	24-0007686 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Jarman, Michael 5510 Country Drive#42 Nashville, TN 37211	4630 Taylor St NE Up/Down	24-0007755 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Kaur, Kiranjit 10592 Three Oaks Lane Champlin, MN 55316	3929 Ulysses St NE	24-0007715 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Kinch, Susan 1223 Cir Terrace Blvd NE Columbia Heights, MN 55421	1221 Circle Terrace Blvd NE	24-0007689 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Kix, Logan P&L Real Estate 3 LLC 3312 Highland Dr Burnsville, MN 55337	4995 Tyler St NE 4997 Tyler St NE	24-0007774 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Lastor, Timoteo 4921 Jackson St NE Columbia Heights, MN 55421	4919 Jackson St NE	24-0007626 Family Exempt Rental License Number of licensed units: 2 \$225.00
Lemke, Lorraine 2809 116th Avenue NE Blaine, MN 55449	4643 University Ave NE	24-0007760 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Lemke, Lorraine 2809 116th Ave NE Blaine, MN 55449	4649 University Ave NE	24-0007763 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Lemke, Lorraine 2809 116th Ave NE Blaine, MN 55449	4655 University Ave NE	24-0007765 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Lindeen, Jerry TL Apartments, LLC 1148 Heritage Dr Shakopee, MN 55379	5025 University Ave NE	24-0007630 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Ludkowski, Christopher SFR II Borrower 2021-3 LLC 6500 International Pkwy Plano, TX 75093	4928 4th St NE	24-0007772 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Maldonado-Johnson, Nuvia 175 Main St S Pine City, MN 55063	4216 Jackson St NE	24-0007734 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
McFall, Stanley Triple B Enterprises, LLC 2000 Argonne Dr. NE Columbia Heights, MN 55421	4531 Taylor St NE 4529 Taylor St NE	24-0007749 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Moeller, Bill K and B Property, LLC 908 King Arthur Dr Elm Springs, AR 72762	3935 Tyler St NE	24-0007718 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Mohammed Ali, Dheyaa 14039 Savanna Dr Rogers, MN 55374	1037 Gould Ave NE	24-0007677 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
<i>*New License</i>		
Murphy-Rogers, Stephan 940 88th Ave NW Coon Rapids, MN 55433	3719 Johnson St NE	24-0007912 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Neus, C. Jane 1444 32nd Circle SE Rio Rancho, NM 87124	556 40th Ave NE #Up	24-0007901 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Olson, Anthony 1747 133rd Ave NW Andover, MN 55304	4528 Madison St NE	24-0007748 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Osborne, Lynn 7088 11th St Oakdale, MN 55128	4712 6th St NE	24-0007767 Family Exempt Rental License Number of licensed units: 1 \$75.00
Osman, Moonir 22820 Zion Pkwy NW Oak Grove, MN 55005	650 47 1/2 Ave NE	24-0007782 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Prokopiuk, Anna 3130 Buchanan St NE Minneapolis, MN 55418	3853 Edgemoor Pl NE	24-0007434 Rental License [Over 3 Units] Number of licensed units: 4 \$338.00
Reincke, Joseph 750 Bear Left Asheville, NC 28805-8207	4534 Washington St NE 4536 Washington St NE	24-0007658 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Rifai, Samiha 608 37th Avenue NE Minneapolis, MN 55421	1071 Polk Pl NE 1069 Polk Pl NE	24-0007683 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Rifai, Samiha 608 37th Avenue NE Minneapolis, MN 55421	3987 Johnson St NE 3985 Johnson St NE	24-0007722 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Rivera, Esteban Amazon River Properties, Inc. 500 Grant St. E.#2509 Minneapolis, MN 55404	4733 University Ave NE	24-0007499 Rental License [Over 3 Units] Number of licensed units: 6 \$532.00

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	4050 4th St NE	24-0007725 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	4060 4th St NE	24-0007726 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	4100 4th St NE	24-0007727 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	4425 University Ave NE	24-0007742 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	4433 University Ave NE	24-0007743 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	4707 University Ave NE	24-0007766 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	4715 University Ave NE	24-0007768 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	5121 University Ave NE	24-0007777 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Dr Minnetonka, MN 55305	5131 University Ave NE	24-0007778 Rental License [Over 3 Units] Number of licensed units: 11 \$492.00
Rozman, Michael Lynde Investment Company, LLP 3435 Oakton Drive Minnetonka, MN 55305	5141 University Ave NE	24-0007780 Rental License [Over 3 Units] Number of licensed units: 7 \$404.00
Rudnitski, Kathleen 4618 4th Street NE Columbia Heights, MN 55421	5122 7th St NE	24-0007895 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Sadlo, Pamela 510 Summit St NE Columbia Heights, MN 55421	514 Summit St NE	24-0007779 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Schafer, Charles 3715 Buchanan Street NE Columbia Heights, MN 55421	3713 Buchanan St NE	24-0007558 Family Exempt Rental License Number of licensed units: 1 \$225.00
Sekizovic, Muamer 12849 Leyte St NE Blaine, MN 55449	4635 University Ave NE	24-0007757 Rental License [1 - 3 Units] Number of licensed units: 3 \$300.00
Sentyrz, Walter 1612 2nd St NE Minneapolis, MN 55413	2119 45th Ave NE	24-0007701 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Sentyrz, Walter 1612 2nd St NE Minneapolis, MN 55413	3721 Van Buren St NE	24-0007704 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Sentyrz, Walter 1612 2nd St NE Minneapolis, MN 55413	3913 Arthur St NE	24-0007713 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Singel, Dan 2702 Edgewater Court Weston, FL 33332	5006 6th St NE	24-0007775 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Small, Stephanie 1091 Polk Circle Columbia Heights, MN 55421	1093 Polk Cir NE	24-0007685 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Solls, Mark IH2 Property Illinois, LP 1717 Main St#2000 Dallas, TX 75201	401 42nd Ave NE #1	24-0007578 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Sorensen, Jana 4166 Highwood Rd Mound, MN 55364	3850 Jackson St NE	24-0007711 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Soussi, Maha 2637 116th Ave NE Blaine, MN 55449	4909 Jackson St NE 4911 Jackson St NE	24-0007890 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Strawn, Luke 12825 Kiska St NE Blaine, MN 55449	4237 Pierce St NE	24-0007736 Family Exempt Rental License Number of licensed units: 1 \$75.00
Sturdevant, Joseph 6182 Heather Circle NE Fridley, MN 55432	1043 Polk Pl NE #Up	24-0007679 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Sultana, Zehra Hampton Investments, Inc. 8445 Center Dr Spring Lake Park, MN 55432	4304 2nd St NE	24-0007460 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00

LICENSEE	LICENSE ADDRESS	LICENSE INFORMATION
Sultana, Zehra Clifton Properties, LLC 8445 Center Dr Spring Lake Park, MN 55432	4609 Polk St NE	24-0007753 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Sultana, Zehra Clifton Properties, LLC 8445 Center Dr Spring Lake Park, MN 55432	976 44 1/2 Ave NE 978 44 1/2 Ave NE	24-0007787 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Sultana, Zehra Clifton Properties, LLC 8445 Center Dr Spring Lake Park, MN 55432	980 44th Ave NE	24-0007653 Rental License [Over 3 Units] Number of licensed units: 4 \$338.00
Sumangil, Anne Juliet 0 91-1058 Kekuilani Loop#C303 Kapolei, HI 96707	4138 Maureen Dr NE	24-0007730 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Talbott, Arthur 3725 Van Buren LLC 4 W Pleasant Lake Rd North Oaks, MN 55127	3725 Van Buren St NE	24-0007706 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Tohey, Joseph Millennium Carpet Inc. 544 Summit Street NE Columbia Heights, MN 55421	4532 Fillmore St NE 4534 Fillmore St NE	24-0007750 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Velagapudi, Aparna 1225 Wheatfield Dr Mesquite, TX 75149	305 Kathy Ln NE	24-0007702 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Weber, Kurt KDWeber89 LLC 2300 Lakeridge Dr White Bear Lake, MN 55110	3815 Van Buren St NE	24-0007709 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Wolbeck, Kurtis Home Renovations, LLC 14226 Nebula St NE Circle Pines, MN 55014	1214 45 1/2 Ave NE 1216 45 1/2 Ave NE	24-0007540 Rental License [1 - 3 Units] Number of licensed units: 2 \$450.00
Yarphel, Tenzing 743 Torchwood Ct New Brighton, MN 55112	1725 37th Ave NE 1727 37th NE Ave	24-0007700 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00
Yee, Sun Hennepin RP Funding LLC 880 Northwood Blvd#3T Incline Village, NV 89451	1449 46th Ave NE	24-0007699 Rental License [1 - 3 Units] Number of licensed units: 1 \$300.00
Zhi, Zoe American Medical Research, Inc. 105 Lakeland Shores Rd Lakeland, MN 55043	4519 Taylor St NE 4521 Taylor St NE	24-0007747 Rental License [1 - 3 Units] Number of licensed units: 2 \$300.00

LICENSEE

LICENSE ADDRESS

LICENSE INFORMATION

Zhou, Chen
Merlin Properties, LLC
5660 Comstock Lane N
Plymouth, MN 55446

4258 2nd St NE

24-0007858
Rental License [1 - 3 Units]
Number of licensed units: 1
\$300.00

Zhou, Julia
Space Max Apartments LLC
4111 Central Ave NE#208
Columbia Heights, MN 55421

1450 47th Ave NE
1440 47th Ave NE

24-0007547
Rental License [Over 3 Units]
Number of licensed units: 20
\$690.00



CITY COUNCIL MEETING

AGENDA SECTION	CONSENT AGENDA
MEETING DATE	AUGUST 12, 2024

ITEM:	Review of Bills.	
DEPARTMENT:	Finance Department	BY/DATE: August 12, 2024
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <p> <input type="checkbox"/> Healthy and Safe Community <input type="checkbox"/> Thriving and Vibrant Destination Community <input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly <input type="checkbox"/> Strong Infrastructure and Public Services <input checked="" type="checkbox"/> Trusted and Engaged Leadership <input type="checkbox"/> Sustainable </p>		

BACKGROUND

The Finance Department prepares a list of all payments made for approval of the Council.

STAFF RECOMMENDATION

Approve payments since previous City Council Meeting.

RECOMMENDED MOTION(S):
<p>MOTION: Move that in accordance with Minnesota Statute 412.271, subd. 8 the City Council has reviewed the enclosed list to claims paid by check and by electronic funds transfer in the amount of \$2,811,325.58.</p>

ATTACHMENT(S):

List of Claims

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
 CHECK DATE FROM 07/19/2024 - 08/08/2024

Item 12.

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
07/22/2024	MAIN	1385 (E)	0-411-490-144	MINNESOTA DEPARTMENT OF REVIJUNE LIQUOR SALES TAX		609.0000.20810	85,973.00
07/22/2024	MAIN	1386 (E)	1-392-064-352	MINNESOTA DEPARTMENT OF REVIJUNE SALES/USE TAX		101.0000.20810	427.00
		1386 (E)	1-392-064-352		JUNE SALES/USE TAX	101.0000.20815	2.00
							429.00
07/22/2024	MAIN	1387 (E)	1-441-363-808	MINNESOTA DEPARTMENT OF REVIJUNE UB SALES TAX 2024		601.0000.20810	22,960.00
07/22/2024	MAIN	1388 (E)	02615Q	WELLS FARGO CREDIT CARD	SODA-AWARDS CEREMONY	101.0000.20815	(4.96)
		1388 (E)	113-2498432-95906C		IPHONE CRDS,CAR MNT,SEAT ORGNZR,OFF	101.1110.42000	19.99
		1388 (E)	00005		TREATS-COUNCIL MEETING - CITIZEN AW	101.1110.44375	36.00
		1388 (E)	114-1870545-312825		STENCIL-EVENTS	101.1110.44376	24.98
		1388 (E)	114-1457987-525941		STAMPERS-ART AND INFO FAIR	101.1110.44376	18.70
		1388 (E)	01703Q		KIDDIE POOLS-PETS IN THE PARK	101.1110.44376	24.00
		1388 (E)	4842-00174753		PETS IN THE PARK PUPPY YOGA BALANCE	101.1110.44376	100.00
		1388 (E)	10782		2024 MPELRA CONFERENCE - KELLI WICK	101.1320.43105	250.00
		1388 (E)	67645		LODGING-PELRA CONFERENCE K WICK	101.1320.43320	556.20
		1388 (E)	114-1029601-430665		BRING YOUR KID TO WORK DAY SUPPLIES	101.1320.44374	22.97
		1388 (E)	114-1212855-28682C		BRING YOUR KID TO WORK DAY SUPPLIES	101.1320.44374	18.25
		1388 (E)	114-5026552-311703		LEGOS-BRING YOUR KID TO WORK DAY	101.1320.44374	42.84
		1388 (E)	01782		MEMBERSHIP RENEWAL FEE-CITY CLERK I	101.1410.44330	50.00
		1388 (E)	113-2498432-95906C		IPHONE CRDS,CAR MNT,SEAT ORGNZR,OFF	101.1510.42171	37.93
		1388 (E)	113-2498432-95906C		IPHONE CRDS,CAR MNT,SEAT ORGNZR,OFF	101.1940.42000	7.96
		1388 (E)	111-8911512-92746C		PICTURE HANGING STRIPS	101.1940.42171	19.93
		1388 (E)	113-2498432-95906C		IPHONE CRDS,CAR MNT,SEAT ORGNZR,OFF	101.1940.42171	0.00
		1388 (E)	113-1054230-227781		BATTERIES, PEN HOLDER, LYSOL WIPES	101.1940.42171	41.25
		1388 (E)	113-3166269-489944		LIQUID COFFEE CREAMER	101.1940.42175	26.74
		1388 (E)	906263028		TV AND MOUNT-CHIEFS OFFICE	101.2100.42010	1,462.95
		1388 (E)	BBY01-806938360644		DRONE AND ACCESSORIES	101.2100.42010	2,799.96
		1388 (E)	112-4973624-311466		EMOTIONAL INTELLIGENCE BOOK	101.2100.42070	14.98
		1388 (E)	27304022		RECRUITING GIVEAWAYS	101.2100.42170	2,214.76
		1388 (E)	112-7388790-327861		TROPHIES BBALL CAMP-YOUTH OUTREACH	101.2100.42170	88.41
		1388 (E)	W111792		8 PACKAGES OF 25 SINGLE USE SWAB	101.2100.42171	641.07
		1388 (E)	112-5565304-113863		HAND WIPES-FINGERPRINTING	101.2100.42171	18.80
		1388 (E)	3-1217-2773		CAMERA TRAILER CABLES	101.2100.42171	156.24
		1388 (E)	112-2257402-982263		RADIO EARPIECE-SGT URBNIAK	101.2100.42172	94.99
		1388 (E)	40491		1,250 UPDATED CHPD SHOULDER PATCH	101.2100.42172	2,850.00
		1388 (E)	02319Q		DRINKS-PIZZA WITH A COP EVENT	101.2100.42175	49.01
		1388 (E)	01440Q		SNACKS FOR TRAINING	101.2100.42175	56.33
		1388 (E)	00303Q		SNACKS-7 ON 7 FLAG FOOTBALL @ CA	101.2100.42175	46.95
		1388 (E)	01427Q		SAMBUSAS-POLICE MEET AND GREET	101.2100.42175	121.62
		1388 (E)	03030Q		LUNCH FOR INTERVIEW PANEL	101.2100.42175	
		1388 (E)	01403Q		COOKIES-CHIEF'S MEET AND GREET	101.2100.42175	

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		1388 (E)	01137Q		COOKIES-POOL WITH A COP	101.2100.42175	59.98
		1388 (E)	02272Q		PIZZA WITH A COP EVENT	101.2100.42175	399.03
		1388 (E)	2703		6 MANDATORY CHECK INS & 1 THERAPY S	101.2100.43050	940.00
		1388 (E)	2774		5 MANDATORY CHECK INS & 1 THERAPY S	101.2100.43050	810.00
		1388 (E)	000040		HOURLY LABOR TO REPAIR BIKES	101.2100.43050	390.00
		1388 (E)	4951		COMMAND AND CONTROL COURSE-OFCR TOM	101.2100.43105	299.00
		1388 (E)	35174		DMT TRAINING-OFFICER JURAN	101.2100.43105	75.00
		1388 (E)	1342		CJ MENTAL HEALTH SUMMIT-AUSTIN AND	101.2100.43105	638.00
		1388 (E)	215894		IAPE PROP AND EVID MGMT CRSE-K SHOS	101.2100.43105	370.00
		1388 (E)	00000800807		DATA PRACTICES CLASS-M.RUMBLE	101.2100.43105	255.38
		1388 (E)	ORD-460		CRIME ANALYSIS ONLINE TRNG-NICK FED	101.2100.43105	650.00
		1388 (E)	102M50RY		DRONE TEST GUZDKIEWICZ	101.2100.43105	175.00
		1388 (E)	47945		DMT-G ONLINE COURSE, INV WAGNER	101.2100.43105	75.00
		1388 (E)	840-55530383-3-666		STAMPS FOR SENDING FINGERPRINTS	101.2100.43220	68.00
		1388 (E)	20240606-000723		TIME IQ SUBSC 060624-070524	101.2100.44030	80.00
		1388 (E)	75437980 2024		MEMBERSHIP IN MACIA FOR NICK FEDOR	101.2100.44330	75.00
		1388 (E)	MLSPOS000144657		POST LICENSE FOR AHMED ABDULLAHI	101.2100.44390	91.94
		1388 (E)	FA3MYEY3FL		DRONE REGISTRATION FOR MATRICE	101.2100.44390	5.00
		1388 (E)	34C99AR		REGISTRATION-AVATA 2 UNIT 1 AND 2 D	101.2100.44390	10.00
		1388 (E)	112-3929408-229224		FORKS, LENS WIPES, PENS	101.2200.42000	14.38
		1388 (E)	112-8735733-530105		GEL PENS	101.2200.42000	79.82
		1388 (E)	112-3402869-017543		GAZEBO, ISOPROPYL ALCOHOL, SHARPIES, T	101.2200.42000	21.89
		1388 (E)	113-5236633-791623		DIGITAL TV ANTENNA	101.2200.42010	56.99
		1388 (E)	29953		EMS AEROMED PACK - CT	101.2200.42171	230.70
		1388 (E)	52101		BREATHSAVER (OXYGEN BAG)	101.2200.42171	264.13
		1388 (E)	1400		DEPT CEREMONY AWARDS	101.2200.42171	111.00
		1388 (E)	1716912991		CHICKEN WINGS-AWARDS CEREMONY	101.2200.42171	471.32
		1388 (E)	719637-01		MEAT & CHEESE TRAYS-AWARDS CERMONY	101.2200.42171	169.65
		1388 (E)	112-3929408-229224		FORKS, LENS WIPES, PENS	101.2200.42171	17.17
		1388 (E)	112-3402869-017543		GAZEBO, ISOPROPYL ALCOHOL, SHARPIES, T	101.2200.42171	168.73
		1388 (E)	112-8343107-239704		LENS CLENSING WIPES, KLEENEX, BINDER	101.2200.42171	66.82
		1388 (E)	00000074		BUNS-AWARDS CEREMONY	101.2200.42175	31.50
		1388 (E)	112-1788229-819384		CHIPS, CONDIMENTS-AWARDS, HIGHLTRS	101.2200.42175	50.52
		1388 (E)	02949Q		BUNS-AWARDS CEREMONY	101.2200.42175	19.95
		1388 (E)	02615Q		SODA-AWARDS CEREMONY	101.2200.42175	67.98
		1388 (E)	1111		PIES FOR AWARDS CEREMONY	101.2200.42175	339.49
		1388 (E)	592486908		SCBA FLOW TESTS, FIT TESTS	101.2200.43050	1,220.00
		1388 (E)	112-1788229-819384		CHIPS, CONDIMENTS-AWARDS, HIGHLTRS	101.2300.42000	9.59
		1388 (E)	112-2966277-858901		PRINTER PAPER	101.2300.42000	252.40
		1388 (E)	112-8343495-881225		STORM SHELTER SIGNS FOR CITY HALL	101.2300.42171	182.94
		1388 (E)	113-8555207-582903		KITCHEN ORGANIZATION STAND	101.3100.42171	
		1388 (E)	113-8573836-456665		TOASTER	101.3121.42171	

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Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		1388 (E)	114-9677590-578584		7 - LATEX PALM COATED WORK GLOVES	101.3121.42173	220.61
		1388 (E)	87A891F4-0010		CHAT GPT SUBSC 0507-060724	101.3121.44330	20.00
		1388 (E)	111-7363791-914906		DURACELL AAA & AA BATTERIES	101.3160.42171	42.44
		1388 (E)	114-5825423-484744		BUBBLE WANDS,CARABINERS-SPORTS PRGM	101.5001.42171	5.99
		1388 (E)	01-001578-99-0967C		LUNCH-STAFF TRAINING	101.5001.42175	98.17
		1388 (E)	114-5825423-484744		BUBBLE WANDS,CARABINERS-SPORTS PRGM	101.5004.44378	23.39
		1388 (E)	60032		LUNCH OUTING WITH ACTIVE AGERS	101.5040.44200	20.00
		1388 (E)	DD7P		LUNCH OUTING WITH ACTIVE AGERS	101.5040.44200	20.00
		1388 (E)	40061		LUNCH OUTING WITH ACTIVE AGERS	101.5040.44200	18.17
		1388 (E)	70033		LUNCH OUTING WITH ACTIVE AGERS	101.5040.44200	20.00
		1388 (E)	55		LUNCH OUTING WITH ACTIVE AGERS	101.5040.44200	16.57
		1388 (E)	30010		DINNER OUTING WITH ACTIVE AGERS	101.5040.44200	20.00
		1388 (E)	21		LUNCH OUTING WITH ACTIVE AGERS	101.5040.44200	23.99
		1388 (E)	2755		DINNER OUTING WITH ACTIVE AGERS	101.5040.44200	12.20
		1388 (E)	088100108474040624		RETURN-UNUSED ART SUPPLIES	101.5040.44200	(11.95)
		1388 (E)	61131		ALUMINUM BLOCK KITS	101.5200.42010	132.87
		1388 (E)	113-8573836-456665		TOASTER	101.5200.42171	12.50
		1388 (E)	9016966		CLEAR GAS	101.5200.42282	122.87
		1388 (E)	111-9498859-569861		T POST PULLER SET	101.6102.42010	190.00
		1388 (E)	113-8555207-582903		KITCHEN ORGANIZATION STAND	101.6102.42171	9.50
		1388 (E)	113-2498432-95906C		IPHONE CRDS,CAR MNT,SEAT ORGNZR,OFF	204.6314.42000	22.80
		1388 (E)	113-1054230-227781		BATTERIES, PEN HOLDER, LYSOL WIPES	204.6314.42000	9.99
		1388 (E)	1105625309		UPDOWNCROSS CONVERTERS-CABLE CHANNE	225.9844.42010	339.98
		1388 (E)	19504634		MAILCHIMP SUBSC MAY 2024	225.9844.44030	26.50
		1388 (E)	100160207		MOONSHOE PLAYERS SCRIPTS	261.5029.42170	246.39
		1388 (E)	10956		PLTS TO MNT OPTICS-FIREARMS	272.2100.42010	2,636.40
		1388 (E)	114-9795053-501225		CAMERA,SD CARD,BATTERIES-ALLEY PROJ	415.6400.42010.2406	443.19
		1388 (E)	114-9795053-501225		CAMERA,SD CARD,BATTERIES-ALLEY PROJ	415.6400.42171.2406	68.00
		1388 (E)	111-2251493-162422		WADERS	601.9600.42173	493.97
		1388 (E)	111-2251493-162422		RETURN-WADERS	601.9600.42173	(178.99)
		1388 (E)	111-5267076-702026		LED FLASHLIGHT	602.9600.42171	99.00
		1388 (E)	111-0470980-502504		ANTENNA-HILLTOP WATER TOWER CRADLEP	651.9699.45180.2409	117.55
		1388 (E)	RM27364		CRADLEPOINT,POWER ADAPTER-HILLTOP W	651.9699.45180.2409	1,861.83
		1388 (E)	241956		OIL PLUGS AND PROP #3785	701.0000.14120	220.44
		1388 (E)	113-2322582-10978C		SCOTCH MAGIC & SHIPPING PACKAGING T	701.9950.42171	38.60
		1388 (E)	WEB2518192339		EXTENSION LADDER WITH V-RUNG	720.9980.42010	426.07
		1388 (E)	12780117		20V CORDLESS DRILL & IMPACT DRIVER	720.9980.42010	299.00
		1388 (E)	111-2835161-615542		ADAPTERS FOR NEW LAPTOPS	720.9980.42011	118.50
		1388 (E)	S59539465		FORTIGATE 60F HARDWARE SUPPORT	720.9980.44000	222.88
		1388 (E)	3PPDP32Y		4X PRORATED YEARLY DEVICE LICENSE	720.9980.44030	60.41
		1388 (E)	7729170		SOFTBALL SOCKS AND BELTS	881.5000.42170	1
		1388 (E)	75154		BATTING HELMETS	881.5000.42170	6

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		1388 (E)	114-3528583-310420		BALL PUMP, BALOON ANIMALS, CRAFTS	881.5000.42170	94.57
		1388 (E)	114-1839643-323466		GIANT INFLTBLE SKI BALL,SNW CNE CUP	881.5000.44378	139.87
		1388 (E)	155107		INFLATABLES-REC OPEN HOUSE	881.5000.44378	450.96
		1388 (E)	155107		INFLATABLES-REC OPEN HOUSE	881.5000.44378	450.96
		1388 (E)	114-3651981-081144		SNOW CONE SUPPLIES	881.5050.44378	49.99
		1388 (E)	114-2438831-073304		PARTY FAVORS-PRIZES REC OPEN HOUSE	881.5050.44378	69.04
							32,033.28
07/25/2024	MAIN	1389 (A)	3695794	ARTISAN BEER COMPANY	071224 INV	609.0000.14500	73.80
		1389 (A)	3695796		071224 INV	609.0000.14500	144.80
		1389 (A)	3695795		071224 INV	609.0000.14500	660.84
		1389 (A)	3694184		070824 INV	609.0000.14500	129.20
							1,008.64
07/25/2024	MAIN	1390 (A)	0108598700	BELLBOY BAR SUPPLY	071024 INV	101.0000.20815	(9.42)
		1390 (A)	0108598700		071024 INV	609.0000.14500	281.81
		1390 (A)	0108601100		071024 INV	609.0000.14500	45.65
		1390 (A)	0108544000		062624 INV	609.0000.14500	97.92
		1390 (A)	0108653700		071924 INV	609.0000.14500	(65.00)
		1390 (A)	0108544000		062624 INV	609.9791.42171	525.50
		1390 (A)	0108598700		071024 INV	609.9792.42171	508.67
							1,385.13
07/25/2024	MAIN	1391 (A)	0204251200	BELLBOY CORPORATION	071024 INV	609.0000.14500	3,442.80
		1391 (A)	0204251100		071024 INV	609.0000.14500	2,938.40
		1391 (A)	0204188900		071024 INV	609.0000.14500	488.00
		1391 (A)	0204251200		071024 INV	609.9791.42199	42.00
		1391 (A)	0204251100		071024 INV	609.9792.42199	42.00
		1391 (A)	0204188900		071024 INV	609.9792.42199	6.00
							6,959.20
07/25/2024	MAIN	1392 (A)	116733672	BREAKTHRU BEVERAGE MN W&S LI	071224 INV 700297782	609.0000.14500	1,038.34
		1392 (A)	116733657		071224 INV 700297717	609.0000.14500	592.00
		1392 (A)	116733658		071224 INV 700297717	609.0000.14500	104.00
		1392 (A)	116733656		071224 INV 700297717	609.0000.14500	183.50
		1392 (A)	116733654		071224 INV 700297717	609.0000.14500	3,383.24
		1392 (A)	116733659		071224 INV 700297717	609.0000.14500	44.00
		1392 (A)	116733660		071224 INV 700297717	609.0000.14500	580.50
		1392 (A)	116733662		071224 INV 700297717	609.0000.14500	1,774.50
		1392 (A)	116733655		071224 INV 700297717	609.0000.14500	434.60
		1392 (A)	116622547		070422 INV 700297736	609.0000.14500	516.00
		1392 (A)	116622549		070424 INV 700297782	609.0000.14500	1,410.00
		1392 (A)	116622546		070424 INV 700297717	609.0000.14500	1,170.00

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		1392 (A)	116057519		053124 INV 700297736	609.0000.14500	2,417.01
		1392 (A)	116057520		053124 INV 700297736	609.0000.14500	150.55
		1392 (A)	412477279		070924 INV 700297736	609.0000.14500	(90.00)
		1392 (A)	412477278		070924 INV 700297717	609.0000.14500	(180.00)
		1392 (A)	412477281		070924 INV 700297782	609.0000.14500	(90.00)
		1392 (A)	412353697		060624 INV 700297736	609.0000.14500	(214.00)
		1392 (A)	412513175		071824 INV 700297736	609.0000.14500	(150.55)
		1392 (A)	412527397		071924 INV 700297717	609.0000.14500	(133.20)
		1392 (A)	116733657		071224 INV 700297717	609.9791.42199	9.20
		1392 (A)	116733658		071224 INV 700297717	609.9791.42199	1.15
		1392 (A)	116733656		071224 INV 700297717	609.9791.42199	1.15
		1392 (A)	116733654		071224 INV 700297717	609.9791.42199	23.00
		1392 (A)	116733659		071224 INV 700297717	609.9791.42199	1.15
		1392 (A)	116733660		071224 INV 700297717	609.9791.42199	28.75
		1392 (A)	116733662		071224 INV 700297717	609.9791.42199	11.50
		1392 (A)	116733655		071224 INV 700297717	609.9791.42199	1.92
		1392 (A)	116622546		070424 INV 700297717	609.9791.42199	14.95
		1392 (A)	412477278		070924 INV 700297717	609.9791.42199	(2.30)
		1392 (A)	412527397		071924 INV 700297717	609.9791.42199	(2.30)
		1392 (A)	116622547		070422 INV 700297736	609.9792.42199	6.90
		1392 (A)	116057519		053124 INV 700297736	609.9792.42199	24.53
		1392 (A)	116057520		053124 INV 700297736	609.9792.42199	5.75
		1392 (A)	412477279		070924 INV 700297736	609.9792.42199	(1.15)
		1392 (A)	412353697		060624 INV 700297736	609.9792.42199	(1.15)
		1392 (A)	116733672		071224 INV 700297782	609.9793.42199	13.80
		1392 (A)	116622549		070424 INV 700297782	609.9793.42199	31.05
		1392 (A)	412477281		070924 INV 700297782	609.9793.42199	(1.15)
							13,151.56
07/25/2024	MAIN	1393 (A)	3007679	CAPITOL BEVERAGE SALES LP	071024 INV	609.0000.14500	6,906.30
		1393 (A)	3007611		071024 INV	609.0000.14500	10,949.90
		1393 (A)	3005670		070324 INV	609.0000.14500	1,764.30
		1393 (A)	3008442		071124 INV	609.0000.14500	4,522.55
		1393 (A)	3010787		071724 INV	609.0000.14500	2,150.75
		1393 (A)	2886042		071024 INV	609.0000.14500	(93.00)
		1393 (A)	3007610		071024 INV	609.0000.14500	(119.60)
		1393 (A)	28861038		070324 INV	609.0000.14500	(6.79)
		1393 (A)	28861043		071124 INV	609.0000.14500	(24.80)
		1393 (A)	28050191		071824 INV	609.0000.14500	(537.50)
							25,512.11
07/25/2024	MAIN	1394 (A)	SP-035000254	HINTERLAND CSG, LLC	SOLAR POWER		

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		1394 (A)	SP-035000254		SOLAR POWER		** VOIDED **
07/25/2024	MAIN	1395 (A)	2579399	JOHNSON BROTHERS LIQUOR CO.	071024 INV	609.0000.14500	4,557.75
		1395 (A)	2579397		071024 INV	609.0000.14500	498.50
		1395 (A)	2579398		071024 INV	609.0000.14500	124.65
		1395 (A)	2577222		070624 INV	609.0000.14500	415.00
		1395 (A)	2576313		070324 INV	609.0000.14500	69.50
		1395 (A)	2576312		070324 INV	609.0000.14500	96.00
		1395 (A)	2576308		070324 INV	609.0000.14500	147.10
		1395 (A)	2576314		070324 INV	609.0000.14500	351.00
		1395 (A)	2576315		070324 INV	609.0000.14500	260.00
		1395 (A)	2581661		071224 INV	609.0000.14500	88.00
		1395 (A)	2581662		071224 INV	609.0000.14500	649.00
		1395 (A)	2581660		071224 INV	609.0000.14500	412.50
		1395 (A)	2579401		071024 INV	609.0000.14500	555.80
		1395 (A)	2575433		070224 INV	609.0000.14500	311.22
		1395 (A)	2575434		070224 INV	609.0000.14500	2,192.16
		1395 (A)	2581659		071224 INV	609.0000.14500	416.00
		1395 (A)	2580628		071124 INV	609.0000.14500	102.72
		1395 (A)	2580627		071124 INV	609.0000.14500	1,062.00
		1395 (A)	2580626		071124 INV	609.0000.14500	540.00
		1395 (A)	2580625		071124 INV	609.0000.14500	144.00
		1395 (A)	2580624		071124 INV	609.0000.14500	440.00
		1395 (A)	2580623		071124 INV	609.0000.14500	1,344.00
		1395 (A)	2580622		071124 INV	609.0000.14500	368.00
		1395 (A)	2580621		071124 INV	609.0000.14500	364.50
		1395 (A)	2580619		071124 INV	609.0000.14500	341.88
		1395 (A)	2579404		071024 INV	609.0000.14500	147.20
		1395 (A)	2579403		071024 INV	609.0000.14500	88.00
		1395 (A)	2579402		071024 INV	609.0000.14500	4,963.69
		1395 (A)	2579400		071024 INV	609.0000.14500	159.06
		1395 (A)	2581654		071224 INV	609.0000.14500	380.00
		1395 (A)	2581655		071224 INV	609.0000.14500	120.00
		1395 (A)	2581658		071224 INV	609.0000.14500	135.53
		1395 (A)	2581656		071224 INV	609.0000.14500	4,444.00
		1395 (A)	2580620		071124 INV	609.0000.14500	810.00
		1395 (A)	2580618		071124 INV	609.0000.14500	256.00
		1395 (A)	2580617		071124 INV	609.0000.14500	51.36
		1395 (A)	2580616		071124 INV	609.0000.14500	697.50
		1395 (A)	2580615		071124 INV	609.0000.14500	540.00
		1395 (A)	2580614		071124 INV	609.0000.14500	144.00
		1395 (A)	2580613		071124 INV	609.0000.14500	3
		1395 (A)	2580612		071124 INV	609.0000.14500	5

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		1395 (A)	2573120		062824 INV	609.0000.14500	7,402.00
		1395 (A)	101682		071124 INV	609.0000.14500	(135.00)
		1395 (A)	2579399		071024 INV	609.9791.42199	35.02
		1395 (A)	2579397		071024 INV	609.9791.42199	4.90
		1395 (A)	2579398		071024 INV	609.9791.42199	1.87
		1395 (A)	2581654		071224 INV	609.9791.42199	8.40
		1395 (A)	2581655		071224 INV	609.9791.42199	5.60
		1395 (A)	2581658		071224 INV	609.9791.42199	2.80
		1395 (A)	2581656		071224 INV	609.9791.42199	96.95
		1395 (A)	2580620		071124 INV	609.9791.42199	6.30
		1395 (A)	2580618		071124 INV	609.9791.42199	7.00
		1395 (A)	2580617		071124 INV	609.9791.42199	1.40
		1395 (A)	2580616		071124 INV	609.9791.42199	5.60
		1395 (A)	2580615		071124 INV	609.9791.42199	8.40
		1395 (A)	2580614		071124 INV	609.9791.42199	7.00
		1395 (A)	2580613		071124 INV	609.9791.42199	14.00
		1395 (A)	2580612		071124 INV	609.9791.42199	14.00
		1395 (A)	2573120		062824 INV	609.9791.42199	81.20
		1395 (A)	101682		071124 INV	609.9791.42199	(1.40)
		1395 (A)	2577222		070624 INV	609.9792.42199	10.50
		1395 (A)	2576313		070324 INV	609.9792.42199	1.40
		1395 (A)	2576312		070324 INV	609.9792.42199	1.40
		1395 (A)	2576308		070324 INV	609.9792.42199	4.20
		1395 (A)	2576314		070324 INV	609.9792.42199	4.20
		1395 (A)	2576315		070324 INV	609.9792.42199	2.80
		1395 (A)	2575433		070224 INV	609.9792.42199	4.20
		1395 (A)	2575434		070224 INV	609.9792.42199	43.40
		1395 (A)	2581659		071224 INV	609.9792.42199	11.20
		1395 (A)	2580628		071124 INV	609.9792.42199	2.80
		1395 (A)	2580627		071124 INV	609.9792.42199	8.40
		1395 (A)	2580626		071124 INV	609.9792.42199	7.00
		1395 (A)	2580625		071124 INV	609.9792.42199	5.60
		1395 (A)	2580624		071124 INV	609.9792.42199	15.40
		1395 (A)	2580623		071124 INV	609.9792.42199	18.20
		1395 (A)	2580622		071124 INV	609.9792.42199	9.80
		1395 (A)	2580621		071124 INV	609.9792.42199	4.20
		1395 (A)	2580619		071124 INV	609.9792.42199	1.40
		1395 (A)	2579404		071024 INV	609.9792.42199	1.40
		1395 (A)	2579403		071024 INV	609.9792.42199	1.52
		1395 (A)	2579402		071024 INV	609.9792.42199	43.40
		1395 (A)	2579400		071024 INV	609.9792.42199	
		1395 (A)	2581661		071224 INV	609.9793.42199	

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		1395 (A)	2581662		071224 INV	609.9793.42199	2.80
		1395 (A)	2581660		071224 INV	609.9793.42199	5.60
		1395 (A)	2579401		071024 INV	609.9793.42199	10.50
							37,503.48
07/25/2024	MAIN	1396 (A)	SP-150-000178	MADISON ENERGY INVESTMENTS	SOLAR POWER		** VOIDED **
		1396 (A)	SP-151-000178		SOLAR POWER		** VOIDED **
		1396 (A)	SP-150-000178		SOLAR POWER		** VOIDED **
		1396 (A)	SP-151-000178		SOLAR POWER		** VOIDED **
07/25/2024	MAIN	1397 (A)	SP-001-000319	MADISON ENERGY INVESTMENTS	SOLAR POWER	101.9200.43810	77.88
07/25/2024	MAIN	1398 (A)	6812206	PHILLIPS WINE & SPIRITS INC	071024 INV	609.0000.14500	808.00
		1398 (A)	6812205		071024 INV	609.0000.14500	2,154.75
		1398 (A)	6809853		070324 INV	609.0000.14500	60.55
		1398 (A)	6809852		070324 INV	609.0000.14500	270.00
		1398 (A)	6809851		070324 INV	609.0000.14500	528.00
		1398 (A)	6814084		071224 INV	609.0000.14500	273.00
		1398 (A)	6814086		071224 INV	609.0000.14500	602.55
		1398 (A)	6814085		071224 INV	609.0000.14500	264.00
		1398 (A)	6814077		071224 INV	609.0000.14500	47.95
		1398 (A)	6814078		071224 INV	609.0000.14500	484.00
		1398 (A)	6814079		071224 INV	609.0000.14500	88.00
		1398 (A)	6814080		071224 INV	609.0000.14500	402.45
		1398 (A)	6814082		071224 INV	609.0000.14500	431.50
		1398 (A)	6814081		071224 INV	609.0000.14500	203.00
		1398 (A)	6814083		071224 INV	609.0000.14500	455.00
		1398 (A)	6813263		071124 INV	609.0000.14500	1,474.45
		1398 (A)	6812206		071024 INV	609.9791.42199	21.00
		1398 (A)	6812205		071024 INV	609.9791.42199	32.44
		1398 (A)	6814078		071224 INV	609.9791.42199	15.40
		1398 (A)	6814079		071224 INV	609.9791.42199	1.40
		1398 (A)	6814080		071224 INV	609.9791.42199	4.20
		1398 (A)	6814082		071224 INV	609.9791.42199	7.00
		1398 (A)	6814081		071224 INV	609.9791.42199	4.20
		1398 (A)	6814083		071224 INV	609.9791.42199	7.00
		1398 (A)	6813263		071124 INV	609.9791.42199	43.40
		1398 (A)	6809853		070324 INV	609.9792.42199	1.40
		1398 (A)	6809852		070324 INV	609.9792.42199	1.64
		1398 (A)	6809851		070324 INV	609.9792.42199	16.80
		1398 (A)	6814086		071224 INV	609.9792.42199	
		1398 (A)	6814085		071224 INV	609.9792.42199	

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		1398 (A)	6814077		071224 INV	609.9792.42199	1.40
		1398 (A)	6814084		071224 INV	609.9793.42199	4.20
							8,724.78
07/25/2024	MAIN	1399 (A)	2502919	SOUTHERN GLAZER'S	071124 INV	609.0000.14500	540.00
		1399 (A)	2500142		070324 INV	609.0000.14500	51.45
		1399 (A)	2497587		062724 INV	609.0000.14500	2,390.20
		1399 (A)	2500141		070324 INV	609.0000.14500	75.49
		1399 (A)	2497585		062724 INV	609.0000.14500	2,792.20
		1399 (A)	2502918		071124 INV	609.0000.14500	560.96
		1399 (A)	2503076		071124 INV	609.0000.14500	520.82
		1399 (A)	5110684		050224 INV	609.0000.14500	171.00
		1399 (A)	5112585		071124 INV	609.0000.14500	60.00
		1399 (A)	5113334		071124 INV	609.0000.14500	567.00
		1399 (A)	5113337		071124 INV	609.0000.14500	386.90
		1399 (A)	5113335		071124 INV	609.0000.14500	292.50
		1399 (A)	2502921		071124 INV	609.0000.14500	154.35
		1399 (A)	2502920		071124 INV	609.0000.14500	229.45
		1399 (A)	2502917		071124 INV	609.0000.14500	367.84
		1399 (A)	2502923		071124 INV	609.0000.14500	1,651.97
		1399 (A)	2502919		071124 INV	609.9791.42199	7.68
		1399 (A)	2502918		071124 INV	609.9791.42199	12.80
		1399 (A)	5110684		050224 INV	609.9791.42199	1.28
		1399 (A)	5112585		071124 INV	609.9791.42199	0.85
		1399 (A)	5113334		071124 INV	609.9791.42199	3.84
		1399 (A)	5113337		071124 INV	609.9791.42199	3.84
		1399 (A)	5113335		071124 INV	609.9791.42199	1.28
		1399 (A)	2502921		071124 INV	609.9791.42199	5.12
		1399 (A)	2502920		071124 INV	609.9791.42199	2.56
		1399 (A)	2502917		071124 INV	609.9791.42199	5.12
		1399 (A)	2502923		071124 INV	609.9791.42199	11.20
		1399 (A)	2500142		070324 INV	609.9792.42199	1.28
		1399 (A)	5112586		070324 DEL	609.9792.42199	3.84
		1399 (A)	2497587		062724 INV	609.9792.42199	10.24
		1399 (A)	2500141		070324 INV	609.9792.42199	1.28
		1399 (A)	2497585		062724 INV	609.9792.42199	19.41
		1399 (A)	2503076		071124 INV	609.9793.42199	12.80
							10,916.55
07/25/2024	MAIN	199678	5626558	56 BREWING LLC	070924 INV	609.0000.14500	94.83
07/25/2024	MAIN	199679	3919598	ADAM'S PEST CONTROL, INC	PEST CONTROL- PS 062524	101.2100.43050	
		199679	3919598		PEST CONTROL- PS 062524	101.2200.43050	

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							103.07
07/25/2024	MAIN	199680	V0624-127	ADVANTAGE SIGNS & GRAPHICS	PARADE MAGNETS FOR EMPLOYEE OF THE	101.1320.44374	89.25
		199680	V0624-127		PARADE MAGNETS FOR EMPLOYEE OF THE	101.1320.44375	89.25
							178.50
07/25/2024	MAIN	199681	79327	AID ELECTRIC SERVICE INC	MOVE ELECTRICAL OUTLET	101.2100.44000	337.34
07/25/2024	MAIN	199682	07/17/2024	ALMA FIELD	UB refund for account: 103-0670-00-432.0000.20120		2.95
		199682	07/17/2024		UB refund for account: 103-0670-00-433.0000.20120		2.95
		199682	07/17/2024		UB refund for account: 103-0670-00-601.0000.20120		82.11
		199682	07/17/2024		UB refund for account: 103-0670-00-602.0000.20120		56.48
		199682	07/17/2024		UB refund for account: 103-0670-00-603.0000.20120		28.57
		199682	07/17/2024		UB refund for account: 103-0670-00-604.0000.20120		17.94
							191.00
07/25/2024	MAIN	199683	3562843974	AMERICAN BOTTLING COMPANY	070824 INV	609.0000.14500	838.11
07/25/2024	MAIN	199684	B240716G	ANOKA COUNTY	BROADBAND CONN 0724	101.2100.43250	37.50
		199684	B240716G		BROADBAND CONN 0724	101.2200.43250	37.50
		199684	B240716G		BROADBAND CONN 0724	101.3100.43250	18.75
		199684	B240716G		BROADBAND CONN 0724	101.3121.43250	3.75
		199684	B240716G		BROADBAND CONN 0724	101.5200.43250	3.75
		199684	B240716G		BROADBAND CONN 0724	601.9600.43250	3.75
		199684	B240716G		BROADBAND CONN 0724	602.9600.43250	3.75
		199684	B240716G		BROADBAND CONN 0724	701.9950.43250	3.75
							112.50
07/25/2024	MAIN	199685	511	ARISE OUTDOOR SERVICES LLC	LONG GRASS / WEED REMOVAL 4549 TYLE	415.6450.44000	160.00
		199685	516		LONG GRASS / WEEDS REMOVAL 1231 CIR	415.6450.44000	160.00
		199685	514		LONG GRASS/SCRUB REMOVAL,HAUL 3815	415.6450.44000	275.00
		199685	515		LONG GRASS/SCRUB RMVL,HAUL 3900 CEN	415.6450.44000	575.00
		199685	513		GRASS/WEED/SCRUB RMVL,HAUL 4251 7TH	415.6450.44000	275.00
		199685	509		TRIP CHARGE 4534 STINSON BLVD	415.6450.44000	40.00
		199685	512		LONG GRASS/WEED RMVL 3827 JOHNSON S	415.6450.44000	160.00
		199685	510		LONG GRASS/WEED RMVL 3801 PIERCE ST	415.6450.44000	160.00
							1,805.00
07/25/2024	MAIN	199686	698	ARTEDUTC LLC	SPANISH ART CLASS	101.5004.43050	224.00
07/25/2024	MAIN	199687	SWO031953	ASPEN EQUIPMENT	WESTERN PLOW & TOMMYGATE #250	431.5200.45150	15,316.00
07/25/2024	MAIN	199688	335911	ASPEN MILLS, INC.	PANTS	101.2100.42172	6
		199688	335890		UNIFORMS	101.2100.42172	74
		199688	336248		PANTS, POLOS, BODY CAM CLIP, EMBROI	101.2100.42172	368.35

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		199688	336289		FLASHLIGHT	101.2100.42172	160.91
							1,279.31
07/25/2024	MAIN	199689	12404266	ASSET MANAGEMENT SYSTEMS IN	MONITORING 0724-0924 PW	701.9950.44020	116.97
07/25/2024	MAIN	199690	284365	BARNA GUZY & STEFFEN LTD	CIVIL CHGS 0624	101.1610.43041	4,209.00
		199690	284368		PROSECUTION 0624	101.1610.43042	9,318.00
		199690	284369		IN CUSTODY 0624	101.1610.43042	892.50
		199690	284366		PERSONNEL MATTERS 0624	101.1610.43045	855.00
							15,274.50
07/25/2024	MAIN	199691	5070	BARREL THEORY BEER COMPANY	071524 INV	609.0000.14500	133.00
07/25/2024	MAIN	199692	26610444	BEAUDRY OIL & SERVICE INC.	1000 GAL DYED DIESEL FUEL	701.0000.14110	3,116.95
		199692	2661043		3000 GAL UNLEADED FUEL	701.0000.14110	7,837.72
							10,954.67
07/25/2024	MAIN	199693	123005	BENEFIT EXTRAS, INC.	COBRA ADMIN 0624; RETIREE BILLING	0101.1320.43050	293.75
		199693	123005		COBRA ADMIN 0624; RETIREE BILLING	0887.9250.43050	43.65
							337.40
07/25/2024	MAIN	199694	E-15214	BERGMAN LEDGE LLC	070824 INV	609.0000.14500	212.00
07/25/2024	MAIN	199695	89077	BOND TRUST SERVICES CORP	FISCAL AGENT FEES BOND 2015A	346.7000.46200	475.00
		199695	89076		PAYING AGENT FEE BOND 2018A	348.7000.46200	475.00
		199695	89074		PAYING AGENT FEE BOND 2023B	349.7000.46200	475.00
		199695	89075		PAYING AGENT FEE TIF BOND 2023A	395.7000.46200	475.00
							1,900.00
07/25/2024	MAIN	199696	208709	BOURGET IMPORTS LLC	071224 INV	609.0000.14500	172.00
		199696	208709		071224 INV	609.9791.42199	6.00
							178.00
07/25/2024	MAIN	199697	275043	BREDEMUS HARDWARE COMPANY	IDOUBLE DOORS-PSB TRAINING ROOM	101.2100.44020	1,926.00
		199697	275043		DOUBLE DOORS-PSB TRAINING ROOM	101.2200.44020	1,926.00
							3,852.00
07/25/2024	MAIN	199698	07/17/2024	BRIDGE INVESTMENTS	UB refund for account: 119-0530-00-601.0000.20120		271.75
		199698	07/17/2024		UB refund for account: 119-0530-00-602.0000.20120		193.82
		199698	07/17/2024		UB refund for account: 119-0530-00-603.0000.20120		54.12
		199698	07/17/2024		UB refund for account: 119-0530-00-604.0000.20120		12.31
							532.00
07/25/2024	MAIN	199699	07/17/2024	BRP II LLC	UB refund for account: 104-0110-00-432.0000.20120		

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		199699	07/17/2024		UB refund for account: 104-0110-00-433.0000.20120		8.71
		199699	07/17/2024		UB refund for account: 104-0110-00-601.0000.20120		117.69
		199699	07/17/2024		UB refund for account: 104-0110-00-602.0000.20120		91.79
		199699	07/17/2024		UB refund for account: 104-0110-00-603.0000.20120		84.15
		199699	07/17/2024		UB refund for account: 104-0110-00-604.0000.20120		52.84
							363.89
07/25/2024	MAIN	199700	2024	BRP VETERINARY MINNESOTA	ANIMAL SVCS 0724	101.2100.43050	1,379.79
07/25/2024	MAIN	199701	07/17/2024	BRUCE HUBER	UB refund for account: 308-0235-00-432.0000.20120		1.35
		199701	07/17/2024		UB refund for account: 308-0235-00-433.0000.20120		1.34
		199701	07/17/2024		UB refund for account: 308-0235-00-601.0000.20120		30.62
		199701	07/17/2024		UB refund for account: 308-0235-00-602.0000.20120		21.66
		199701	07/17/2024		UB refund for account: 308-0235-00-603.0000.20120		13.07
		199701	07/17/2024		UB refund for account: 308-0235-00-604.0000.20120		8.20
							76.24
07/25/2024	MAIN	199702	24904	CENTER FOR ENERGY & ENVIRON	HOME ENERGY VISITS 040124-063024	204.6314.44600	100.00
07/25/2024	MAIN	199703	8000014661-5	CENTERPOINT ENERGY	8000014661-5	101.5129.43830	346.97
		199703	8000014661-5		8000014661-5	101.5200.43830	90.35
		199703	8000014661-5		8000014661-5	101.9200.43830	95.09
		199703	8000014661-5		8000014661-5	601.9600.43830	58.41
		199703	8000014661-5		8000014661-5	609.9791.43830	109.38
		199703	8000014661-5		8000014661-5	609.9792.43830	127.16
		199703	8000014661-5		8000014661-5	609.9793.43830	22.42
		199703	8000014661-5		8000014661-5	701.9950.43830	123.32
							973.10
07/25/2024	MAIN	199704	333954365	CENTURYLINK	070424 333954365	101.2100.43210	161.79
		199704	333954365		070424 333954365	101.2200.43210	161.80
							323.59
07/25/2024	MAIN	199705	4198943995	CINTAS INC	MOPS JPM 071624	101.5129.44020	38.29
		199705	4198887055		UNIFORM RENTAL 071524	701.9950.42172	33.16
							71.45
07/25/2024	MAIN	199706	204881399	COMCAST	061524 934571297	101.1110.43250	24.30
		199706	210138844		071524 934571297	101.1110.43250	24.30
		199706	204881399		061524 934571297	101.1320.43250	34.02
		199706	210138844		071524 934571297	101.1320.43250	34.02
		199706	204881399		061524 934571297	101.1510.43250	28.16
		199706	210138844		071524 934571297	101.1510.43250	28.16
		199706	204881399		061524 934571297	101.1940.43250	4.88

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		199706	210138844		071524 934571297	101.1940.43250	4.86
		199706	204881399		061524 934571297	101.2100.43250	131.23
		199706	210138844		071524 934571297	101.2100.43250	131.23
		199706	204881399		061524 934571297	101.2200.43250	121.50
		199706	210138844		071524 934571297	101.2200.43250	121.50
		199706	204881399		061524 934571297	101.3100.43250	58.32
		199706	210138844		071524 934571297	101.3100.43250	58.32
		199706	204881399		061524 934571297	101.3121.43250	19.44
		199706	210138844		071524 934571297	101.3121.43250	19.44
		199706	204881399		061524 934571297	101.5000.43250	9.72
		199706	210138844		071524 934571297	101.5000.43250	9.72
		199706	204881399		061524 934571297	101.5129.43250	34.02
		199706	210138844		071524 934571297	101.5129.43250	34.02
		199706	204881399		061524 934571297	101.5200.43250	9.72
		199706	210138844		071524 934571297	101.5200.43250	9.72
		199706	204881399		061524 934571297	201.2400.43250	9.72
		199706	210138844		071524 934571297	201.2400.43250	9.72
		199706	204881399		061524 934571297	204.6314.43250	24.30
		199706	210138844		071524 934571297	204.6314.43250	24.30
		199706	204881399		061524 934571297	225.9844.43250	9.72
		199706	210138844		071524 934571297	225.9844.43250	9.72
		199706	204881399		061524 934571297	240.5500.43250	199.27
		199706	210138844		071524 934571297	240.5500.43250	199.27
		199706	204881399		061524 934571297	601.9600.43250	9.72
		199706	210138844		071524 934571297	601.9600.43250	9.72
		199706	204881399		061524 934571297	602.9600.43250	9.72
		199706	210138844		071524 934571297	602.9600.43250	9.72
		199706	204881399		061524 934571297	609.9791.43250	641.31
		199706	210138844		071524 934571297	609.9791.43250	641.31
		199706	204881399		061524 934571297	609.9792.43250	617.01
		199706	210138844		071524 934571297	609.9792.43250	617.01
		199706	204881399		061524 934571297	609.9793.43250	602.43
		199706	210138844		071524 934571297	609.9793.43250	602.43
		199706	204881399		061524 934571297	701.9950.43250	9.72
		199706	210138844		071524 934571297	701.9950.43250	9.72
		199706	204881399		061524 934571297	720.9980.43250	131.24
		199706	210138844		071524 934571297	720.9980.43250	131.24
							5,529.50
07/25/2024	MAIN	199707	472	CRYSTAL SPRINGS ICE LLC	071024 INV	609.0000.14500	287.36
		199707	472		071024 INV	609.9792.42199	

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07/25/2024	MAIN	199708	IN-4396	DANGEROUS MAN BREWING CO LL	070324 INV	609.0000.14500	296.00
		199708	IN-4486		071024 INV	609.0000.14500	524.00
		199708	IN-4469		071024 INV	609.0000.14500	286.00
							1,106.00
07/25/2024	MAIN	199709	07/17/2024	DAVE & LISA ZURBEY	UB refund for account: 303-0595-00-	601.0000.20120	350.00
07/25/2024	MAIN	199710	1004438	ECM PUBLISHERS INC	PHN ORD #1698 062124	201.2400.43500	86.25
07/25/2024	MAIN	199711	07/17/2024	EMILY LUTES	UB refund for account: 102-0600-00-	101.0000.20120	11.55
		199711	07/17/2024		UB refund for account: 102-0600-00-	432.0000.20120	11.50
		199711	07/17/2024		UB refund for account: 102-0600-00-	433.0000.20120	11.50
		199711	07/17/2024		UB refund for account: 102-0600-00-	601.0000.20120	155.82
		199711	07/17/2024		UB refund for account: 102-0600-00-	602.0000.20120	121.55
		199711	07/17/2024		UB refund for account: 102-0600-00-	603.0000.20120	111.46
		199711	07/17/2024		UB refund for account: 102-0600-00-	604.0000.20120	69.91
							493.29
07/25/2024	MAIN	199712	0532240	FERGUSON WATERWORKS INC	FLANGE ADAPTER	601.9600.42171	2,051.44
07/25/2024	MAIN	199713	2504302406	FIRST ADVANTAGE LNS SCREEN	ANNUAL & INITIAL ENROLLMENTS 0624	101.3121.43050	36.71
		199713	2504302406		ANNUAL & INITIAL ENROLLMENTS 0624	101.3170.43050	36.71
		199713	2504302406		ANNUAL & INITIAL ENROLLMENTS 0624	101.5200.43050	73.42
		199713	2504302406		ANNUAL & INITIAL ENROLLMENTS 0624	602.9600.43050	73.42
							220.26
07/25/2024	MAIN	199714	118208122	FLEETPRIDE INC	FILTERS	701.0000.14120	20.68
		199714	118100032		AIR BRAKE ELBOW, BRAKE DIAPHRAGM #3	701.0000.14120	11.82
		199714	118100312		AIR SEAT VALVE #3781	701.0000.14120	16.68
							49.18
07/25/2024	MAIN	199715	07/17/2024	FYR SFR BORROWER, LLC	UB refund for account: 308-0610-00-	601.0000.20120	56.80
		199715	07/17/2024		UB refund for account: 308-0610-00-	602.0000.20120	34.03
							90.83
07/25/2024	MAIN	199716	82949	GENERAL REPAIR SERVICE, INC	GEO FIELD PUMP #6-BEARING REPLACEME	101.2100.44020	1,146.19
		199716	82949		GEO FIELD PUMP #6-BEARING REPLACEME	101.2200.44020	1,146.19
							2,292.38
07/25/2024	MAIN	199717	ORD-10372	GLOBAL RESERVE LLC	070424 INV	609.0000.14500	468.00
		199717	ORD-10467		070924 INV	609.0000.14500	392.00
							860.00
07/25/2024	MAIN	199718	02/23/2024	GOPU SHRESTHA	UB refund for account: 106-0043-00-	432.0000.20120	

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		199718	02/23/2024		UB refund for account: 106-0043-00-433.0000.20120		0.20
		199718	02/23/2024		UB refund for account: 106-0043-00-601.0000.20120		12.29
		199718	02/23/2024		UB refund for account: 106-0043-00-602.0000.20120		8.33
		199718	02/23/2024		UB refund for account: 106-0043-00-603.0000.20120		3.39
		199718	02/23/2024		UB refund for account: 106-0043-00-604.0000.20120		2.33
							26.74
07/25/2024	MAIN	199719	023-045-7	HKGI	MEDTRONIC COMP PLAN AMMENDMENT	201.2400.43050	685.00
07/25/2024	MAIN	199720	733394	HOHENSTEINS INC	071224 INV	609.0000.14500	504.40
		199720	731618		070524 INV	609.0000.14500	1,862.60
		199720	731655		070524 INV	609.0000.14500	210.00
							2,577.00
07/25/2024	MAIN	199721	07/17/2024	JACQUELINE MC GINN	UB refund for account: 202-0742-00-432.0000.20120		1.61
		199721	07/17/2024		UB refund for account: 202-0742-00-433.0000.20120		1.61
		199721	07/17/2024		UB refund for account: 202-0742-00-601.0000.20120		71.94
		199721	07/17/2024		UB refund for account: 202-0742-00-602.0000.20120		21.51
		199721	07/17/2024		UB refund for account: 202-0742-00-603.0000.20120		15.57
		199721	07/17/2024		UB refund for account: 202-0742-00-604.0000.20120		9.78
							122.02
07/25/2024	MAIN	199722	07/17/2024	JERRY FORD - VG PROPERTIES	UB refund for account: 112-0190-00-603.0000.20120		73.14
07/25/2024	MAIN	199723	07/17/2024	JOSEPH D TURNER	UB refund for account: 306-0690-00-432.0000.20120		0.37
		199723	07/17/2024		UB refund for account: 306-0690-00-433.0000.20120		0.36
		199723	07/17/2024		UB refund for account: 306-0690-00-601.0000.20120		41.18
		199723	07/17/2024		UB refund for account: 306-0690-00-602.0000.20120		26.72
		199723	07/17/2024		UB refund for account: 306-0690-00-603.0000.20120		7.20
		199723	07/17/2024		UB refund for account: 306-0690-00-604.0000.20120		2.26
							78.09
07/25/2024	MAIN	199724	07/17/2024	JULIE KELLER	UB refund for account: 108-0515-00-432.0000.20120		2.93
		199724	07/17/2024		UB refund for account: 108-0515-00-433.0000.20120		2.92
		199724	07/17/2024		UB refund for account: 108-0515-00-601.0000.20120		79.28
		199724	07/17/2024		UB refund for account: 108-0515-00-602.0000.20120		54.73
		199724	07/17/2024		UB refund for account: 108-0515-00-603.0000.20120		28.37
		199724	07/17/2024		UB refund for account: 108-0515-00-604.0000.20120		17.79
							186.02
07/25/2024	MAIN	199725	07/17/2024	K W HOFFMAN	UB refund for account: 202-0788-00-432.0000.20120		3.77
		199725	07/17/2024		UB refund for account: 202-0788-00-433.0000.20120		0.75
		199725	07/17/2024		UB refund for account: 202-0788-00-601.0000.20120		109.54
		199725	07/17/2024		UB refund for account: 202-0788-00-602.0000.20120		0.77

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		199725	07/17/2024		UB refund for account: 202-0788-00-603.0000.20120		36.32
		199725	07/17/2024		UB refund for account: 202-0788-00-604.0000.20120		22.79
							236.26
07/25/2024	MAIN	199726	07/17/2024	KATHLEEN E DELEO	UB refund for account: 202-0930-00-432.0000.20120		7.21
		199726	07/17/2024		UB refund for account: 202-0930-00-433.0000.20120		7.20
		199726	07/17/2024		UB refund for account: 202-0930-00-601.0000.20120		97.72
		199726	07/17/2024		UB refund for account: 202-0930-00-602.0000.20120		76.27
		199726	07/17/2024		UB refund for account: 202-0930-00-603.0000.20120		69.87
		199726	07/17/2024		UB refund for account: 202-0930-00-604.0000.20120		43.87
							302.14
07/25/2024	MAIN	199727	07/17/2024	KEVIN PORTUGUE	UB refund for account: 108-0305-00-101.0000.20120		0.29
		199727	07/17/2024		UB refund for account: 108-0305-00-432.0000.20120		0.29
		199727	07/17/2024		UB refund for account: 108-0305-00-433.0000.20120		0.29
		199727	07/17/2024		UB refund for account: 108-0305-00-601.0000.20120		5.87
		199727	07/17/2024		UB refund for account: 108-0305-00-602.0000.20120		4.23
		199727	07/17/2024		UB refund for account: 108-0305-00-603.0000.20120		12.45
		199727	07/17/2024		UB refund for account: 108-0305-00-604.0000.20120		1.77
							25.19
07/25/2024	MAIN	199728	2579	LANDBRIDGE ECOLOGICAL, INC. PLANT MGMT-SILVER LAKE		604.9600.44000	775.00
07/25/2024	MAIN	199729	2167	LEARNING FIREARMS	RDS HANDUN INSTRUCTOR COURSE 072924	101.2100.43105	1,800.00
07/25/2024	MAIN	199730	74170	LIBATION PROJECT	071224 INV	609.0000.14500	924.12
		199730	74170		071224 INV	609.9791.42199	10.00
							934.12
07/25/2024	MAIN	199731	115663	LOCKRIDGE GRINDAL NAUEN P.L LOBBYIST SERVICES 0724		411.9999.43050.2111	3,333.33
07/25/2024	MAIN	199732	07/17/2024	LUIS & MELISSA ROJAS	UB refund for account: 302-0330-00-432.0000.20120		1.46
		199732	07/17/2024		UB refund for account: 302-0330-00-433.0000.20120		1.46
		199732	07/17/2024		UB refund for account: 302-0330-00-601.0000.20120		159.46
		199732	07/17/2024		UB refund for account: 302-0330-00-602.0000.20120		103.59
		199732	07/17/2024		UB refund for account: 302-0330-00-603.0000.20120		28.33
		199732	07/17/2024		UB refund for account: 302-0330-00-604.0000.20120		8.88
							303.18
07/25/2024	MAIN	199733	07/17/2024	MARIANA JARA PAREDES	UB refund for account: 103-0383-00-432.0000.20120		1.68
		199733	07/17/2024		UB refund for account: 103-0383-00-433.0000.20120		1.67
		199733	07/17/2024		UB refund for account: 103-0383-00-601.0000.20120		22.71
		199733	07/17/2024		UB refund for account: 103-0383-00-602.0000.20120		
		199733	07/17/2024		UB refund for account: 103-0383-00-603.0000.20120		

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		199733	07/17/2024		UB refund for account: 103-0383-00-604.0000.20120		10.19
							70.20
07/25/2024	MAIN	199734	INV1292478	MAVERICK BEVERAGE COMPANY M:070224	INV	609.0000.14500	246.00
		199734	INV1292478		070224 INV	609.9792.42199	3.00
							249.00
07/25/2024	MAIN	199735	757461	MCDONALD DISTRIBUTING CO	071224 INV	609.0000.14500	1,446.80
07/25/2024	MAIN	199736	07/17/2024	MCKENZIE DOCKTER	UB refund for account: 310-0300-00-432.0000.20120		1.35
		199736	07/17/2024		UB refund for account: 310-0300-00-433.0000.20120		1.34
		199736	07/17/2024		UB refund for account: 310-0300-00-601.0000.20120		26.91
		199736	07/17/2024		UB refund for account: 310-0300-00-602.0000.20120		19.43
		199736	07/17/2024		UB refund for account: 310-0300-00-603.0000.20120		30.66
		199736	07/17/2024		UB refund for account: 310-0300-00-604.0000.20120		8.17
							87.86
07/25/2024	MAIN	199737	0620243306	MEDTOX LABORATORIES, INC	PRE-EMPLOYMENT DRUG TEST 0624	101.1320.43050	36.73
07/25/2024	MAIN	199738	10648	MENARDS CASHWAY LUMBER-FRIDIT/TOOLS	FOR IT DEPT	720.9980.42010	34.74
07/25/2024	MAIN	199739	2024 QTR 2	METRO COUNCIL ENVIROMENTAL	SAC 2ND QTR 2024	201.0000.20830	24,850.00
		199739	2024 QTR 2		SAC 2ND QTR 2024	201.0000.36293	(248.50)
							24,601.50
07/25/2024	MAIN	199740	838115	MIDWAY FORD	FOG FILTER	701.0000.14120	61.62
		199740	837639		DOOR HANDLE - #8202	701.0000.14120	29.24
							90.86
07/25/2024	MAIN	199741	181605	MINNEAPOLIS SAW CO INC	PIPE, BOLT	701.0000.14120	23.97
07/25/2024	MAIN	199742	E-52094	MODIST BREWING CO LLC	071124 INV	609.0000.14500	112.00
		199742	E-52093		071124 INV	609.0000.14500	200.00
							312.00
07/25/2024	MAIN	199743	3831	NORTHLAND REFRIGERATION INC	COMPRESSOR A HEAT PUMP #1-PSB	101.2100.44020	5,072.00
		199743	3831		COMPRESSOR A HEAT PUMP #1-PSB	101.2200.44020	5,072.00
							10,144.00
07/25/2024	MAIN	199744	10403	OLD WORLD BEER LLC	071024 INV	609.0000.14500	638.00
07/25/2024	MAIN	199745	IN-1153	OLIPHANT BREWING LLC	071724 INV	609.0000.14500	150.00
07/25/2024	MAIN	199746	0001741663	ON SITE SANITATION INC	SATELLITE RENT-MCKENNA	101.5129.44100	200.00
		199746	0001741651		SATELLITTE RENT-HUSET	101.5200.44100	174.00
		199746	0001741652		SATELLITE RENT-KEYS 070624	101.5200.44100	74.00

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Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		199746	0001741653		SATELLITE RENT-LABELLE 070624	101.5200.44100	74.00
		199746	0001741654		SATELLITE RENT-MCKENNA 070624	101.5200.44100	74.00
		199746	0001741655		SATELLITE RENT-SULLIVAN LAKE 070624	101.5200.44100	220.00
		199746	0001741656		SATELLITE RENT-HUSET 070624	101.5200.44100	74.00
		199746	0001741657		SATELLITE RENT-PRESTEMON 070624	101.5200.44100	74.00
		199746	0001741658		SATELLITE RENT-GAUVITTE 070624	101.5200.44100	74.00
		199746	0001741659		SATELLITE RENT-HUSET 070624	101.5200.44100	220.00
		199746	0001741660		SATELLITE RENT-SILVER LAKE 070624	101.5200.44100	146.00
		199746	0001741661		SATELLITE RENT-RAMSDELL 070624	101.5200.44100	220.00
		199746	0001741662		SATELLITE RENT-LOMIANKI 070624	101.5200.44100	74.00
		199746	0001741664		SATELLITE RENT-OSTRANDER 070624	101.5200.44100	74.00
							1,766.00
07/25/2024	MAIN	199747	07/17/2024	OPENDOOR LABS, INC	UB refund for account: 304-0050-00-603.0000.20120		76.54
07/25/2024	MAIN	199748	241374	PAUSTIS & SONS WINE COMPANY	071124 INV	609.0000.14500	1,204.00
		199748	241374		071124 INV	609.9791.42199	18.00
							1,222.00
07/25/2024	MAIN	199749	07/17/2024	RESOLUTION HOME BUYERS, LLC	UB refund for account: 316-0500-00-601.0000.20120		77.84
07/25/2024	MAIN	199750	07/17/2024	REYNOLDS PROPERTIES	UB refund for account: 102-0375-00-432.0000.20120		2.99
		199750	07/17/2024		UB refund for account: 102-0375-00-433.0000.20120		2.98
		199750	07/17/2024		UB refund for account: 102-0375-00-601.0000.20120		40.34
		199750	07/17/2024		UB refund for account: 102-0375-00-602.0000.20120		31.46
		199750	07/17/2024		UB refund for account: 102-0375-00-603.0000.20120		28.84
		199750	07/17/2024		UB refund for account: 102-0375-00-604.0000.20120		18.10
							124.71
07/25/2024	MAIN	199751	080124	ROSS NESBIT AGENCIES, INC	INSURANCE SERVICE 0824	884.0000.15510	1,000.00
07/25/2024	MAIN	199752	ROW 2024- 041	ROTO-ROOTER	PERMIT REFUND 674 47TH AVE NE	101.0000.32150	100.00
07/25/2024	MAIN	199753	07/17/2024	SARAH BORKA	UB refund for account: 209-0570-00-601.0000.20120		84.74
07/25/2024	MAIN	199754	07/17/2024	SARAH SKALA	UB refund for account: 205-0660-00-432.0000.20120		6.17
		199754	07/17/2024		UB refund for account: 205-0660-00-433.0000.20120		6.16
		199754	07/17/2024		UB refund for account: 205-0660-00-601.0000.20120		133.72
		199754	07/17/2024		UB refund for account: 205-0660-00-602.0000.20120		95.31
		199754	07/17/2024		UB refund for account: 205-0660-00-603.0000.20120		59.64
		199754	07/17/2024		UB refund for account: 205-0660-00-604.0000.20120		37.44
							338.44
07/25/2024	MAIN	199755	071524	SCHAFFER/PATRICIA ANNETTE	ACTIVE AGERS 060324-062624	101.5040.43050	

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
 CHECK DATE FROM 07/19/2024 - 08/08/2024

Item 12.

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
07/25/2024	MAIN	199756	8106622657	SCHINDLER ELEVATOR CORP INC	PREVENT MAINT 0724	101.2100.44020	79.97
		199756	8106622657		PREVENT MAINT 0724	101.2200.44020	79.96
							159.93
07/25/2024	MAIN	199757	07/17/2024	SHANE KAPLAN	UB refund for account: 309-0330-00-101.0000.20120		0.44
		199757	07/17/2024		UB refund for account: 309-0330-00-432.0000.20120		0.44
		199757	07/17/2024		UB refund for account: 309-0330-00-433.0000.20120		0.43
		199757	07/17/2024		UB refund for account: 309-0330-00-601.0000.20120		21.45
		199757	07/17/2024		UB refund for account: 309-0330-00-602.0000.20120		13.95
		199757	07/17/2024		UB refund for account: 309-0330-00-603.0000.20120		4.24
		199757	07/17/2024		UB refund for account: 309-0330-00-604.0000.20120		2.66
							43.61
07/25/2024	MAIN	199758	YW013-2024	SHOREVIEW HUNKS LLC	YARD WASTE PICKUP 062424-062824	603.9510.42930	9,884.80
		199758	YW014-2024		YARD WASTE PICKUP 070124 - 070624	603.9510.42930	9,881.78
		199758	YW015-2024		YARD WASTE PICKUP 0708-071224	603.9510.42930	9,875.73
							29,642.31
07/25/2024	MAIN	199759	128988012	SOULO COMMUNICATIONS	PAIL LABELS	603.9530.42030	184.06
07/25/2024	MAIN	199760	56000	STEEL TOE BREWING LLC	070124 INV	609.0000.14500	105.00
		199760	56131		070824 INV	609.0000.14500	260.00
							365.00
07/25/2024	MAIN	199761	I1708367	STREICHER'S GUN'S INC/DON	BALLISTIC SHIELDS, COMBAT APP SLING	272.2100.42010	12,400.00
07/25/2024	MAIN	199762	84410	SYLVA CORPORATION INC	MULCH	101.6102.42171.2013	1,884.94
07/25/2024	MAIN	199763	70332	T A SCHIFSKY & SONS INC	AC 3/8" AGGREGATE MIXES	101.3121.42160	1,619.19
		199763	70312		AC 3/8" AGGREGATE MIXES	101.3121.42160	808.38
							2,427.57
07/25/2024	MAIN	199764	155364	THE MCDOWELL AGENCY, INC.	BACKGROUND CHECKS 0624	101.1320.43050	360.80
07/25/2024	MAIN	199765	07/17/2024	THOMAS STIGNEY	UB refund for account: 103-0245-00-603.0000.20120		242.86
07/25/2024	MAIN	199766	40324	TRADITION WINE & SPIRITS LL	071224 INV	609.0000.14500	456.00
		199766	40324		071224 INV	609.9791.42199	12.00
							468.00
07/25/2024	MAIN	199767	07/17/2024	TRICIA L CONWAY	UB refund for account: 107-0125-00-432.0000.20120		4.18
		199767	07/17/2024		UB refund for account: 107-0125-00-433.0000.20120		4.19
		199767	07/17/2024		UB refund for account: 107-0125-00-601.0000.20120		56.64
		199767	07/17/2024		UB refund for account: 107-0125-00-602.0000.20120		
		199767	07/17/2024		UB refund for account: 107-0125-00-603.0000.20120		

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		199767	07/17/2024		UB refund for account: 107-0125-00-604.0000.20120		25.41
							175.12
07/25/2024	MAIN	199768	195710679	TRUGREEN CHEMLAWN	LAWN SVC-590 40TH AVE 062624	101.1940.44020	124.43
		199768	195710680		LAWN SVC- PSB 061924	101.2100.44020	46.78
		199768	195710680		LAWN SVC- PSB 061924	101.2200.44020	46.78
		199768	195710676		LAWN SVC- PARKS 063024	101.5200.44000	1,607.70
		199768	195710676		LAWN SVC- PARKS 063024	601.9600.44000	120.34
		199768	195710678		LAWN SVC- TV1 060824, TV2 061924	609.9791.44020	125.18
		199768	195710678		LAWN SVC- TV1 060824, TV2 061924	609.9792.44020	104.93
							2,176.14
07/25/2024	MAIN	199769	07/17/2024	TSERING NORBU	UB refund for account: 302-0045-00-432.0000.20120		1.97
		199769	07/17/2024		UB refund for account: 302-0045-00-433.0000.20120		1.97
		199769	07/17/2024		UB refund for account: 302-0045-00-601.0000.20120		35.78
		199769	07/17/2024		UB refund for account: 302-0045-00-602.0000.20120		26.27
		199769	07/17/2024		UB refund for account: 302-0045-00-603.0000.20120		19.06
		199769	07/17/2024		UB refund for account: 302-0045-00-604.0000.20120		11.96
							97.01
07/25/2024	MAIN	199770	180012924	ULINE INC	CLEANING WIPES	101.3121.42171	152.39
07/25/2024	MAIN	199771	6732	VENN BREWING COMPANY	071124 INV	609.0000.14500	394.00
07/25/2024	MAIN	199772	9968170513	VERIZON WIRELESS	070324 442044911-00002	609.9791.43250	56.84
		199772	9968170513		070324 442044911-00002	609.9792.43250	56.83
		199772	9968170513		070324 442044911-00002	609.9793.43250	56.83
							170.50
07/25/2024	MAIN	199773	S008202531.001	VIKING ELECTRIC SUPPLY	DIMMER, EMERGENCY LED LIGHT, EMERGE	101.5129.42010	448.21
07/25/2024	MAIN	199774	0000005-4651-5	WASTE MANAGEMENT OF WI-MN	IYARD WASTE, ORGANICS 0624	603.9510.42930	8,666.70
07/25/2024	MAIN	199775	2024-00660	WS&D PERMIT SERVICES INC	80% REFUND FOR 1316 44TH	201.0000.32192	128.00
07/25/2024	MAIN	199776	9161323655	WW GRAINGER, INC	PET WASTE BAGS	101.5200.42171	1,711.62
07/25/2024	MAIN	199777	1118022813	XCEL ENERGY (N S P)	51-4217828-3	101.2200.43810	37.28
		199777	1117163555		51-0014819919-2	101.3160.43810	94.09
		199777	1117709122		51-5950185-0	101.5200.43810	189.33
		199777	1117403964		51-0010057576-7	101.5200.43810	62.95
		199777	1117431382		51-0012266105-3	101.5200.43810	96.15
		199777	1117078321		51-0011039127-7	101.5200.43810	38.67
		199777	1117396834		51-9597586-9	101.5200.43810	
		199777	1118413346		51-9893848-4	212.3190.43810	

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		199777	1117128950		51-0013059132-8	228.6317.43810	560.50
		199777	1117120216		51-0013099828-3	602.9600.43810	161.04
		199777	1117080066		51-0010836533-8	604.9600.43810	170.61
		199777	1117383255		51-8335212-3	609.9792.43810	648.52
							2,093.73
08/01/2024	MAIN	1400 (A)	17-000769	ARES NEE HOLDINGS, LLC	SOLAR POWER	609.9791.43810	2,099.60
		1400 (A)	17-000769		SOLAR POWER	609.9792.43810	1,417.01
							3,516.61
08/01/2024	MAIN	1401 (A)	3696284	ARTISAN BEER COMPANY	071624 INV	609.0000.14500	791.10
		1401 (A)	3697579		071924 INV	609.0000.14500	600.50
		1401 (A)	3697580		071924 INV	609.0000.14500	850.15
							2,241.75
08/01/2024	MAIN	1402 (A)	0108631800	BELLBOY BAR SUPPLY	071724 INV	609.0000.14500	263.04
		1402 (A)	0108631800		071724 INV	609.9791.42171	99.00
		1402 (A)	0108638200		071724 INV	609.9791.42171	2.00
							364.04
08/01/2024	MAIN	1403 (A)	0204339600	BELLBOY CORPORATION	071724 INV	609.0000.14500	2,890.00
		1403 (A)	0204339600		071724 INV	609.9791.42199	54.00
							2,944.00
08/01/2024	MAIN	1404 (A)	INV1570	BETTER FUTURES MN	DECONSTRUCTION 4416 CENTRAL AVE NE	408.6414.43050	5,505.00
		1404 (A)	INV1578		ORGANICS 0724	603.9510.42930	6,223.50
							11,728.50
08/01/2024	MAIN	1405 (A)	116757316	BREAKTHRU BEVERAGE MN BEER	1071624 INV 700297717	609.0000.14500	418.35
		1405 (A)	116754637		071624 INV 700297717	609.0000.14500	276.90
		1405 (A)	116600703		070324 INV 700297736	609.0000.14500	153.60
		1405 (A)	116427504		062524 INV 700297782	609.0000.14500	8,281.05
		1405 (A)	116645531		070924 INV 700297717	609.0000.14500	282.00
		1405 (A)	116643992		070924 INV 700297717	609.0000.14500	568.30
		1405 (A)	116644048		070924 INV 700297782	609.0000.14500	128.00
		1405 (A)	116428456		062524 INV 700297717	609.0000.14500	24,041.95
		1405 (A)	116548920		070124 INV 700297717	609.0000.14500	23,194.30
		1405 (A)	115866809		052124 INV 700297717	609.0000.14500	20,437.92
		1405 (A)	116670638		071024 INV 700297736	609.0000.14500	203.85
		1405 (A)	116673339		071024 INV 700297736	609.0000.14500	7,573.15
		1405 (A)	116459296		062624 INV 700297736	609.0000.14500	17,026.00
		1405 (A)	412470663		070524 INV 700297782	609.0000.14500	(2
		1405 (A)	412473756		070824 INV 700297782	609.0000.14500	(85

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		1405 (A)	412473759		070824 INV 700297782	609.0000.14500	(5.20)
		1405 (A)	412473758		070824 INV 700297782	609.0000.14500	(13.07)
		1405 (A)	412473757		070824 INV 700297782	609.0000.14500	(26.15)
		1405 (A)	412473754		070824 INV 700297717	609.0000.14500	(30.75)
		1405 (A)	412473755		070824 INV 700297717	609.0000.14500	(15.38)
		1405 (A)	412473753		070824 INV 700297717	609.0000.14500	(14.09)
		1405 (A)	412473752		070824 INV 700297717	609.0000.14500	(19.60)
		1405 (A)	412473751		070824 INV 700297717	609.0000.14500	(16.90)
		1405 (A)	412470661		070524 INV 700297717	609.0000.14500	(42.40)
		1405 (A)	412429696		062624 INV 700297717	609.0000.14500	(30.00)
		1405 (A)	412475981		070824 INV 700297717	609.0000.14500	(85.40)
		1405 (A)	412478330		070924 INV 700297717	609.0000.14500	(12.80)
		1405 (A)	412383421		061324 INV 700297717	609.0000.14500	(385.60)
		1405 (A)	412470662		070524 INV 700297736	609.0000.14500	(692.05)
		1405 (A)	412321424		052924 INV 700297717	609.0000.14500	(733.80)
		1405 (A)	412503906		071624 INV 700297717	609.0000.14500	(5.38)
		1405 (A)	412503905		071624 INV 700297717	609.0000.14500	(19.60)
		1405 (A)	412503904		071624 INV 700297717	609.0000.14500	(22.25)
							100,137.70
08/01/2024	MAIN	1406 (A)	116835644	BREAKTHRU BEVERAGE MN W&S	LJ071924 INV 700297782	609.0000.14500	2,279.00
		1406 (A)	116832569		071924 INV 700297717	609.0000.14500	269.95
		1406 (A)	116835633		071924 INV 700297717	609.0000.14500	156.11
		1406 (A)	116835637		071924 INV 700297717	609.0000.14500	180.00
		1406 (A)	116835638		071924 INV 700297717	609.0000.14500	2,452.51
		1406 (A)	116835636		071924 INV 700297717	609.0000.14500	450.30
		1406 (A)	116733661		071224 INV 700297717	609.0000.14500	626.97
		1406 (A)	116733664		071224 INV 700297736	609.0000.14500	295.49
		1406 (A)	116733669		071224 INV 700297736	609.0000.14500	104.00
		1406 (A)	116733668		071224 INV 700297736	609.0000.14500	44.00
		1406 (A)	116733663		071224 INV 700297736	609.0000.14500	533.00
		1406 (A)	116733666		071224 INV 700297736	609.0000.14500	439.13
		1406 (A)	116733665		071224 INV 700297736	609.0000.14500	232.01
		1406 (A)	116832569		071924 INV 700297717	609.9791.42199	1.15
		1406 (A)	116835634		071924 DEL 700297717	609.9791.42199	1.15
		1406 (A)	116835633		071924 INV 700297717	609.9791.42199	6.90
		1406 (A)	116835637		071924 INV 700297717	609.9791.42199	5.75
		1406 (A)	116835638		071924 INV 700297717	609.9791.42199	24.15
		1406 (A)	116835636		071924 INV 700297717	609.9791.42199	6.90
		1406 (A)	116733661		071224 INV 700297717	609.9791.42199	10.35
		1406 (A)	116733664		071224 INV 700297736	609.9792.42199	
		1406 (A)	116733669		071224 INV 700297736	609.9792.42199	

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		1406 (A)	116733668		071224 INV 700297736	609.9792.42199	1.15
		1406 (A)	116733663		071224 INV 700297736	609.9792.42199	5.75
		1406 (A)	116733666		071224 INV 700297736	609.9792.42199	3.55
		1406 (A)	116733665		071224 INV 700297736	609.9792.42199	6.90
		1406 (A)	116835644		071924 INV 700297782	609.9793.42199	13.80
							8,162.62
08/01/2024	MAIN	1407 (A)	3011549	CAPITOL BEVERAGE SALES LP	071824 INV	609.0000.14500	6,849.80
08/01/2024	MAIN	1408 (A)	84662522	CENGAGE LEARNING INC	LARGEPRINT BOOK ORDER	240.5500.42180	86.97
		1408 (A)	84675339		LARGEPRINT BOOK ORDER	240.5500.42180	149.20
							236.17
08/01/2024	MAIN	1409 (A)	SP-035000254	HINTERLAND CSG, LLC	SOLAR POWER		** VOIDED **
		1409 (A)	SP-035000254		SOLAR POWER		** VOIDED **
08/01/2024	MAIN	1410 (A)	2586422	JOHNSON BROTHERS LIQUOR CO.	071924 INV	609.0000.14500	80.00
		1410 (A)	2586421		071924 INV	609.0000.14500	35.98
		1410 (A)	2586420		071924 INV	609.0000.14500	32.00
		1410 (A)	2586418		071924 INV	609.0000.14500	225.00
		1410 (A)	2586419		071924 INV	609.0000.14500	44.00
		1410 (A)	2585281		071824 INV	609.0000.14500	109.50
		1410 (A)	2585280		071824 INV	609.0000.14500	238.50
		1410 (A)	2585279		071824 INV	609.0000.14500	147.10
		1410 (A)	2585285		071824 INV	609.0000.14500	216.00
		1410 (A)	2585284		071824 INV	609.0000.14500	459.00
		1410 (A)	2585283		071824 INV	609.0000.14500	415.20
		1410 (A)	2585282		071824 INV	609.0000.14500	35.98
		1410 (A)	2585287		071824 INV	609.0000.14500	816.00
		1410 (A)	2585278		071824 INV	609.0000.14500	107.50
		1410 (A)	2585277		071824 INV	609.0000.14500	429.30
		1410 (A)	2584143		071724 INV	609.0000.14500	946.00
		1410 (A)	2573128		062824 INV	609.0000.14500	6,750.00
		1410 (A)	2573127		062824 INV	609.0000.14500	652.00
		1410 (A)	2581663		071224 INV	609.0000.14500	3,940.00
		1410 (A)	2586420		071924 INV	609.9791.42199	1.40
		1410 (A)	2586418		071924 INV	609.9791.42199	2.80
		1410 (A)	2586419		071924 INV	609.9791.42199	1.40
		1410 (A)	2585281		071824 INV	609.9791.42199	2.80
		1410 (A)	2585280		071824 INV	609.9791.42199	2.80
		1410 (A)	2585279		071824 INV	609.9791.42199	4.20
		1410 (A)	2585285		071824 INV	609.9791.42199	
		1410 (A)	2585284		071824 INV	609.9791.42199	

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		1410 (A)	2585283		071824 INV	609.9791.42199	4.90
		1410 (A)	2585282		071824 INV	609.9791.42199	0.18
		1410 (A)	2585287		071824 INV	609.9791.42199	8.40
		1410 (A)	2585278		071824 INV	609.9791.42199	1.40
		1410 (A)	2585277		071824 INV	609.9791.42199	9.80
		1410 (A)	2584143		071724 INV	609.9791.42199	8.40
		1410 (A)	2573128		062824 INV	609.9792.42199	75.60
		1410 (A)	2573127		062824 INV	609.9792.42199	5.60
		1410 (A)	2581663		071224 INV	609.9792.42199	86.80
		1410 (A)	2581657		071224 DEL	609.9792.42199	1.40
		1410 (A)	2565501		062024 DEL	609.9792.42199	7.00
		1410 (A)	2586422		071924 INV	609.9793.42199	1.40
		1410 (A)	2586421		071924 INV	609.9793.42199	0.18
							15,919.52
08/01/2024	MAIN	1411 (A)	SP-150-000178	MADISON ENERGY INVESTMENTS	:SOLAR POWER		** VOIDED **
		1411 (A)	SP-151-000178		SOLAR POWER		** VOIDED **
		1411 (A)	SP-150-000178		SOLAR POWER		** VOIDED **
		1411 (A)	SP-151-000178		SOLAR POWER		** VOIDED **
08/01/2024	MAIN	1412 (A)	505750014	MIDWEST TAPE	DVD ORDER	240.5500.42189	95.20
08/01/2024	MAIN	1413 (A)	15225213	PARAGON DEVELOPMENT SYSTMS	:SERVERS & TAPE AUTOLOADER SUPPORT	0720.9980.44000	3,532.80
08/01/2024	MAIN	1414 (A)	6817715	PHILLIPS WINE & SPIRITS INC	071924 INV	609.0000.14500	150.00
		1414 (A)	6817714		071924 INV	609.0000.14500	129.30
		1414 (A)	6817713		071924 INV	609.0000.14500	179.00
		1414 (A)	6817708		071924 INV	609.0000.14500	352.00
		1414 (A)	6817707		071924 INV	609.0000.14500	729.15
		1414 (A)	6817706		071924 INV	609.0000.14500	308.00
		1414 (A)	6817705		071924 INV	609.0000.14500	628.00
		1414 (A)	6817702		071924 INV	609.0000.14500	787.00
		1414 (A)	6814089		071224 INV	609.0000.14500	182.00
		1414 (A)	6814090		071224 INV	609.0000.14500	101.50
		1414 (A)	6814088		071224 INV	609.0000.14500	459.00
		1414 (A)	6814087		071224 INV	609.0000.14500	431.90
		1414 (A)	6817709		071924 DEL	609.9791.42199	0.70
		1414 (A)	6817708		071924 INV	609.9791.42199	6.30
		1414 (A)	6817707		071924 INV	609.9791.42199	12.60
		1414 (A)	6817706		071924 INV	609.9791.42199	9.80
		1414 (A)	6817705		071924 INV	609.9791.42199	
		1414 (A)	6817702		071924 INV	609.9791.42199	
		1414 (A)	6817703		071924 DEL	609.9791.42199	1.40

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		1414 (A)	6814089		071224 INV	609.9792.42199	2.80
		1414 (A)	6814090		071224 INV	609.9792.42199	1.40
		1414 (A)	6814088		071224 INV	609.9792.42199	4.20
		1414 (A)	6814087		071224 INV	609.9792.42199	4.20
		1414 (A)	6817715		071924 INV	609.9793.42199	4.20
		1414 (A)	6817714		071924 INV	609.9793.42199	1.40
		1414 (A)	6817713		071924 INV	609.9793.42199	5.60
							4,508.95
08/01/2024	MAIN	1415 (A)	2505876	SOUTHERN GLAZER'S	071824 INV	609.0000.14500	818.52
		1415 (A)	2505875		071824 INV	609.0000.14500	81.51
		1415 (A)	2505719		071824 INV	609.0000.14500	393.50
		1415 (A)	2505722		071824 INV	609.0000.14500	249.54
		1415 (A)	2505718		071824 INV	609.0000.14500	314.97
		1415 (A)	2502922		071124 INV	609.0000.14500	2,046.70
		1415 (A)	2505720		071824 INV	609.0000.14500	125.00
		1415 (A)	2502927		071124 INV	609.0000.14500	2,698.80
		1415 (A)	2505726		071824 INV	609.0000.14500	791.96
		1415 (A)	2505716		071824 INV	609.0000.14500	629.49
		1415 (A)	2505725		071824 INV	609.0000.14500	994.46
		1415 (A)	2505723		071824 INV	609.0000.14500	377.70
		1415 (A)	2502925		071124 INV	609.0000.14500	1,293.18
		1415 (A)	2502924		071124 INV	609.0000.14500	557.06
		1415 (A)	2497591		062724 INV	609.0000.14500	1,578.25
		1415 (A)	2497590		062724 INV	609.0000.14500	1,259.30
		1415 (A)	2497592		062724 INV	609.0000.14500	1,582.29
		1415 (A)	2497579		062724 INV	609.0000.14500	1,813.12
		1415 (A)	2494476		062024 INV	609.0000.14500	64.50
		1415 (A)	2494477		062024 INV	609.0000.14500	52.50
		1415 (A)	2505719		071824 INV	609.9791.42199	7.04
		1415 (A)	2505722		071824 INV	609.9791.42199	1.39
		1415 (A)	2505718		071824 INV	609.9791.42199	4.48
		1415 (A)	2502922		071124 INV	609.9791.42199	12.80
		1415 (A)	2505717		071824 DEL	609.9791.42199	2.56
		1415 (A)	2505720		071824 INV	609.9791.42199	6.40
		1415 (A)	2505726		071824 INV	609.9791.42199	19.20
		1415 (A)	2505716		071824 INV	609.9791.42199	6.83
		1415 (A)	2505725		071824 INV	609.9791.42199	10.24
		1415 (A)	2505723		071824 INV	609.9791.42199	8.32
		1415 (A)	2497579		062724 INV	609.9791.42199	11.52
		1415 (A)	2508543		072524 DEL	609.9791.42199	
		1415 (A)	2508542		072524 DEL	609.9791.42199	

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		1415 (A)	2494476		062024 INV	609.9791.42199	0.32
		1415 (A)	2494477		062024 INV	609.9791.42199	0.32
		1415 (A)	2502927		071124 INV	609.9792.42199	19.20
		1415 (A)	2502925		071124 INV	609.9792.42199	23.04
		1415 (A)	2502924		071124 INV	609.9792.42199	6.40
		1415 (A)	2497591		062724 INV	609.9792.42199	12.80
		1415 (A)	2497590		062724 INV	609.9792.42199	12.80
		1415 (A)	2497592		062724 INV	609.9792.42199	12.80
		1415 (A)	2508557		072524 DEL	609.9792.42199	2.56
		1415 (A)	2505876		071824 INV	609.9793.42199	8.96
		1415 (A)	2505875		071824 INV	609.9793.42199	1.28
							17,921.50
08/01/2024	MAIN	1416 (A)	0008034893	WALTERS RECYCLING & REFUSE	REFUSE & RECYCLING 0624	603.9510.42910	172,384.00
		1416 (A)	0008034893		REFUSE & RECYCLING 0624	603.9510.42920	48,808.86
		1416 (A)	0008034893		REFUSE & RECYCLING 0624	603.9510.42930	230.50
							221,423.36
08/01/2024	MAIN	1417 (A)	7480714	WINE MERCHANTS	071724 INV	609.0000.14500	392.00
		1417 (A)	7480714		071724 INV	609.9791.42199	11.20
							403.20
08/01/2024	MAIN	199778	35-30-24-33-0158	ANOKA COUNTY PROPERTY RECOR	3939 CENTRAL AVE FULL YR, FIRST HAL	603.9520.44390	1,424.23
08/01/2024	MAIN	199779	052824	ARVIG ENTERPRISES, INC	INTERNET 0624	101.1110.43250	16.54
		199779	052824		INTERNET 0624	101.1320.43250	23.00
		199779	052824		INTERNET 0624	101.1510.43250	35.95
		199779	052824		INTERNET 0624	101.1940.43250	2.88
		199779	052824		INTERNET 0624	101.2100.43250	89.87
		199779	052824		INTERNET 0624	101.2200.43250	83.40
		199779	052824		INTERNET 0624	101.3100.43250	40.26
		199779	052824		INTERNET 0624	101.3121.43250	12.94
		199779	052824		INTERNET 0624	101.5000.43250	7.19
		199779	052824		INTERNET 0624	101.5129.43250	23.00
		199779	052824		INTERNET 0624	101.5200.43250	7.19
		199779	052824		INTERNET 0624	201.2400.43250	7.19
		199779	052824		INTERNET 0624	204.6314.43250	16.54
		199779	052824		INTERNET 0624	225.9844.43250	7.19
		199779	052824		INTERNET 0624	240.5500.43250	136.60
		199779	052824		INTERNET 0624	601.9600.43250	7.19
		199779	052824		INTERNET 0624	602.9600.43250	7.19
		199779	052824		INTERNET 0624	609.9791.43250	
		199779	052824		INTERNET 0624	609.9792.43250	

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		199779	052824		INTERNET 0624	609.9793.43250	20.13
		199779	052824		INTERNET 0624	701.9950.43250	7.19
		199779	052824		INTERNET 0624	720.9980.43250	90.58
							718.95
08/01/2024	MAIN	199780	336013	ASPEN MILLS, INC.	RAIN JACKET	101.2100.42172	190.50
		199780	336427		UNIFORMS	101.2100.42172	1,199.19
							1,389.69
08/01/2024	MAIN	199781	236426	ASSURED SECURITY INC	REPAIR LOWER LEVEL ENTRY DOOR-PD	101.2100.44020	291.00
		199781	236324		REPLACED BROKEN LATCH LOCK	609.9791.44020	268.52
							559.52
08/01/2024	MAIN	199782	01P116125	ASTLEFORD INTERNATIONAL	HORN	701.0000.14120	44.91
08/01/2024	MAIN	199783	2038410676	BAKER & TAYLOR	BOOK ORDER	240.5500.42180	26.05
		199783	2038425816		BOOK ORDER	240.5500.42180	189.96
		199783	2038415924		BOOK ORDER	240.5500.42180	33.75
		199783	2038416564		BOOK ORDER	240.5500.42180	530.50
		199783	2038398927		BOOK ORDER	240.5500.42180	12.58
		199783	2038432421		BOOK ORDER	240.5500.42180	181.80
							974.64
08/01/2024	MAIN	199784	284578	BARNA GUZY & STEFFEN LTD	TIME OF SALE 46000-201	201.2400.43050	975.00
08/01/2024	MAIN	199785	988829	BLUUM OF MINNESOTA, LLC	PROJECTOR	101.1940.42010	2,545.49
		199785	988829		PROJECTOR	101.1940.43220	125.00
							2,670.49
08/01/2024	MAIN	199786	8911	BROKEN CLOCK BREWING COOP	071124 INV	609.0000.14500	124.00
08/01/2024	MAIN	199787	1172025	CHANHASSEN DINNER THEATRES	TAKIN' IT TO THE LIMIT 091824	101.5040.44200	747.76
08/01/2024	MAIN	199788	5221178521	CINTAS FIRST AID-SAFETY	FIRST AID SUPPLIES PW 071924	701.9950.42171	225.71
08/01/2024	MAIN	199789	4199774727	CINTAS INC	TOWELS, AIR FRESH 072424	101.2100.44020	25.00
		199789	4198390632		TOWELS, AIR FRESH 071024	101.2100.44020	25.00
		199789	4199774727		TOWELS, AIR FRESH 072424	101.2200.44020	25.00
		199789	4198390632		TOWELS, AIR FRESH 071024	101.2200.44020	25.00
		199789	4199591201		UNIFORM RENTAL, MATS, TOWELS 072224	701.9950.42172	31.99
		199789	4199591201		UNIFORM RENTAL, MATS, TOWELS 072224	701.9950.44020	35.25
							167.24
08/01/2024	MAIN	199790	071624	COMCAST	071624 8772105050412606	101.1110.43250	
08/01/2024	MAIN	199791	27830	COMMERCIAL STEAM TEAM	CARPET CLEANING-TV1	609.9791.44020	1,185.78

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		199791	27826		CARPET CLEANING-TV2	609.9792.44020	834.96
							2,020.74
08/01/2024	MAIN	199792	15362	COMPUTERIZED FLEET ANALYSIS REPORT MODULE 0824-0725		701.9950.44000	1,500.00
		199792	15377	SUPPORT SERVICES 0824-0725		701.9950.44000	2,995.00
							4,495.00
08/01/2024	MAIN	199793	V264047	CORE & MAIN LP	WATER METERS	651.9699.45180.2409	1,856.25
		199793	V264047		WATER METERS	652.9699.45180.2409	1,856.25
							3,712.50
08/01/2024	MAIN	199794	873546	CROCK'S PLUMBING INC	TOILET AUTO FLUSHERS	101.2100.44020	4,500.00
		199794	873549		REPLACE DISHWASHER VACUUM BREAKER M	101.5129.44020	195.00
		199794	873542		WATER TURN ON, RPZ ED-SPLASH PAD	101.5200.44020	185.00
							4,880.00
08/01/2024	MAIN	199795	558	CRYSTAL SPRINGS ICE LLC	071724 INV	609.0000.14500	113.60
		199795	471		071024 INV	609.0000.14500	160.78
		199795	517		071524 INV	609.0000.14500	305.84
		199795	571		071824 INV	609.0000.14500	108.30
		199795	517		071524 INV	609.9791.42199	4.00
		199795	571		071824 INV	609.9791.42199	4.00
		199795	558		071724 INV	609.9793.42199	4.00
		199795	471		071024 INV	609.9793.42199	4.00
							704.52
08/01/2024	MAIN	199796	210054	CUSHMAN MOTOR CO INC	BLADES, BOLTS	701.0000.14120	105.57
08/01/2024	MAIN	199797	404016/1	DELEGARD TOOL CO INC	TROX SETS, FLASHLIGHT	701.9950.42171	154.53
08/01/2024	MAIN	199798	072024	DIAZ/PEDRO	REFUND DAMAGE DEPOSIT & SECURITY DE	101.0000.20810	65.91
		199798	072024		REFUND DAMAGE DEPOSIT & SECURITY DE	101.0000.34781	811.09
							877.00
08/01/2024	MAIN	199799	5519920	DISCOUNT STEEL INC	TAP & DIE SET, HOT ROLL STEEL	101.3121.42010	269.40
08/01/2024	MAIN	199800	1007326	ECM PUBLISHERS INC	PUBLIC ACCURACY TEST 071224	101.1110.43500	28.75
08/01/2024	MAIN	199801	389	EMERGE ENTERPRISES	PLASTIC RECYCLING 0624	603.9530.42920	630.00
08/01/2024	MAIN	199802	MNSPR196687	FASTENAL COMPANY	FASTENERS	601.9600.42171	90.04
08/01/2024	MAIN	199803	0532021	FERGUSON WATERWORKS INC	PACER#119 HOSE NOZ	601.9600.42171	94.47
08/01/2024	MAIN	199804	4342-971298	GENUINE PARTS/NAPA AUTO	SWAY BAR BRACKET, SWAY BAR KITS	701.0000.14120	
		199804	4342-970910		SPARK PLUGS, FILTERS	701.0000.14120	

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		199804	4342-970808		BATTERY, CORE DEPOSIT	701.0000.14120	163.99
		199804	4342-970809		CORE DEPOSIT REFUND	701.0000.14120	(18.00)
							327.47
08/01/2024	MAIN	199805	ORD-10638	GLOBAL RESERVE LLC	071624 INV	609.0000.14500	376.00
08/01/2024	MAIN	199806	072224	GOLDEN NUTS, LLC	FACADE IMPROVEMENT GRANT 2024	408.6411.44600	5,000.00
08/01/2024	MAIN	199807	072324	H M PROPERTIES LLC	FIRE SUPPRESSION GRANT	408.6418.44600	2,872.50
08/01/2024	MAIN	199808	733347	HOHENSTEINS INC	071224 INV	609.0000.14500	3,264.30
		199808	735578		071924 INV	609.0000.14500	2,782.80
							6,047.10
08/01/2024	MAIN	199809	4013328	HOME DEPOT #2802	BATTERY, RAPID CHARGER	602.9600.42010	248.00
		199809	370864		ORGANIC BUCKETS	603.9530.42171	344.55
							592.55
08/01/2024	MAIN	199810	1	IDC AUTOMATIC, LLC	2024 CONCRETE ALLEY PROJECT 2406	415.0000.20610	(4,319.87)
		199810	1		2024 CONCRETE ALLEY PROJECT 2406	415.6400.45185.2406	86,397.43
							82,077.56
08/01/2024	MAIN	199811	44069	INDEPENDENT TESTING TECH, I	CONCRETE ALLEY TESTING PROJECT 2406	415.6400.43050.2406	335.00
08/01/2024	MAIN	199812	IN4581956	INNOVATIVE OFFICE SOLUTIONS	PAPER, PENCIL, EXPO MARKER, FOOTRES	101.3121.42000	31.84
		199812	IN4581956		PAPER, PENCIL, EXPO MARKER, FOOTRES	101.5200.42000	31.84
		199812	IN4581956		PAPER, PENCIL, EXPO MARKER, FOOTRES	602.9600.42000	31.84
							95.52
08/01/2024	MAIN	199813	16641	INSIGHT BREWING COMPANY, LL	071624 INV	609.0000.14500	195.00
		199813	16744		071824 INV	609.0000.14500	555.00
							750.00
08/01/2024	MAIN	199814	13433	K & S ENGRAVING LLC	GEAR RACK PLATE	101.2200.42171	20.00
08/01/2024	MAIN	199815	182463	KENNEDY & GRAVEN	CL205-00089 4416 CENTRAL AVE NE PUR	408.6414.43050	27.00
08/01/2024	MAIN	199816	95020	LOE'S OIL COMPANY INC	OIL FILTER DISPOSAL-RECYCLE CENTER	603.9540.43050	35.00
		199816	95019		ANTI FREEZE & OIL FILTER DISPOSAL-G	701.9950.43050	63.75
							98.75
08/01/2024	MAIN	199817	72IA307215	MAGNACHARGE BATTERY USA	12 VOLT BATTERIES	701.0000.14120	190.94
08/01/2024	MAIN	199818	INV12715461	MARCO, INC	COPY MAINT 071524-081424	240.5500.44000	216.20
		199818	INV12740091		1 - MITEL 6940W IP PHONE FOR IT	720.9980.42011	4

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08/01/2024	MAIN	199819	INV1307203	MAVERICK BEVERAGE COMPANY	M:071824 INV	609.0000.14500	11,745.00
		199819	INV1307203		071824 INV	609.9791.42199	43.50
							11,788.50
08/01/2024	MAIN	199820	45001062993-2024	MAYO CLINIC HEALTH LETTER	MAYO HEALTH LETTER 1-YEAR RENEWAL	240.5500.42181	32.00
08/01/2024	MAIN	199821	758573	MCDONALD DISTRIBUTING CO	071924 INV	609.0000.14500	398.50
08/01/2024	MAIN	199822	12486	MENARDS CASHWAY LUMBER-FRID	5 GAL WALLMOUNT VAC	101.2100.42171	140.44
		199822	12685		HOSE, SCREWDRIVERS, PINESOL, SOAP	101.2100.42171	81.02
		199822	12810		BOTTLED WATER	101.2100.42175	48.72
		199822	12809		BOTTLED WATER	101.2100.42175	55.68
		199822	11968		PAINT BRUSHES, ROLLER FRAME, CAN OP	101.5200.42171	56.88
		199822	12012		NITRILE GLOVES, WD40, ROLLER FRAME	101.5200.42171	43.90
		199822	9009		BRUSHES, PAIL, RAGS, ROLLER FRAME	101.5200.42171	97.16
		199822	12187		CHISEL SET, SCALE, BOWLS, BOLT CUTT	101.6102.42171	70.81
		199822	12069		ORGANIC BUCKETS	603.9530.42171	184.90
							779.51
08/01/2024	MAIN	199823	836594	MIDWAY FORD	SWITCH, WIRE ASY	701.0000.14120	186.89
		199823	837182		BUSHINGS	701.0000.14120	61.60
		199823	836544		EGR VALVE	701.0000.14120	101.97
		199823	836434		COIL ASY	701.0000.14120	200.64
		199823	837428		COIL ASY, SPARK PLUGS	701.0000.14120	336.64
							887.74
08/01/2024	MAIN	199824	071324	MINDY MEJIA	SATURDAY SCRIBES AUTHOR SERIES	0714883.5500.43050	390.00
08/01/2024	MAIN	199825	P25705	MINNESOTA EQUIPMENT INC	FILTERS	701.0000.14120	324.80
08/01/2024	MAIN	199826	E-52214	MODIST BREWING CO LLC	071624 INV	609.0000.14500	240.69
08/01/2024	MAIN	199827	07/25/2023	MOLLIE BRUCHER	UB refund for account: 214-0515-00-	433.0000.20120	0.38
		199827	07/25/2023		UB refund for account: 214-0515-00-	601.0000.20120	7.74
		199827	07/25/2023		UB refund for account: 214-0515-00-	602.0000.20120	5.57
		199827	07/25/2023		UB refund for account: 214-0515-00-	603.0000.20120	11.93
		199827	07/25/2023		UB refund for account: 214-0515-00-	604.0000.20120	2.27
							27.89
08/01/2024	MAIN	199828	372920382001	OFFICE DEPOT	POST-ITS, RUBBERBANDS, STAPLER, HIG	240.5500.42000	114.78
08/01/2024	MAIN	199829	372247555001	OFFICE DEPOT	PAPER, THERMAL POUCH	101.2100.42000	144.20
08/01/2024	MAIN	199830	261084	PAPER ROLL PRODUCTS	THERMAL RECEIPT PAPER (50 ROLLS)	240.5500.42171	110.04
08/01/2024	MAIN	199831	241377	PAUSTIS & SONS WINE COMPANY	071124 INV	609.0000.14500	1,0

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		199831	241377		071124 INV	609.9792.42199	16.50
							1,084.50
08/01/2024	MAIN	199832	01CY2176	PIONEER RIM & WHEEL CO.	SWIVEL JACK	701.0000.14120	87.22
08/01/2024	MAIN	199833	310127778	PREMIUM WATERS INC	053124 COOLER RENTALS	101.0000.20815	(0.68)
		199833	310127779		053124 COOLER RENTAL	101.0000.20815	(0.34)
		199833	310180205		063024 COOLER RENTAL	101.0000.20815	(0.34)
		199833	310127778		053124 COOLER RENTALS	609.9791.42171	9.32
		199833	310195975		070824 WATER	609.9791.42171	14.58
		199833	310127779		053124 COOLER RENTAL	609.9792.42171	4.66
		199833	310157749		061724 WATER	609.9792.42171	19.44
		199833	310187325		070224 WATER	609.9792.42171	14.58
		199833	310213985		071824 WATER	609.9792.42171	19.44
		199833	310135295		060424 WATER	609.9792.42171	19.44
		199833	310180205		063024 COOLER RENTAL	609.9792.42171	4.66
		199833	319980793		031224 WATER	609.9793.42171	14.58
		199833	310195977		070824 WATER	609.9793.42171	(1.14)
							118.20
08/01/2024	MAIN	199834	2018955870	RED BULL DISTRIBUTION CO INC	071824 INV	609.0000.14500	357.50
		199834	5012093609		071824 INV	609.0000.14500	374.10
							731.60
08/01/2024	MAIN	199835	0027515	ROHN INDUSTRIES INC	SHREDDING 070124	101.1410.44000	18.85
08/01/2024	MAIN	199836	072324	SARNA'S RESTAURANT INC	FACADE IMPROVEMENT GRANT 2024	408.6411.44600	5,000.00
08/01/2024	MAIN	199837	7403-1	SHERWIN WILLIAMS	POOL PAINT, BRUSHES, RAGS	101.5200.42171	423.36
08/01/2024	MAIN	199838	BP014-2024	SHOREVIEW HUNKS LLC	BULK PICKUPS 062424-070524	603.9510.42910	3,120.00
		199838	BP015-2024		BULK PICKUPS 070824-071924	603.9510.42910	3,900.00
		199838	BP014-2024		BULK PICKUPS 062424-070524	603.9510.42920	1,695.00
		199838	BP015-2024		BULK PICKUPS 070824-071924	603.9510.42920	1,545.00
		199838	YW016-2024		YARD WASTE PICKUP 071524-071924	603.9510.42930	9,875.73
		199838	BP014-2024		BULK PICKUPS 062424-070524	603.9540.43050	30.00
		199838	BP015-2024		BULK PICKUPS 070824-071924	603.9540.43050	140.00
							20,305.73
08/01/2024	MAIN	199839	17109.00-9	SRF CONSULTING GROUP, INC.	ENGINEERING SAFE ROUTES 0624	430.6323.43050.1807	5,031.79
08/01/2024	MAIN	199840	I1710442	STREICHER'S GUN'S INC/DON	BAIL OUT BAGS	101.2100.42010	135.00
		199840	I1708761		DUTY AMMO 5.56MM	101.2100.42171	2,336.00
		199840	I1711183		NAME TAG	101.2100.42172	
							2,471.00

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08/01/2024	MAIN	199841	M29322	TIMESAVER OFF SITE SECRETR	EDA MINUTES 070124, COUNCIL MINUTES	101.1410.43050	167.00
		199841	M29322		EDA MINUTES 070124, COUNCIL MINUTES	204.6314.43050	264.00
							431.00
08/01/2024	MAIN	199842	26-000158	UMBRA SOLAR FUND LLC	SOLAR POWER	101.2100.43810	69.26
		199842	26-000154		SOLAR POWER	101.2100.43810	76.95
		199842	26-000150		SOLAR POWER	101.2100.43810	95.89
		199842	26-000158		SOLAR POWER	101.2200.43810	69.26
		199842	26-000154		SOLAR POWER	101.2200.43810	76.94
		199842	26-000150		SOLAR POWER	101.2200.43810	95.90
							484.20
08/01/2024	MAIN	199843	072324	USPS - PREPAY	POSTAGE #48443014	101.2300.43220	2,900.00
08/01/2024	MAIN	199844	9967971399	VERIZON WIRELESS	070124 542000689-00001	101.2100.43211	2,494.96
08/01/2024	MAIN	199845	2500490156	VESTIS SERVICES. LLC	071624 MOPS,MATS,TOWELS	609.9791.44020	120.67
		199845	2500486329		070924 MOPS,MATS,TOWELS	609.9791.44020	120.67
		199845	2500487894		071124 MOPS,MATS,TOWELS	609.9792.44020	135.10
		199845	2500491714		071824 MOPS,MATS,TOWELS	609.9792.44020	135.10
		199845	2500487833		071124 MOPS,MATS,TOWELS	609.9793.44020	77.91
		199845	2500491650		071824 MOPS,MATS,TOWELS	609.9793.44020	77.91
							667.36
08/01/2024	MAIN	199846	0354717-IN	VINOPIA INC	071824 INV	609.0000.14500	512.00
		199846	0354718-IN		071824 INV	609.0000.14500	1,577.00
		199846	0354717-IN		071824 INV	609.9791.42199	5.00
		199846	0354718-IN		071824 INV	609.9791.42199	18.00
							2,112.00
08/01/2024	MAIN	199847	14143	WATER CONSERVATION SRVCS IN	LEAK LOCATE-37TH PL & MCKINLEY ST	601.9600.43050	353.58
08/01/2024	MAIN	199848	1118393607	XCEL ENERGY (N S P)	51-78677850-2	101.3160.43810	10.34
		199848	1119599787		51-4350334-8	101.5129.43810	1,758.66
		199848	1118386539		51-76544903-4	101.5200.43810	165.60
		199848	1118440866		51-0011980129-4	212.3190.43810	95.75
		199848	1117007595		51-4436024-5	609.9793.43810	702.80
							2,733.15
08/08/2024	MAIN	1418 (A)	3699370	ARTISAN BEER COMPANY	072624 INV		** VOIDED **
		1418 (A)	3699369		072624 INV		** VOIDED **
08/08/2024	MAIN	1419 (A)	INUS264283	AXON ENTERPRISE INC	TASER HOLSTERS		** VOIDED **

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08/08/2024	MAIN	1420 (A)	0108664600	BELLBOY BAR SUPPLY	072424 INV		** VOIDED **
		1420 (A)	0108685000		072924 INV		** VOIDED **
		1420 (A)	0108664600		072424 INV		** VOIDED **
08/08/2024	MAIN	1421 (A)	0204339700	BELLBOY CORPORATION	071724 INV		** VOIDED **
		1421 (A)	0204424900		072424 INV		** VOIDED **
		1421 (A)	0204424300		072424 INV		** VOIDED **
		1421 (A)	0204424300		072424 INV		** VOIDED **
		1421 (A)	0204363500		072424 INV		** VOIDED **
		1421 (A)	0204509600		073124 INV		** VOIDED **
		1421 (A)	0204424900		072424 INV		** VOIDED **
		1421 (A)	0204339700		071724 INV		** VOIDED **
		1421 (A)	0204363500		072424 INV		** VOIDED **
		1421 (A)	0204509600		073124 INV		** VOIDED **
08/08/2024	MAIN	1422 (A)	116858855	BREAKTHRU BEVERAGE MN BEER	1072324 INV 700297717		** VOIDED **
		1422 (A)	116860691		072324 INV 700927717		** VOIDED **
		1422 (A)	116861618		072324 INV 700297717		** VOIDED **
		1422 (A)	116858856		072324 INV 700297717		** VOIDED **
		1422 (A)	116858857		072324 INV 700297717		** VOIDED **
		1422 (A)	116541619		070124 INV 700297782		** VOIDED **
		1422 (A)	116644047		070924 INV 700297782		** VOIDED **
		1422 (A)	116751641		071524 INV 70297782		** VOIDED **
		1422 (A)	116861621		072324 INV 700297782		** VOIDED **
		1422 (A)	116858722		072324 INV 700297782		** VOIDED **
		1422 (A)	116781889		071724 INV 700297736		** VOIDED **
		1422 (A)	116600702		070324 INV 700297736		** VOIDED **
		1422 (A)	116643991		070924 INV 700297717		** VOIDED **
		1422 (A)	116751642		071524 INV 700297782		** VOIDED **
		1422 (A)	116858723		072324 INV 700297782		** VOIDED **
		1422 (A)	116965738		073024 INV 700297782		** VOIDED **

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		1422 (A)	116965997		073024 INV 700297717		** VOIDED **
		1422 (A)	116965998		073024 INV 700297717		** VOIDED **
		1422 (A)	116781888		071724 INV 700297736		** VOIDED **
		1422 (A)	412549084		072524 INV 700297717		** VOIDED **
		1422 (A)	412549085		072524 INV 700297717		** VOIDED **
		1422 (A)	412549087		072524 INV 700297717		** VOIDED **
		1422 (A)	412549086		072524 INV 700297717		** VOIDED **
		1422 (A)	412475982		070824 INV 700297782		** VOIDED **
		1422 (A)	412503147		071624 INV 700297782		** VOIDED **
		1422 (A)	412485478		071124 INV 700297736		** VOIDED **
		1422 (A)	412503142		071624 INV 700297717		** VOIDED **
		1422 (A)	412535161		072324 INV 700297782		** VOIDED **
		1422 (A)	412535163		072324 INV 700297782		** VOIDED **
		1422 (A)	412535162		072324 INV 700297782		** VOIDED **
		1422 (A)	412549088		072524 INV 700297782		** VOIDED **
		1422 (A)	412538161		072424 INV 700297736		** VOIDED **
08/08/2024	MAIN	1423 (A)	116733667	BREAKTHRU BEVERAGE MN W&S	LJ071224 INV 700297736		** VOIDED **
		1423 (A)	116835640		071924 INV 700297736		** VOIDED **
		1423 (A)	116835639		071924 INV 700297736		** VOIDED **
		1423 (A)	116835641		071924 INV 700297736		** VOIDED **
		1423 (A)	116946406		072624 INV 700297736		** VOIDED **
		1423 (A)	116835645		071924 INV 700297782		** VOIDED **
		1423 (A)	116946412		072624 INV 700297782		** VOIDED **
		1423 (A)	116946413		072624 INV 700297782		** VOIDED **
		1423 (A)	116946414		072624 INV 700297782		** VOIDED **
		1423 (A)	116835643		071924 INV 700297782		** VOIDED **
		1423 (A)	116946405		072624 INV 700297736		** VOIDED **
		1423 (A)	116946408		072624 INV 700297736		** VOIDED **
		1423 (A)	116946407		072624 INV 700297736		** VOIDED **

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		1423 (A)	116946404		072624 INV 700297736		** VOIDED **
		1423 (A)	116946409		072624 INV 700297736		** VOIDED **
		1423 (A)	116946396		072624 INV 700297717		** VOIDED **
		1423 (A)	116946402		072624 INV 700297717		** VOIDED **
		1423 (A)	116946400		072624 INV 700297717		** VOIDED **
		1423 (A)	116946401		072624 INV 700297717		** VOIDED **
		1423 (A)	116946398		072624 INV 700297717		** VOIDED **
		1423 (A)	116946399		072624 INV 700297717		** VOIDED **
		1423 (A)	116946397		072624 INV 700297717		** VOIDED **
		1423 (A)	41257398		071924 INV 700297736		** VOIDED **
		1423 (A)	412534642		072324 INV 700297717		** VOIDED **
		1423 (A)	412558466		073024 INV 700297782		** VOIDED **
		1423 (A)	116946396		072624 INV 700297717		** VOIDED **
		1423 (A)	116946402		072624 INV 700297717		** VOIDED **
		1423 (A)	116946400		072624 INV 700297717		** VOIDED **
		1423 (A)	116946401		072624 INV 700297717		** VOIDED **
		1423 (A)	116946398		072624 INV 700297717		** VOIDED **
		1423 (A)	116946399		072624 INV 700297717		** VOIDED **
		1423 (A)	116946397		072624 INV 700297717		** VOIDED **
		1423 (A)	412534642		072324 INV 700297717		** VOIDED **
		1423 (A)	116733667		071224 INV 700297736		** VOIDED **
		1423 (A)	116835640		071924 INV 700297736		** VOIDED **
		1423 (A)	116835639		071924 INV 700297736		** VOIDED **
		1423 (A)	116835641		071924 INV 700297736		** VOIDED **
		1423 (A)	116946406		072624 INV 700297736		** VOIDED **
		1423 (A)	116946405		072624 INV 700297736		** VOIDED **
		1423 (A)	116946408		072624 INV 700297736		** VOIDED **
		1423 (A)	116946407		072624 INV 700297736		** VOIDED **
		1423 (A)	116946404		072624 INV 700297736		** VOIDED **

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		1423 (A)	116946409		072624 INV 700297736		** VOIDED **
		1423 (A)	41257398		071924 INV 700297736		** VOIDED **
		1423 (A)	116835645		071924 INV 700297782		** VOIDED **
		1423 (A)	116946412		072624 INV 700297782		** VOIDED **
		1423 (A)	116946413		072624 INV 700297782		** VOIDED **
		1423 (A)	116946414		072624 INV 700297782		** VOIDED **
		1423 (A)	116835643		071924 INV 700297782		** VOIDED **
		1423 (A)	412558466		073024 INV 700297782		** VOIDED **
08/08/2024	MAIN	1424 (A)	3013931	CAPITOL BEVERAGE SALES LP	072424 INV		** VOIDED **
		1424 (A)	3010850		071724 INV		** VOIDED **
		1424 (A)	3013935		072424 INV		** VOIDED **
		1424 (A)	3016921		073124 INV		** VOIDED **
		1424 (A)	3016927		073124 INV		** VOIDED **
08/08/2024	MAIN	1425 (A)	0000869432	CENTRAL MCGOWAN	CHARGE OXYGEN TANKS		** VOIDED **
08/08/2024	MAIN	1426 (A)	970019456	CUES INC	RETRIEVAL POLE		** VOIDED **
08/08/2024	MAIN	1427 (A)	SP-035-000254	HINTERLAND CSG, LLC	SOLAR POWER		** VOIDED **
		1427 (A)	SP-035-000254		SOLAR POWER		** VOIDED **
08/08/2024	MAIN	1428 (A)	2586425	JOHNSON BROTHERS LIQUOR CO.	071924 INV		** VOIDED **
		1428 (A)	2586424		071924 INV		** VOIDED **
		1428 (A)	2586423		071924 INV		** VOIDED **
		1428 (A)	2585291		071824 INV		** VOIDED **
		1428 (A)	2585290		071824 INV		** VOIDED **
		1428 (A)	2585288		071824 INV		** VOIDED **
		1428 (A)	2585286		071824 INV		** VOIDED **
		1428 (A)	2584146		071724 INV		** VOIDED **
		1428 (A)	2584145		071724 INV		** VOIDED **
		1428 (A)	2584144		071724 INV		** VOIDED **
		1428 (A)	2575174		070224 INV		** VOIDED **

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		1428 (A)	2590105		072524 INV		** VOIDED **
		1428 (A)	2590106		072524 INV		** VOIDED **
		1428 (A)	2590104		072524 INV		** VOIDED **
		1428 (A)	2588877		072424 INV		** VOIDED **
		1428 (A)	2588876		072424 INV		** VOIDED **
		1428 (A)	2588874		072424 INV		** VOIDED **
		1428 (A)	2588875		072424 INV		** VOIDED **
		1428 (A)	2588878		072424 INV		** VOIDED **
		1428 (A)	2590110		072524 INV		** VOIDED **
		1428 (A)	2588880		072424 INV		** VOIDED **
		1428 (A)	2588879		072424 INV		** VOIDED **
		1428 (A)	2590109		072524 INV		** VOIDED **
		1428 (A)	2590107		072524 INV		** VOIDED **
		1428 (A)	2591166		072624 INV		** VOIDED **
		1428 (A)	2591165		072624 INV		** VOIDED **
		1428 (A)	2591164		072624 INV		** VOIDED **
		1428 (A)	2591163		072624 INV		** VOIDED **
		1428 (A)	2591160		072624 INV		** VOIDED **
		1428 (A)	2591159		072624 INV		** VOIDED **
		1428 (A)	2591162		072624 INV		** VOIDED **
		1428 (A)	2591161		072624 INV		** VOIDED **
		1428 (A)	2593838		073124 INV		** VOIDED **
		1428 (A)	2593837		073124 INV		** VOIDED **
		1428 (A)	2593836		073124 INV		** VOIDED **
		1428 (A)	2593835		073124 INV		** VOIDED **
		1428 (A)	2593834		073124 INV		** VOIDED **
		1428 (A)	102380		071824 INV		** VOIDED **
		1428 (A)	2575174		070224 INV		** VOIDED **
		1428 (A)	2590105		072524 INV		** VOIDED **

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Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		1428 (A)	2590106		072524 INV		** VOIDED **
		1428 (A)	2590104		072524 INV		** VOIDED **
		1428 (A)	2588877		072424 INV		** VOIDED **
		1428 (A)	2588876		072424 INV		** VOIDED **
		1428 (A)	2588874		072424 INV		** VOIDED **
		1428 (A)	2588875		072424 INV		** VOIDED **
		1428 (A)	2591160		072624 INV		** VOIDED **
		1428 (A)	2591159		072624 INV		** VOIDED **
		1428 (A)	2586425		071924 INV		** VOIDED **
		1428 (A)	2586424		071924 INV		** VOIDED **
		1428 (A)	2586423		071924 INV		** VOIDED **
		1428 (A)	2585291		071824 INV		** VOIDED **
		1428 (A)	2585290		071824 INV		** VOIDED **
		1428 (A)	2585288		071824 INV		** VOIDED **
		1428 (A)	2585286		071824 INV		** VOIDED **
		1428 (A)	2584146		071724 INV		** VOIDED **
		1428 (A)	2584145		071724 INV		** VOIDED **
		1428 (A)	2584144		071724 INV		** VOIDED **
		1428 (A)	2588878		072424 INV		** VOIDED **
		1428 (A)	2590110		072524 INV		** VOIDED **
		1428 (A)	2588880		072424 INV		** VOIDED **
		1428 (A)	2588879		072424 INV		** VOIDED **
		1428 (A)	2590109		072524 INV		** VOIDED **
		1428 (A)	2590107		072524 INV		** VOIDED **
		1428 (A)	2591162		072624 INV		** VOIDED **
		1428 (A)	2591161		072624 INV		** VOIDED **
		1428 (A)	2591166		072624 INV		** VOIDED **
		1428 (A)	2591165		072624 INV		** VOIDED **
		1428 (A)	2591164		072624 INV		** VOIDED **

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		1428 (A)	2591163		072624 INV		** VOIDED **
		1428 (A)	2593838		073124 INV		** VOIDED **
		1428 (A)	2593837		073124 INV		** VOIDED **
		1428 (A)	2593836		073124 INV		** VOIDED **
		1428 (A)	2593835		073124 INV		** VOIDED **
		1428 (A)	2593834		073124 INV		** VOIDED **
08/08/2024	MAIN	1429 (A)	SP-150-000178	MADISON ENERGY INVESTMENTS	SOLAR POWER		** VOIDED **
		1429 (A)	SP-151-000178		SOLAR POWER		** VOIDED **
		1429 (A)	SP-150-000178		SOLAR POWER		** VOIDED **
		1429 (A)	SP-151-000178		SOLAR POWER		** VOIDED **
08/08/2024	MAIN	1430 (A)	0001175713	METROPOLITAN COUNCIL WASTEWATER	SEPTEMBER 2024 WASTEWATER		** VOIDED **
08/08/2024	MAIN	1431 (A)	6817723	PHILLIPS WINE & SPIRITS INC	071924 INV		** VOIDED **
		1431 (A)	6817722		071924 INV		** VOIDED **
		1431 (A)	6817721		071924 INV		** VOIDED **
		1431 (A)	6817720		071924 INV		** VOIDED **
		1431 (A)	6817719		071924 INV		** VOIDED **
		1431 (A)	6817718		071924 INV		** VOIDED **
		1431 (A)	6817716		071924 INV		** VOIDED **
		1431 (A)	6819531		072424 INV		** VOIDED **
		1431 (A)	6821412		072624 INV		** VOIDED **
		1431 (A)	6821413		072624 INV		** VOIDED **
		1431 (A)	6821411		072624 INV		** VOIDED **
		1431 (A)	6821410		072624 INV		** VOIDED **
		1431 (A)	6821409		072624 INV		** VOIDED **
		1431 (A)	6821408		072624 INV		** VOIDED **
		1431 (A)	6821407		072624 INV		** VOIDED **
		1431 (A)	6821418		072624 INV		** VOIDED **
		1431 (A)	6821417		072624 INV		** VOIDED **
		1431 (A)	3821416		072624 INV		** VOIDED **

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		1431 (A)	6821415		072624 INV		** VOIDED **
		1431 (A)	6819531		072424 INV		** VOIDED **
		1431 (A)	6821411		072624 INV		** VOIDED **
		1431 (A)	6821410		072624 INV		** VOIDED **
		1431 (A)	6821409		072624 INV		** VOIDED **
		1431 (A)	6821408		072624 INV		** VOIDED **
		1431 (A)	6821407		072624 INV		** VOIDED **
		1431 (A)	6817723		071924 INV		** VOIDED **
		1431 (A)	6817722		071924 INV		** VOIDED **
		1431 (A)	6817721		071924 INV		** VOIDED **
		1431 (A)	6817720		071924 INV		** VOIDED **
		1431 (A)	6817719		071924 INV		** VOIDED **
		1431 (A)	6817718		071924 INV		** VOIDED **
		1431 (A)	6817711		071924 DEL		** VOIDED **
		1431 (A)	6817716		071924 INV		** VOIDED **
		1431 (A)	6817717		071924 DEL		** VOIDED **
		1431 (A)	6817710		071924 DEL		** VOIDED **
		1431 (A)	6821418		072624 INV		** VOIDED **
		1431 (A)	6821417		072624 INV		** VOIDED **
		1431 (A)	3821416		072624 INV		** VOIDED **
		1431 (A)	6821415		072624 INV		** VOIDED **
		1431 (A)	6821412		072624 INV		** VOIDED **
		1431 (A)	6821413		072624 INV		** VOIDED **
08/08/2024	MAIN	1432 (A)	2320009263	POMP'S TIRE SERVICE INC	TIRES- INVENTORY		** VOIDED **
		1432 (A)	2320009224		TIRES- INVENTORY		** VOIDED **
08/08/2024	MAIN	1433 (A)	2505727	SOUTHERN GLAZER'S	071824 INV		** VOIDED **
		1433 (A)	2505729		071824 INV		** VOIDED **
		1433 (A)	2502926		071124 INV		** VOIDED **
		1433 (A)	2508548		072524 INV		** VOIDED **

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		1433 (A)	2508550		072524 INV		** VOIDED **
		1433 (A)	2508549		072524 INV		** VOIDED **
		1433 (A)	2508555		072524 INV		** VOIDED **
		1433 (A)	2508554		072524 INV		** VOIDED **
		1433 (A)	2508552		072524 INV		** VOIDED **
		1433 (A)	2508553		072524 INV		** VOIDED **
		1433 (A)	2508560		072524 INV		** VOIDED **
		1433 (A)	2508561		072524 INV		** VOIDED **
		1433 (A)	2508564		072524 INV		** VOIDED **
		1433 (A)	2508565		072524 INV		** VOIDED **
		1433 (A)	2508566		072524 INV		** VOIDED **
		1433 (A)	2508706		072524 INV		** VOIDED **
		1433 (A)	2505731		071824 INV		** VOIDED **
		1433 (A)	2505733		071824 INV		** VOIDED **
		1433 (A)	2505730		071824 INV		** VOIDED **
		1433 (A)	2508559		072524 INV		** VOIDED **
		1433 (A)	9592686		072224 INV		** VOIDED **
		1433 (A)	9592663		072224 INV		** VOIDED **
		1433 (A)	9592687		072224 INV		** VOIDED **
		1433 (A)	9592662		072224 INV		** VOIDED **
		1433 (A)	2508548		072524 INV		** VOIDED **
		1433 (A)	2508550		072524 INV		** VOIDED **
		1433 (A)	2508549		072524 INV		** VOIDED **
		1433 (A)	2508555		072524 INV		** VOIDED **
		1433 (A)	2508554		072524 INV		** VOIDED **
		1433 (A)	2508552		072524 INV		** VOIDED **
		1433 (A)	2508553		072524 INV		** VOIDED **
		1433 (A)	2505727		071824 INV		** VOIDED **
		1433 (A)	2505729		071824 INV		** VOIDED **

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		1433 (A)	2502926		071124 INV		** VOIDED **
		1433 (A)	2505728		071824 DEL		** VOIDED **
		1433 (A)	2508560		072524 INV		** VOIDED **
		1433 (A)	2508561		072524 INV		** VOIDED **
		1433 (A)	2508564		072524 INV		** VOIDED **
		1433 (A)	2508565		072524 INV		** VOIDED **
		1433 (A)	2508566		072524 INV		** VOIDED **
		1433 (A)	2508556		072524 DEL		** VOIDED **
		1433 (A)	2505731		071824 INV		** VOIDED **
		1433 (A)	2505733		071824 INV		** VOIDED **
		1433 (A)	2505730		071824 INV		** VOIDED **
		1433 (A)	2508559		072524 INV		** VOIDED **
		1433 (A)	2508706		072524 INV		** VOIDED **
08/08/2024	MAIN	1434 (A)	7482115	WINE MERCHANTS	072624 INV		** VOIDED **
		1434 (A)	7482114		072624 INV		** VOIDED **
		1434 (A)	7482113		072624 INV		** VOIDED **
		1434 (A)	7482115		072624 INV		** VOIDED **
		1434 (A)	7482114		072624 INV		** VOIDED **
		1434 (A)	7482113		072624 INV		** VOIDED **
08/08/2024	MAIN	1435 (A)	3699370	ARTISAN BEER COMPANY	072624 INV	609.0000.14500	252.85
		1435 (A)	3699369		072624 INV	609.0000.14500	1,566.20
							1,819.05
08/08/2024	MAIN	1436 (A)	INUS264283	AXON ENTERPRISE INC	TASER HOLSTERS	101.2100.42010	379.60
08/08/2024	MAIN	1437 (A)	0108664600	BELLBOY BAR SUPPLY	072424 INV	609.0000.14500	109.00
		1437 (A)	0108685000		072924 INV	609.0000.14500	(20.00)
		1437 (A)	0108664600		072424 INV	609.9791.42171	103.50
							192.50
08/08/2024	MAIN	1438 (A)	0204339700	BELLBOY CORPORATION	071724 INV	609.0000.14500	1,233.50
		1438 (A)	0204424900		072424 INV	609.0000.14500	1,418.36
		1438 (A)	0204424300		072424 INV	609.0000.14500	1,
		1438 (A)	0204363500		072424 INV	609.0000.14500	1,

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		1438 (A)	0204509600		073124 INV	609.0000.14500	1,476.00
		1438 (A)	0204424900		072424 INV	609.9791.42199	20.00
		1438 (A)	0204339700		071724 INV	609.9792.42199	14.00
		1438 (A)	0204363500		072424 INV	609.9793.42199	14.00
		1438 (A)	0204509600		073124 INV	609.9793.42199	26.00
							6,991.62
08/08/2024	MAIN	1439 (A)	116858855	BREAKTHRU BEVERAGE MN BEER	1072324 INV 700297717	609.0000.14500	15,088.75
		1439 (A)	116860691		072324 INV 700927717	609.0000.14500	88.00
		1439 (A)	116861618		072324 INV 700297717	609.0000.14500	108.00
		1439 (A)	116858856		072324 INV 700297717	609.0000.14500	90.35
		1439 (A)	116858857		072324 INV 700297717	609.0000.14500	242.50
		1439 (A)	116541619		070124 INV 700297782	609.0000.14500	9,586.35
		1439 (A)	116644047		070924 INV 700297782	609.0000.14500	16,060.60
		1439 (A)	116751641		071524 INV 70297782	609.0000.14500	29.35
		1439 (A)	116861621		072324 INV 700297782	609.0000.14500	216.00
		1439 (A)	116858722		072324 INV 700297782	609.0000.14500	29.35
		1439 (A)	116781889		071724 INV 700297736	609.0000.14500	191.20
		1439 (A)	116600702		070324 INV 700297736	609.0000.14500	16,480.27
		1439 (A)	116643991		070924 INV 700297717	609.0000.14500	18,166.30
		1439 (A)	116751642		071524 INV 700297782	609.0000.14500	1,599.45
		1439 (A)	116858723		072324 INV 700297782	609.0000.14500	9,437.70
		1439 (A)	116965738		073024 INV 700297782	609.0000.14500	63.20
		1439 (A)	116965997		073024 INV 700297717	609.0000.14500	119.75
		1439 (A)	116965998		073024 INV 700297717	609.0000.14500	235.00
		1439 (A)	116781888		071724 INV 700297736	609.0000.14500	22,028.00
		1439 (A)	412549084		072524 INV 700297717	609.0000.14500	(575.20)
		1439 (A)	412549085		072524 INV 700297717	609.0000.14500	(23.10)
		1439 (A)	412549087		072524 INV 700297717	609.0000.14500	(2.21)
		1439 (A)	412549086		072524 INV 700297717	609.0000.14500	(2.20)
		1439 (A)	412475982		070824 INV 700297782	609.0000.14500	(260.00)
		1439 (A)	412503147		071624 INV 700297782	609.0000.14500	(50.80)
		1439 (A)	412485478		071124 INV 700297736	609.0000.14500	(188.70)
		1439 (A)	412503142		071624 INV 700297717	609.0000.14500	(1,149.40)
		1439 (A)	412535161		072324 INV 700297782	609.0000.14500	(35.85)
		1439 (A)	412535163		072324 INV 700297782	609.0000.14500	(13.07)
		1439 (A)	412535162		072324 INV 700297782	609.0000.14500	(18.10)
		1439 (A)	412549088		072524 INV 700297782	609.0000.14500	(85.55)
		1439 (A)	412538161		072424 INV 700297736	609.0000.14500	(171.70)
							107,284.24
08/08/2024	MAIN	1440 (A)	116733667	BREAKTHRU BEVERAGE MN W&S	LJ071224 INV 700297736	609.0000.14500	1,
		1440 (A)	116835640		071924 INV 700297736	609.0000.14500	295.49

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		1440 (A)	116835639		071924 INV 700297736	609.0000.14500	198.00
		1440 (A)	116835641		071924 INV 700297736	609.0000.14500	68.00
		1440 (A)	116946406		072624 INV 700297736	609.0000.14500	88.00
		1440 (A)	116835645		071924 INV 700297782	609.0000.14500	537.50
		1440 (A)	116946412		072624 INV 700297782	609.0000.14500	178.82
		1440 (A)	116946413		072624 INV 700297782	609.0000.14500	577.00
		1440 (A)	116946414		072624 INV 700297782	609.0000.14500	180.00
		1440 (A)	116835643		071924 INV 700297782	609.0000.14500	450.30
		1440 (A)	116946405		072624 INV 700297736	609.0000.14500	548.00
		1440 (A)	116946408		072624 INV 700297736	609.0000.14500	443.99
		1440 (A)	116946407		072624 INV 700297736	609.0000.14500	4,221.48
		1440 (A)	116946404		072624 INV 700297736	609.0000.14500	227.30
		1440 (A)	116946409		072624 INV 700297736	609.0000.14500	387.45
		1440 (A)	116946396		072624 INV 700297717	609.0000.14500	554.37
		1440 (A)	116946402		072624 INV 700297717	609.0000.14500	580.50
		1440 (A)	116946400		072624 INV 700297717	609.0000.14500	1,424.23
		1440 (A)	116946401		072624 INV 700297717	609.0000.14500	545.50
		1440 (A)	116946398		072624 INV 700297717	609.0000.14500	787.55
		1440 (A)	116946399		072624 INV 700297717	609.0000.14500	180.00
		1440 (A)	116946397		072624 INV 700297717	609.0000.14500	700.00
		1440 (A)	41257398		071924 INV 700297736	609.0000.14500	(113.70)
		1440 (A)	412534642		072324 INV 700297717	609.0000.14500	(66.60)
		1440 (A)	412558466		073024 INV 700297782	609.0000.14500	(90.15)
		1440 (A)	116946396		072624 INV 700297717	609.9791.42199	3.07
		1440 (A)	116946402		072624 INV 700297717	609.9791.42199	32.20
		1440 (A)	116946400		072624 INV 700297717	609.9791.42199	12.65
		1440 (A)	116946401		072624 INV 700297717	609.9791.42199	5.75
		1440 (A)	116946398		072624 INV 700297717	609.9791.42199	8.05
		1440 (A)	116946399		072624 INV 700297717	609.9791.42199	2.30
		1440 (A)	116946397		072624 INV 700297717	609.9791.42199	8.05
		1440 (A)	412534642		072324 INV 700297717	609.9791.42199	(1.15)
		1440 (A)	116733667		071224 INV 700297736	609.9792.42199	10.35
		1440 (A)	116835640		071924 INV 700297736	609.9792.42199	11.50
		1440 (A)	116835639		071924 INV 700297736	609.9792.42199	4.60
		1440 (A)	116835641		071924 INV 700297736	609.9792.42199	1.15
		1440 (A)	116946406		072624 INV 700297736	609.9792.42199	1.15
		1440 (A)	116946405		072624 INV 700297736	609.9792.42199	9.20
		1440 (A)	116946408		072624 INV 700297736	609.9792.42199	3.45
		1440 (A)	116946407		072624 INV 700297736	609.9792.42199	29.90
		1440 (A)	116946404		072624 INV 700297736	609.9792.42199	11.50
		1440 (A)	116946409		072624 INV 700297736	609.9792.42199	
		1440 (A)	41257398		071924 INV 700297736	609.9792.42199	

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		1440 (A)	116835645		071924 INV 700297782	609.9793.42199	29.90
		1440 (A)	116946412		072624 INV 700297782	609.9793.42199	2.30
		1440 (A)	116946413		072624 INV 700297782	609.9793.42199	5.75
		1440 (A)	116946414		072624 INV 700297782	609.9793.42199	2.30
		1440 (A)	116835643		071924 INV 700297782	609.9793.42199	6.90
		1440 (A)	412558466		073024 INV 700297782	609.9793.42199	(1.15)
							14,374.16
08/08/2024	MAIN	1441 (A)	3013931	CAPITOL BEVERAGE SALES LP	072424 INV	609.0000.14500	1,745.75
		1441 (A)	3010850		071724 INV	609.0000.14500	1,250.70
		1441 (A)	3013935		072424 INV	609.0000.14500	2,704.05
		1441 (A)	3016921		073124 INV	609.0000.14500	1,126.20
		1441 (A)	3016927		073124 INV	609.0000.14500	(231.82)
							6,594.88
08/08/2024	MAIN	1442 (A)	0000869432	CENTRAL MCGOWAN	CHARGE OXYGEN TANKS	701.0000.14120	30.20
08/08/2024	MAIN	1443 (A)	970019456	CUES INC	RETRIEVAL POLE	602.9600.42010	268.28
08/08/2024	MAIN	1444 (A)	SP-035-000254	HINTERLAND CSG, LLC	SOLAR POWER	101.2100.43810	259.66
		1444 (A)	SP-035-000254		SOLAR POWER	101.2200.43810	259.66
							519.32
08/08/2024	MAIN	1445 (A)	2586425	JOHNSON BROTHERS LIQUOR CO.	071924 INV	609.0000.14500	144.00
		1445 (A)	2586424		071924 INV	609.0000.14500	32.00
		1445 (A)	2586423		071924 INV	609.0000.14500	120.00
		1445 (A)	2585291		071824 INV	609.0000.14500	72.00
		1445 (A)	2585290		071824 INV	609.0000.14500	56.40
		1445 (A)	2585288		071824 INV	609.0000.14500	1,054.00
		1445 (A)	2585286		071824 INV	609.0000.14500	57.00
		1445 (A)	2584146		071724 INV	609.0000.14500	180.00
		1445 (A)	2584145		071724 INV	609.0000.14500	320.00
		1445 (A)	2584144		071724 INV	609.0000.14500	932.00
		1445 (A)	2575174		070224 INV	609.0000.14500	355.50
		1445 (A)	2590105		072524 INV	609.0000.14500	612.02
		1445 (A)	2590106		072524 INV	609.0000.14500	387.60
		1445 (A)	2590104		072524 INV	609.0000.14500	315.00
		1445 (A)	2588877		072424 INV	609.0000.14500	1,104.00
		1445 (A)	2588876		072424 INV	609.0000.14500	340.00
		1445 (A)	2588874		072424 INV	609.0000.14500	1,013.99
		1445 (A)	2588875		072424 INV	609.0000.14500	99.00
		1445 (A)	2588878		072424 INV	609.0000.14500	
		1445 (A)	2590110		072524 INV	609.0000.14500	
		1445 (A)	2588880		072424 INV	609.0000.14500	127.75

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		1445 (A)	2588879		072424 INV	609.0000.14500	1,875.50
		1445 (A)	2590109		072524 INV	609.0000.14500	293.25
		1445 (A)	2590107		072524 INV	609.0000.14500	198.00
		1445 (A)	2591166		072624 INV	609.0000.14500	395.00
		1445 (A)	2591165		072624 INV	609.0000.14500	240.00
		1445 (A)	2591164		072624 INV	609.0000.14500	116.00
		1445 (A)	2591163		072624 INV	609.0000.14500	656.00
		1445 (A)	2591160		072624 INV	609.0000.14500	147.10
		1445 (A)	2591159		072624 INV	609.0000.14500	158.00
		1445 (A)	2591162		072624 INV	609.0000.14500	353.00
		1445 (A)	2591161		072624 INV	609.0000.14500	64.00
		1445 (A)	2593838		073124 INV	609.0000.14500	44.00
		1445 (A)	2593837		073124 INV	609.0000.14500	589.00
		1445 (A)	2593836		073124 INV	609.0000.14500	96.00
		1445 (A)	2593835		073124 INV	609.0000.14500	108.00
		1445 (A)	2593834		073124 INV	609.0000.14500	1,765.79
		1445 (A)	102380		071824 INV	609.0000.14500	(9.00)
		1445 (A)	2575174		070224 INV	609.9791.42199	4.20
		1445 (A)	2590105		072524 INV	609.9791.42199	9.80
		1445 (A)	2590106		072524 INV	609.9791.42199	7.00
		1445 (A)	2590104		072524 INV	609.9791.42199	2.80
		1445 (A)	2588877		072424 INV	609.9791.42199	8.75
		1445 (A)	2588876		072424 INV	609.9791.42199	11.20
		1445 (A)	2588874		072424 INV	609.9791.42199	12.61
		1445 (A)	2588875		072424 INV	609.9791.42199	1.40
		1445 (A)	2591160		072624 INV	609.9791.42199	4.20
		1445 (A)	2591159		072624 INV	609.9791.42199	2.81
		1445 (A)	2586425		071924 INV	609.9792.42199	2.80
		1445 (A)	2586424		071924 INV	609.9792.42199	1.40
		1445 (A)	2586423		071924 INV	609.9792.42199	1.40
		1445 (A)	2585291		071824 INV	609.9792.42199	1.40
		1445 (A)	2585290		071824 INV	609.9792.42199	1.40
		1445 (A)	2585288		071824 INV	609.9792.42199	12.60
		1445 (A)	2585286		071824 INV	609.9792.42199	1.40
		1445 (A)	2584146		071724 INV	609.9792.42199	4.20
		1445 (A)	2584145		071724 INV	609.9792.42199	2.80
		1445 (A)	2584144		071724 INV	609.9792.42199	12.60
		1445 (A)	2588878		072424 INV	609.9792.42199	2.80
		1445 (A)	2590110		072524 INV	609.9792.42199	8.40
		1445 (A)	2588880		072424 INV	609.9792.42199	2.80
		1445 (A)	2588879		072424 INV	609.9792.42199	
		1445 (A)	2590109		072524 INV	609.9792.42199	

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		1445 (A)	2590107		072524 INV	609.9792.42199	1.40
		1445 (A)	2591162		072624 INV	609.9792.42199	5.60
		1445 (A)	2591161		072624 INV	609.9792.42199	1.40
		1445 (A)	2591166		072624 INV	609.9793.42199	7.02
		1445 (A)	2591165		072624 INV	609.9793.42199	5.61
		1445 (A)	2591164		072624 INV	609.9793.42199	4.20
		1445 (A)	2591163		072624 INV	609.9793.42199	8.40
		1445 (A)	2593838		073124 INV	609.9793.42199	1.40
		1445 (A)	2593837		073124 INV	609.9793.42199	7.00
		1445 (A)	2593836		073124 INV	609.9793.42199	2.80
		1445 (A)	2593835		073124 INV	609.9793.42199	1.40
		1445 (A)	2593834		073124 INV	609.9793.42199	12.60
							14,977.60
08/08/2024	MAIN	1446 (A)	SP-151-000178	MADISON ENERGY INVESTMENTS	:SOLAR POWER	101.2100.43810	174.04
		1446 (A)	SP-150-000178		SOLAR POWER	101.2100.43810	209.84
		1446 (A)	SP-151-000178		SOLAR POWER	101.2200.43810	174.04
		1446 (A)	SP-150-000178		SOLAR POWER	101.2200.43810	209.85
							767.77
08/08/2024	MAIN	1447 (A)	0001175713	METROPOLITAN COUNCIL WASTEW	SEPTEMBER 2024 WASTEWATER	602.9480.42900	122,362.06
08/08/2024	MAIN	1448 (A)	6817723	PHILLIPS WINE & SPIRITS INC	071924 INV	609.0000.14500	113.30
		1448 (A)	6817722		071924 INV	609.0000.14500	337.05
		1448 (A)	6817721		071924 INV	609.0000.14500	295.00
		1448 (A)	6817720		071924 INV	609.0000.14500	440.00
		1448 (A)	6817719		071924 INV	609.0000.14500	986.25
		1448 (A)	6817718		071924 INV	609.0000.14500	604.15
		1448 (A)	6817716		071924 INV	609.0000.14500	796.00
		1448 (A)	6819531		072424 INV	609.0000.14500	192.00
		1448 (A)	6821412		072624 INV	609.0000.14500	807.66
		1448 (A)	6821413		072624 INV	609.0000.14500	36.00
		1448 (A)	6821411		072624 INV	609.0000.14500	1,688.20
		1448 (A)	6821410		072624 INV	609.0000.14500	261.20
		1448 (A)	6821409		072624 INV	609.0000.14500	268.50
		1448 (A)	6821408		072624 INV	609.0000.14500	1,080.00
		1448 (A)	6821407		072624 INV	609.0000.14500	36.00
		1448 (A)	6821418		072624 INV	609.0000.14500	1,333.78
		1448 (A)	6821417		072624 INV	609.0000.14500	340.75
		1448 (A)	3821416		072624 INV	609.0000.14500	268.00
		1448 (A)	6821415		072624 INV	609.0000.14500	108.00
		1448 (A)	6819531		072424 INV	609.9791.42199	
		1448 (A)	6821411		072624 INV	609.9791.42199	

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		1448 (A)	6821410		072624 INV	609.9791.42199	5.60
		1448 (A)	6821409		072624 INV	609.9791.42199	9.80
		1448 (A)	6821408		072624 INV	609.9791.42199	8.40
		1448 (A)	6821407		072624 INV	609.9791.42199	1.40
		1448 (A)	6817723		071924 INV	609.9792.42199	2.80
		1448 (A)	6817722		071924 INV	609.9792.42199	4.20
		1448 (A)	6817721		071924 INV	609.9792.42199	2.80
		1448 (A)	6817720		071924 INV	609.9792.42199	14.00
		1448 (A)	6817719		071924 INV	609.9792.42199	21.01
		1448 (A)	6817718		071924 INV	609.9792.42199	8.40
		1448 (A)	6817711		071924 DEL	609.9792.42199	1.40
		1448 (A)	6817716		071924 INV	609.9792.42199	7.00
		1448 (A)	6817717		071924 DEL	609.9792.42199	1.40
		1448 (A)	6817710		071924 DEL	609.9792.42199	0.70
		1448 (A)	6821418		072624 INV	609.9792.42199	5.60
		1448 (A)	6821417		072624 INV	609.9792.42199	5.60
		1448 (A)	3821416		072624 INV	609.9792.42199	9.80
		1448 (A)	6821415		072624 INV	609.9792.42199	4.20
		1448 (A)	6821412		072624 INV	609.9793.42199	4.20
		1448 (A)	6821413		072624 INV	609.9793.42199	1.40
							10,125.55
08/08/2024	MAIN	1449 (A)	2320009263	POMP'S TIRE SERVICE INC	TIRES- INVENTORY	701.0000.14120	1,172.62
		1449 (A)	2320009224		TIRES- INVENTORY	701.0000.14120	1,733.50
							2,906.12
08/08/2024	MAIN	1450 (A)	2505727	SOUTHERN GLAZER'S	071824 INV	609.0000.14500	517.36
		1450 (A)	2505729		071824 INV	609.0000.14500	37.00
		1450 (A)	2502926		071124 INV	609.0000.14500	1,023.35
		1450 (A)	2508548		072524 INV	609.0000.14500	386.90
		1450 (A)	2508550		072524 INV	609.0000.14500	72.00
		1450 (A)	2508549		072524 INV	609.0000.14500	357.35
		1450 (A)	2508555		072524 INV	609.0000.14500	122.24
		1450 (A)	2508554		072524 INV	609.0000.14500	81.00
		1450 (A)	2508552		072524 INV	609.0000.14500	99.00
		1450 (A)	2508553		072524 INV	609.0000.14500	80.00
		1450 (A)	2508560		072524 INV	609.0000.14500	610.00
		1450 (A)	2508561		072524 INV	609.0000.14500	290.31
		1450 (A)	2508564		072524 INV	609.0000.14500	160.00
		1450 (A)	2508565		072524 INV	609.0000.14500	81.00
		1450 (A)	2508566		072524 INV	609.0000.14500	
		1450 (A)	2508706		072524 INV	609.0000.14500	
		1450 (A)	2505731		071824 INV	609.0000.14500	
							1,719.26

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		1450 (A)	2505733		071824 INV	609.0000.14500	854.52
		1450 (A)	2505730		071824 INV	609.0000.14500	539.36
		1450 (A)	2508559		072524 INV	609.0000.14500	1,637.44
		1450 (A)	9592686		072224 INV	609.0000.14500	(54.00)
		1450 (A)	9592663		072224 INV	609.0000.14500	(98.00)
		1450 (A)	9592687		072224 INV	609.0000.14500	(48.00)
		1450 (A)	9592662		072224 INV	609.0000.14500	(200.00)
		1450 (A)	2508548		072524 INV	609.9791.42199	2.99
		1450 (A)	2508550		072524 INV	609.9791.42199	1.39
		1450 (A)	2508549		072524 INV	609.9791.42199	3.84
		1450 (A)	2508555		072524 INV	609.9791.42199	2.99
		1450 (A)	2508554		072524 INV	609.9791.42199	0.85
		1450 (A)	2508552		072524 INV	609.9791.42199	1.39
		1450 (A)	2508553		072524 INV	609.9791.42199	1.28
		1450 (A)	2505727		071824 INV	609.9792.42199	3.84
		1450 (A)	2505729		071824 INV	609.9792.42199	1.28
		1450 (A)	2502926		071124 INV	609.9792.42199	6.40
		1450 (A)	2505728		071824 DEL	609.9792.42199	1.28
		1450 (A)	2508560		072524 INV	609.9792.42199	14.08
		1450 (A)	2508561		072524 INV	609.9792.42199	6.51
		1450 (A)	2508564		072524 INV	609.9792.42199	2.56
		1450 (A)	2508565		072524 INV	609.9792.42199	0.85
		1450 (A)	2508566		072524 INV	609.9792.42199	1.49
		1450 (A)	2508556		072524 DEL	609.9792.42199	2.56
		1450 (A)	2505731		071824 INV	609.9792.42199	11.63
		1450 (A)	2505733		071824 INV	609.9792.42199	8.96
		1450 (A)	2505730		071824 INV	609.9792.42199	10.24
		1450 (A)	2508559		072524 INV	609.9792.42199	33.60
		1450 (A)	2508706		072524 INV	609.9793.42199	2.56
							8,666.32
08/08/2024	MAIN	1451 (A)	7482115	WINE MERCHANTS	072624 INV	609.0000.14500	121.00
		1451 (A)	7482114		072624 INV	609.0000.14500	1,316.00
		1451 (A)	7482113		072624 INV	609.0000.14500	384.00
		1451 (A)	7482115		072624 INV	609.9791.42199	8.40
		1451 (A)	7482114		072624 INV	609.9791.42199	8.40
		1451 (A)	7482113		072624 INV	609.9792.42199	4.20
							1,842.00
08/08/2024	MAIN	199849	36	1-800-GOT-JUNK?	OUTSIDE STORAGE RMVL 061124-061824	415.6450.44000	2,617.70
08/08/2024	MAIN	199850	080124	42 CENTRAL LIMITED PARTNERS	PAY AS YOU GO AGREEMENT 1ST PYMT	394.7000.44600	51,

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08/08/2024	MAIN	199851	22407221	A DYNAMIC DOOR CO INC	PREVENTATIVE MAINT, REPAIRS - PD	101.2100.44000	1,575.20
08/08/2024	MAIN	199852	3957608	ADAM'S PEST CONTROL, INC	PEST CONTROL CH 072424	101.1940.44020	90.00
		199852	3955277		PEST CONTROL JPM 072424	101.5129.44020	90.00
							180.00
08/08/2024	MAIN	199853	4849900132	AMERICAN BOTTLING COMPANY	072624 INV	609.0000.14500	262.47
08/08/2024	MAIN	199854	522	ARISE OUTDOOR SERVICES LLC	LONG GRASS/WEED REMVL 4421 MAIN ST	415.6450.44000	160.00
		199854	525		LONG GRASS/SCRUB GROWTH RMVL / HAUL	415.6450.44000	2,350.00
		199854	526		LONG GRASS/SCRUB GROWTH RMVL / HAUL	415.6450.44000	725.00
		199854	524		TRIP CHARGE 3906 VAN BUREN	415.6450.44000	40.00
							3,275.00
08/08/2024	MAIN	199855	PSO071010-1	ASPEN EQUIPMENT	TOOL BOX	701.0000.14120	1,164.00
		199855	PSO071010-2		TOOL BOX DIVIDER TRAY	701.0000.14120	128.24
							1,292.24
08/08/2024	MAIN	199856	236486	ASSURED SECURITY INC	REPAIR DAY ROOM DOOR LOCK-FD	101.2200.44020	271.00
08/08/2024	MAIN	199857	5105	BARREL THEORY BEER COMPANY	072224 INV	609.0000.14500	89.00
08/08/2024	MAIN	199858	2672769	BEAUDRY OIL & SERVICE INC.	3000 GAL UNLEADED FUEL	701.0000.14110	7,837.72
08/08/2024	MAIN	199859	072424	BOHLER/JOHN DAVID	UMPIRE MENS SOFTBALL 060724	101.5001.43050	124.00
08/08/2024	MAIN	199860	11/15/2022	CAMI TRAN	UB refund for account: 100-0168-00-433.0000.20120		4.23
		199860	11/15/2022		UB refund for account: 100-0168-00-601.0000.20120		53.37
		199860	11/15/2022		UB refund for account: 100-0168-00-602.0000.20120		41.61
		199860	11/15/2022		UB refund for account: 100-0168-00-603.0000.20120		91.63
		199860	11/15/2022		UB refund for account: 100-0168-00-604.0000.20120		22.31
							213.15
08/08/2024	MAIN	199861	INV003702	CANVAS HEALTH INC	EMBEDDED MENTAL HEALTH SVC 0324-062	101.2100.43050	38,479.25
08/08/2024	MAIN	199862	8268239-4	CENTERPOINT ENERGY	8268239-4	101.2100.43830	80.12
		199862	8268239-4		8268239-4	101.2200.43830	80.11
		199862	10802324-3		10802324-3	101.5200.43830	17.10
							177.33
08/08/2024	MAIN	199863	480027-00	CHAMBERLAIN OIL COMPANY INC	OIL, PURUS, GREASE, WIPER BLADES	701.0000.14120	1,099.00
		199863	480027-00		OIL, PURUS, GREASE, WIPER BLADES	701.9950.42171	247.21
							1,346.21
08/08/2024	MAIN	199864	063024	CINTAS INC	REFUND 197760	101.2100.44020	
		199864	063024		REFUND 197760	101.2200.44020	

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		199864	4199652694		MOPS JPM 072324	101.5129.44020	38.29
		199864	4200233487		UNIFORM RENTAL 072924	701.9950.42172	33.16
							62.81
08/08/2024	MAIN	199865	072524	COLLIERS FUNDING LLC	1ST HALF DISTRICT BB2 2024	392.7000.44600	384,272.44
08/08/2024	MAIN	199866	072524	COLUMBIA HEIGHTS LEASED	1ST HALF DISTRICT T6 2024	372.7000.44600	378,689.99
08/08/2024	MAIN	199867	072524	COLUMBIA HEIGHTS LEASED	1ST HALF DISTRICT Z6 2024	375.7000.44600	93,502.02
08/08/2024	MAIN	199868	973106	CROCK'S PLUMBING INC	INSTAL VALVES ON WATER CLOSETS-POLI	101.2100.44000	1,600.00
08/08/2024	MAIN	199869	559	CRYSTAL SPRINGS ICE LLC	071724 INV	609.0000.14500	204.80
		199869	669		072524 INV	609.0000.14500	96.80
		199869	616		072224 INV	609.0000.14500	283.04
		199869	657		072424 INV	609.0000.14500	453.48
		199869	656		072424 INV	609.0000.14500	142.35
		199869	746		073124 INV	609.0000.14500	137.68
		199869	669		072524 INV	609.9791.42199	4.00
		199869	616		072224 INV	609.9791.42199	4.00
		199869	559		071724 INV	609.9792.42199	4.00
		199869	657		072424 INV	609.9792.42199	4.00
		199869	656		072424 INV	609.9793.42199	4.00
		199869	746		073124 INV	609.9793.42199	4.00
							1,342.15
08/08/2024	MAIN	199870	235	CURBSIDE PRODUCTIONS LLC	MONARCH FESTIVAL 080824	101.1110.44376	550.00
		199870	215		MUSIC IN THE PARK 081424	101.1110.44376	391.25
							941.25
08/08/2024	MAIN	199871	IN-4640	DANGEROUS MAN BREWING CO LL	072424 INV	609.0000.14500	564.00
08/08/2024	MAIN	199872	5521596	DISCOUNT STEEL INC	HOT ROLL STEEL	101.3121.42171	10.40
08/08/2024	MAIN	199873	68319	DORGLASS INC	GLASS TINTING-TV2	609.9792.44020	864.00
08/08/2024	MAIN	199874	0136692-IN	EARL F ANDERSEN INC	ROAD CLOSED SIGNS, STREET ID SIGNS	101.3121.42171	328.43
		199874	0136692-IN		ROAD CLOSED SIGNS, STREET ID SIGNS	101.3170.42171	97.72
		199874	0136750-IN		PED SIGNS	212.3190.42171	318.25
							744.40
08/08/2024	MAIN	199875	1008281	ECM PUBLISHERS INC	PHN ZONING TEXT AMENDMENT CHPT 9	07201.2400.43500	63.25
08/08/2024	MAIN	199876	24143	ENVIRONMENTAL EQUIP & SVCS	HOSES, PLUG	701.0000.14120	889.00
08/08/2024	MAIN	199877	072724	ESTRADA/REYNALDO	MONARCH FESTIVAL 080824	101.1110.44376	

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
 CHECK DATE FROM 07/19/2024 - 08/08/2024

Item 12.

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
08/08/2024	MAIN	199878	398865343388	FARAH/IBRAHIM	SEARCH WT TRNG LUNCH 031822	101.2100.43310	11.16
08/08/2024	MAIN	199879	118554687	FLEETPRIDE INC	FILTERS, HOSE CLAMPS	701.0000.14120	178.64
		199879	118554744		FILTERS	701.0000.14120	6.48
		199879	118234225		FILTERS	701.0000.14120	50.55
		199879	118208168		FILTERS	701.0000.14120	47.40
		199879	118554687		FILTERS, HOSE CLAMPS	701.9950.42171	25.50
							308.57
08/08/2024	MAIN	199880	4342-972759	GENUINE PARTS/NAPA AUTO	ANTI-SEIZE	701.0000.14120	23.75
08/08/2024	MAIN	199881	MN00151784	GRAPE BEGINNINGS INC	072524 INV	609.0000.14500	420.00
		199881	MN00151785		072524 INV	609.0000.14500	420.00
		199881	MN00151784		072524 INV	609.9791.42199	3.00
							843.00
08/08/2024	MAIN	199882	42333900010	GREAT LAKES COCA-COLA DISTRI	071624 INV	609.0000.14500	1,252.46
		199882	42423101014		072224 INV	609.0000.14500	999.61
		199882	42538029017		072924 INV	609.0000.14500	746.45
		199882	42423101013		072224 INV	609.0000.14500	(22.93)
							2,975.59
08/08/2024	MAIN	199883	00006549	GREENWIZE ENERGY SOLUTIONS	VARIABLE SPEED 2.6" SHAFT EC MOTOR	609.9791.42010	247.99
		199883	00006550		VARIABLE SPEED 2.6" SHAFT EC MOTOR	609.9792.42010	247.99
							495.98
08/08/2024	MAIN	199884	E-6324	HEADFLYER BREWING	072424 INV	609.0000.14500	537.50
08/08/2024	MAIN	199885	07302024	HEIGHTS GRAND BALLROOM INC	FACADE IMPROVEMENT GRANT NEW SIGNAG	408.6411.44600	5,000.00
08/08/2024	MAIN	199886	737792	HOHENSTEINS INC	072624 INV	609.0000.14500	4,519.25
		199886	736945		072624 INV	609.0000.14500	450.00
		199886	735520		071924 INV	609.0000.14500	894.65
		199886	737744		072624 INV	609.0000.14500	575.85
		199886	735527		071924 INV	609.0000.14500	58.50
		199886	735349		071924 INV	609.0000.14500	4,106.15
							10,604.40
08/08/2024	MAIN	199887	5267424655	HONEYWELL INTERNATIONAL, INC	G2 FIRE STATION ALERTING SYSTEM	431.2200.43050	31,704.39
08/08/2024	MAIN	199888	INV77870	HORIZON CPO SEMINARS	PLEASE SHOWER POOL SIGNAGE	101.5200.42171	31.20
08/08/2024	MAIN	199889	16748	INSIGHT BREWING COMPANY, LL	072524 INV	609.0000.14500	138.40
		199889	16911		072424 INV	609.0000.14500	

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
 CHECK DATE FROM 07/19/2024 - 08/08/2024

Item 12.

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
08/08/2024	MAIN	199890	2023 FORM 720	IRS	PCORI FEE	101.1510.44300	189.98
08/08/2024	MAIN	199891	386911	M AMUNDSON CIGAR & CANDY CO	072624 INV	609.0000.14500	2,158.27
08/08/2024	MAIN	199892	INV1307210	MAVERICK BEVERAGE COMPANY M:071824	INV	609.0000.14500	2,025.00
		199892	INV1307210		071824 INV	609.9792.42199	9.00
							2,034.00
08/08/2024	MAIN	199893	759735	MCDONALD DISTRIBUTING CO	072624 INV	609.0000.14500	544.25
08/08/2024	MAIN	199894	12854	MENARDS CASHWAY LUMBER-FRIDJORGANICS	BUCKETS	603.9530.42171	336.80
08/08/2024	MAIN	199895	241037	MEXICO AZTECA INC	MONARCH FESTIVAL DANCE PERFORMANCE	101.1110.44376	500.00
08/08/2024	MAIN	199896	0000145316	MINNESOTA PETROLEUM SRVC INC	ANNUAL LIFT INSPECTION	701.9950.44000	331.00
08/08/2024	MAIN	199897	1591	PAR TRAINING AND PROPS	FORCIBLE ENTRY TRAINING DOOR KIT	883.2200.42010	4,600.00
08/08/2024	MAIN	199898	242679	PAUSTIS & SONS WINE COMPANY	072524 INV	609.0000.14500	1,520.00
		199898	242805		072924 INV	609.0000.14500	(240.00)
		199898	242679		072524 INV	609.9791.42199	31.50
		199898	242805		072924 INV	609.9791.42199	(6.00)
							1,305.50
08/08/2024	MAIN	199899	031923	POLSKI/BRIAN	DULUTH FOTOS MILEAGE 0323	101.2200.43320	191.26
08/08/2024	MAIN	199900	992842096	POPP.COM INC	072624 -10013121	101.0000.20815	(7.02)
		199900	992842096		072624 -10013121	101.1110.43210	8.83
		199900	992842096		072624 -10013121	101.1320.43210	15.93
		199900	992842096		072624 -10013121	101.1510.43210	45.91
		199900	992842096		072624 -10013121	101.1940.43210	3.76
		199900	992842096		072624 -10013121	101.2100.43210	143.74
		199900	992842096		072624 -10013121	101.2200.43210	61.30
		199900	992842096		072624 -10013121	101.3100.43210	76.53
		199900	992842096		072624 -10013121	101.3121.43210	1.23
		199900	992842096		072624 -10013121	101.5000.43210	43.38
		199900	992842096		072624 -10013121	101.5129.43210	1.35
		199900	992842096		072624 -10013121	101.5200.43210	4.85
		199900	992842096		072624 -10013121	201.2400.43210	17.79
		199900	992842096		072624 -10013121	204.6314.43210	18.30
		199900	992842096		072624 -10013121	240.5500.43210	30.19
		199900	992842096		072624 -10013121	601.9600.43210	3.49
		199900	992842096		072624 -10013121	609.9791.43210	51.41
		199900	992842096		072624 -10013121	609.9792.43210	31.20
		199900	992842096		072624 -10013121	609.9793.43210	
		199900	992842096		072624 -10013121	701.9950.43210	

CHECK DISBURSEMENT REPORT FOR CITY OF COLUMBIA HEIGHTS
 CHECK DATE FROM 07/19/2024 - 08/08/2024

Item 12.

Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
		199900	992842096		072624 -10013121	720.9980.43210	9.93
							576.45
08/08/2024	MAIN	199901	INV-011257	PRAIRIE RESTORATIONS INC	VEGETATION MGMT-PS POND 071724	101.2100.44000	450.00
		199901	INV-011257		VEGETATION MGMT-PS POND 071724	101.2200.44000	450.00
							900.00
08/08/2024	MAIN	199902	310219295	PREMIUM WATERS INC	072224 WATER	609.9791.42171	14.58
08/08/2024	MAIN	199903	W-80436	PRYES BREWING COMPANY LLC	073024 INV	609.0000.14500	663.83
08/08/2024	MAIN	199904	2019035549	RED BULL DISTRIBUTION CO INC	072424 INV	609.0000.14500	567.50
		199904	2019035551		072424 INV	609.0000.14500	(72.93)
							494.57
08/08/2024	MAIN	199905	150488436	REDPATH AND COMPANY LLC	2023 AUDIT ENGAGEMENT	101.1510.43050	1,845.00
		199905	150488436		2023 AUDIT ENGAGEMENT	201.2400.43050	291.00
		199905	150488436		2023 AUDIT ENGAGEMENT	204.6314.43050	485.00
		199905	150488436		2023 AUDIT ENGAGEMENT	225.9844.43050	388.00
		199905	150488436		2023 AUDIT ENGAGEMENT	240.5500.43050	388.00
		199905	150488436		2023 AUDIT ENGAGEMENT	415.6400.43050	1,262.00
		199905	150488436		2023 AUDIT ENGAGEMENT	601.9690.43050	874.00
		199905	150488436		2023 AUDIT ENGAGEMENT	602.9690.43050	874.00
		199905	150488436		2023 AUDIT ENGAGEMENT	603.9520.43050	388.00
		199905	150488436		2023 AUDIT ENGAGEMENT	603.9530.43050	388.00
		199905	150488436		2023 AUDIT ENGAGEMENT	604.9690.43050	782.00
		199905	150488436		2023 AUDIT ENGAGEMENT	609.9791.43050	583.00
		199905	150488436		2023 AUDIT ENGAGEMENT	609.9792.43050	583.00
		199905	150488436		2023 AUDIT ENGAGEMENT	609.9793.43050	583.00
		199905	150488436		2023 AUDIT ENGAGEMENT	701.9950.43050	486.00
							10,200.00
08/08/2024	MAIN	199906	073124	SCHAFFER/PATRICIA ANNETTE	ACTIVE AGERS 070124-073124	101.5040.43050	220.00
08/08/2024	MAIN	199907	H24-0302-04P-001	SIR LINES-A-LOT LLC	PARKING LOT MARKINGS-LIQUOR STORES	609.9791.44000	511.36
		199907	H24-0302-04P-001		PARKING LOT MARKINGS-LIQUOR STORES	609.9792.44000	402.56
		199907	H24-0302-04P-001		PARKING LOT MARKINGS-LIQUOR STORES	609.9793.44000	174.08
							1,088.00
08/08/2024	MAIN	199908	MN79931	SMALL LOT MN	072624 INV	609.0000.14500	275.94
		199908	MN79931		072624 INV	609.9791.42199	5.00
							280.94
08/08/2024	MAIN	199909	081424	ST. ANTHONY PARK COMMUNITY	MUSIC IN THE PARK 081424	101.1110.44376	

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Check Date	Bank	Check #	Invoice	Payee	Description	GL #	Amount
08/08/2024	MAIN	199910	I1709820	STREICHER'S GUN'S INC/DON	NAME TAG	101.2100.42172	11.99
08/08/2024	MAIN	199911	072224	STULC/SCOTT	UMPIRE 041824-072524	101.5001.43050	930.00
08/08/2024	MAIN	199912	072724	TEATENCHI ZAMORANO/MICHELLE	REFUND SECURITY & DAMAGE DEPOSIT	101.0000.20810	78.91
		199912	072724		REFUND SECURITY & DAMAGE DEPOSIT	101.0000.34781	971.09
							1,050.00
08/08/2024	MAIN	199913	081424	THE JOLLY POPS	MUSIC IN THE PARK 081424	101.1110.44376	700.00
08/08/2024	MAIN	199914	927797	TRIO SUPPLY COMPANY INC	SOAP, CAN LINERS, BOWL CLEANER	101.1940.42171	256.48
		199914	923863		RTN CLEANERS	240.5500.42171	(201.43)
							55.05
08/08/2024	MAIN	199915	2500493933	VESTIS SERVICES. LLC	072324 MOPS,MATS,TOWELS	609.9791.44020	120.67
		199915	2500497917		073024 MOPS,MATS,TOWELS	609.9791.44020	120.67
		199915	2500495626		072524 MOPS,MATS,TOWELS	609.9792.44020	135.10
		199915	2500495566		072524 MOPS,MATS,TOWELS	609.9793.44020	77.91
							454.35
08/08/2024	MAIN	199916	0354720-IN	VINOPOPIA INC	071824 INV	609.0000.14500	75.96
		199916	0354720-IN		071824 INV	609.9792.42199	2.50
							78.46
08/08/2024	MAIN	199917	51-4159573-1	XCEL ENERGY (N S P)	51-4159573-1	101.3121.43810	19.35
		199917	51-4159573-1		51-4159573-1	101.3160.43810	13,274.53
		199917	51-4159573-1		51-4159573-1	101.5200.43810	1,139.91
		199917	1119634089		51-7085831-0	101.9200.43810	491.34
		199917	51-4159573-1		51-4159573-1	212.3190.43810	530.76
		199917	1120469916		51-0012949181-3	601.9600.43810	866.12
		199917	51-4159573-1		51-4159573-1	601.9600.43810	1,315.09
		199917	51-4159573-1		51-4159573-1	602.9600.43810	314.81
		199917	51-4159573-1		51-4159573-1	603.9530.43810	96.97
		199917	51-4159573-1		51-4159573-1	604.9600.43810	(25.64)
		199917	51-4159573-1		51-4159573-1	701.9950.43810	(2,385.33)
							15,637.91
TOTAL - ALL FUNDS					TOTAL OF 307 CHECKS (21 voided)		2,398,629.47

Check Register Report For City Of Columbia Heights
 For Check Dates 07/16/2024 to 07/26/2024

Item 12.

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
07/26/2024	PR	100466	UNION 49	630.00	630.00	0.00	Open
07/26/2024	PR	100467	LELS #311 OFFICERS UNION	141.00	141.00	0.00	Open
07/26/2024	PR	100468	SUN LIFE FINANCIAL - DENTAL INSURANCE	5,869.92	5,869.92	0.00	Open
07/26/2024	PR	100469	MEDICA HEALTH PLANS	2,303.00	2,303.00	0.00	Open
07/26/2024	PR	100470	MEDICA	144,435.93	144,435.93	0.00	Open
07/26/2024	PR	100471	MEDICA	329.00	329.00	0.00	Open
07/26/2024	PR	100472	NCPERS GROUP LIFE INS C/O MBR BEN	608.00	608.00	0.00	Open
07/26/2024	PR	100473	SUN LIFE FINANCIAL - LONG TERM DISABILIT	2,179.45	2,179.45	0.00	Open
07/26/2024	PR	100474	SUN LIFE FINANCIAL - LIFE INSURANCE	1,850.95	1,850.95	0.00	Open
07/26/2024	PR	100475	SUN LIFE FINANCIAL - SHORT TERM DISABILI	1,450.71	1,450.71	0.00	Open
07/26/2024	PR	EFT1303	COL HTS LOCAL 1216	175.00	175.00	0.00	Open
07/26/2024	PR	EFT1304	AFSCME COUNCIL 5	446.56	446.56	0.00	Open
07/26/2024	PR	EFT1305	COLHTS FIREFIGHTER ASSN	140.00	140.00	0.00	Open
07/26/2024	PR	EFT1306	MSRS MNDGP PLAN 650251	1,342.92	1,342.92	0.00	Open
07/26/2024	PR	EFT1307	HSA BANK	8,464.92	8,464.92	0.00	Open
07/26/2024	PR	EFT1308	COL HGTS POLICE ASSN	139.00	139.00	0.00	Open
07/26/2024	PR	EFT1309	IRS	104,658.89	104,658.89	0.00	Open
07/26/2024	PR	EFT1310	MISSION SQUARE 401 (ROTH)	2,242.59	2,242.59	0.00	Open
07/26/2024	PR	EFT1311	MISSION SQUARE 457(B)	20,361.42	20,361.42	0.00	Open
07/26/2024	PR	EFT1312	MISSION SQUARE RHS	724.35	724.35	0.00	Open
07/26/2024	PR	EFT1313	PERA 397400	91,077.97	91,077.97	0.00	Open
07/26/2024	PR	EFT1314	STATE OF MN TAX	21,653.20	21,653.20	0.00	Open
07/26/2024	PR	EFT1315	PROXIMAL	1,471.33	1,471.33	0.00	Open

Totals: Number of Checks: 023 412,696.11 412,696.11 0.00

Total Physical Checks: 10
 Total Check Stubs: 13



CITY COUNCIL MEETING

AGENDA SECTION	PUBLIC HEARING
MEETING DATE	AUGUST 12, 2024

ITEM:	Consideration of Resolution 2024-050, Revocation of the License to Operate Rental Units Within the city of Columbia Heights against the rental property at 3849 Edgemoor Place NE for failure to meet the requirements of the Residential Maintenance Codes.							
DEPARTMENT:	Fire	BY/DATE: Ast. Fire Chief O'Brien / August 6, 2024						
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>								
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">_Healthy and Safe Community</td> <td style="width: 50%; border: none;">_Thriving and Vibrant Destination Community</td> </tr> <tr> <td style="border: none;">_Equitable, Diverse, Inclusive, and Friendly</td> <td style="border: none;">X Strong Infrastructure and Public Services</td> </tr> <tr> <td style="border: none;">_Trusted and Engaged Leadership</td> <td style="border: none;">_Sustainable</td> </tr> </table>			_Healthy and Safe Community	_Thriving and Vibrant Destination Community	_Equitable, Diverse, Inclusive, and Friendly	X Strong Infrastructure and Public Services	_Trusted and Engaged Leadership	_Sustainable
_Healthy and Safe Community	_Thriving and Vibrant Destination Community							
_Equitable, Diverse, Inclusive, and Friendly	X Strong Infrastructure and Public Services							
_Trusted and Engaged Leadership	_Sustainable							

BACKGROUND

Revocation of the license to operate rental units within the city of Columbia Heights is requested against the rental property at:

3849 Edgemoor Place NE

RECOMMENDED MOTION(S):
<p>MOTION: Move to close the public hearing and waive the reading of Resolution 2024-050, there being ample copies available to the public.</p> <p>MOTION: Move to adopt Resolution 2024-050, being a Resolution of the City Council of the city of Columbia Heights approving revocation, pursuant to City Code, of the rental license listed.</p>

ATTACHMENT(S):

Res. 2024-050 – License Exp. No Inspection Scheduled – 3849 Edgemoor Place NE

Resolution of the City Council for the City of Columbia Heights approving revocation pursuant to City Code of that certain property rental license held by Mario Valtierrez (Hereinafter "License Holder").

Whereas, license holder is the legal owner of the real property located at 3849 Edgemoor Place NE, Columbia Heights, Minnesota,

Whereas, pursuant to City Code, written notice setting forth the causes and reasons for the proposed Council action contained herein was given to the License Holder on August 1, 2024, for a public hearing to be held on August 12, 2024.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. That on or about April 30, 2024, inspection office staff sent a letter requesting the owner of the property to submit a rental license application and schedule a rental inspection for this property. The letter was mailed by regular mail to the owner at the address listed in the property records.
2. That on June 6, 2024, inspection office staff reviewed the property file and noted that the property remained unlicensed. A Statement of Cause was mailed by regular mail to the owner at the address listed in the property records.
3. That based upon said records of the Enforcement Office, the following conditions and violations of the City’s Property Maintenance Code were found to exist, to wit:
 - a. Failure to schedule a rental property inspection.
4. That all parties, including the License Holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code.

c

ORDER OF COUNCIL

1. The rental license belonging to the License Holder described herein and identified by license number 24-0007433 is hereby revoked;
2. The city will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by License Holder;
3. The premises become Unlawful to Occupy 45 days from the first day of posting of this Order revoking the license as held by the License Holder.

Passed this _____ day of _____, 2024

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary



CITY COUNCIL MEETING

AGENDA SECTION	PUBLIC HEARING
MEETING DATE	AUGUST 12, 2024

ITEM:	Consideration of Resolution 2024-57, Revocation of the License to Operate Rental Units Within the city of Columbia Heights against the rental property at 4207/4209 2nd Street NE for failure to meet the requirements of the Residential Maintenance Codes.
DEPARTMENT: Fire	BY/DATE: Ast. Fire Chief O'Brien / August 6, 2024
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>	
<input type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input checked="" type="checkbox"/> Strong Infrastructure and Public Services
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable

BACKGROUND

Revocation of the license to operate rental units within the city of Columbia Heights is requested against the rental property at:

4207/4209 2nd Street NE

RECOMMENDED MOTION(S):
MOTION: Move to close the public hearing and waive the reading of Resolution 2024-57, there being ample copies available to the public.
MOTION: Move to adopt Resolution 2024-57, being a Resolution of the City Council of the city of Columbia Heights approving revocation, pursuant to City Code, of the rental license listed.

ATTACHMENT(S):

Res. 2024-57 – No Rental License Renewal Application or Fee - 4207-4209 2nd St. NE

Resolution of the City Council for the City of Columbia Heights approving revocation pursuant to City Code of that certain property rental license held by Homam Alkaied (Hereinafter "License Holder").

Whereas, license holder is the legal owner of the real property located at 4207/4209 2nd Street NE, Columbia Heights, Minnesota,

Whereas, pursuant to City Code, written notice setting forth the causes and reasons for the proposed Council action contained herein was given to the License Holder on July 15, 2024, of a public hearing to be held on August 12, 2024.

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. That on or about May 30, 2024, inspection office staff sent a letter requesting the owner of the property submit the rental license application for this property. The letter was mailed by regular mail to the owner at the address listed in the property records.
2. That on July 15, 2024, inspection office staff reviewed the property file and noted that the property remained unlicensed. A Statement of Cause was mailed by regular mail to the owner at the address listed in the property records.
3. That based upon said records of the Enforcement Office, the following conditions and violations of the City's Property Maintenance Code were found to exist, to-wit:
 - a. Failure to submit renewal rental license application and fees.
4. That all parties, including the License Holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code.

ORDER OF COUNCIL

1. The rental license belonging to the License Holder described herein and identified by license number 24-0007590 is hereby revoked;
2. The city will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by License Holder;
3. The premises become Unlawful to Occupy 45 days from the first day of posting of this Order revoking the license as held by the License Holder.

Passed this _____ day of _____, 2024

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary



AGENDA SECTION	ITEMS FOR CONSIDERATION
MEETING DATE	AUGUST 12, 2024

ITEM:	First Reading of Ordinance No. 1700, an Ordinance to Amend Chapter 9 - Land Use: 9.103 Definitions, 9.104 Administration and Enforcement, 9.105 Nonconformities, 9.106 General Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, and 9.111 Industrial Districts.	
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner, August 8, 2024
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>		
<input checked="" type="checkbox"/> Healthy and Safe Community		<input type="checkbox"/> Thriving and Vibrant Destination Community
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly		<input type="checkbox"/> Strong Infrastructure and Public Services
<input checked="" type="checkbox"/> Trusted and Engaged Leadership		<input type="checkbox"/> Sustainable

CASE NUMBER: 2024-PZ06
APPLICANT: City of Columbia Heights
LOCATION: Citywide
REQUEST: Zoning Ordinance Amendment
PREPARED BY: Andrew Boucher, City Planner

INTRODUCTION:

At the July Work Session, staff briefed City Council on discussed potential amendments and updates to City Zoning Code – Chapter 9 Land Use based on observations, feedback, and recommendations from staff and community members to provide more flexibility in the Zoning Code that reflect the needs of the community while encouraging consistency as future development occurs.

Some of these updates include 9.103 Definitions for uses that are presently allowed in residential, commercial, and industrial districts and have specific development standards but are not currently defined in code such as: arcade, billiards hall, consignment/secondhand store, firearms dealer, professional service, professional studio, etc. These definitions will also more accurately reflect housing and family trends as currently there are no definitions for single-family dwelling, two-family dwellings, and rental unit. Other changes will include an amendment to the existing definition of "Family" to remove unrelated occupancy maximums, new definitions for "Dwelling Unit, Accessory" and "Family, Shared Living Arrangement" to reflect current housing trends and a growing need to reduce housing expenses while encouraging social contact, mutual support, and assistance amongst diverse communities.

9.104 Administration and Enforcement includes language to allow minor subdivisions (lot line adjustments) to be approved through administrative review if the proposal does not require additional right-of-way or alters

utility easements. Language in 9.105 Nonconformities is proposed to be amended to be consistent with MN Statute 934.36 Nonconformities Subd. 4. Nonconformities; certain classes of property.

9.106 General Development Standards includes language to clarify the square footage requirement for building permits for accessory structures from 120 sq. ft. to 200 sq. ft. as well as introducing standards for accessory dwelling units. Other sections of 9.106 General Development Standards being updated include establishing a process for reviewing artificial turf through the existing code for Land Alteration to demonstrate that the proposed turf is permeable, the types of materials used, and whether there is a potential for illicit discharge, and Tree Preservation and Planting Standards will address turf as an impervious surface unless a land disturbance permit is issued and approved. Off-street parking and loading clarifies the parking requirements for residential care facilities (6 or fewer) and (7 or more) to reflect the single-family parking requirements for facilities serving (6 or fewer). A maximum paving of 50% of the front yard setback for residential properties is being introduced. Building Design and Sign Regulations are being updated to allow for painted public art and murals.

9.107 Specific Development Standards includes removing any seasonal sales stands that explicitly have development standards and including these uses under “Seasonal Sales Stands”; updating the outdoor play area requirements for “Day Care, Home” to reflect the language for Adult and Child Day Care Centers; and amending the Residential Care Facility standards to exempt facilities serving six or fewer residents from the distance radius and zoning regulations except as otherwise required by law.

9.109 Residential Districts includes streamlining the list of permitted accessory uses in all residential districts as well as allowing accessory dwelling units as a permitted accessory use for single-family properties and for shared family living arrangements. One significant change is to establish an impervious surface coverage maximum for residential lots instead of building coverage maximum; these percentages are the same as was required for building coverage; 35% impervious surface coverage for lots less than 6,500 sq. ft. and 30% for lots greater than 6,500 sq. ft.. Another significant change is to utilize the language used to address minimum lot areas for duplexes in the R-2B district and use that same language to address the minimum lot area and lot width for single family residences in the R-2A, R-2B, R-3, and R-4 districts to remove the legal nonconforming status for properties below that minimum lot area of 6,500 sq. ft. as this significantly restricts these properties. For the R-2A and R-2B, One/Two Family Residential and Built-As-Duplex districts, twinhome and duplexes are proposed to be permitted uses by law.

9.110 Commercial Districts and 9.111 Industrial Districts will include adjustments to uses that were previously conditional uses, but did not have specific development standards or standards that are being addressed through performance standards as well as allowing Seasonal Sales Stands as permitted accessory uses.

Staff Review

Staff has consulted with the Public Works and Engineering, Fire, and Police Departments and received no comments on the proposed zoning text amendments. The City Attorney has reviewed the proposed draft ordinance and has no comments on the ordinance as presented.

ZONING ORDINANCE AMENDMENT

FINDINGS OF FACT

Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

(a) The amendment is consistent with the comprehensive plan.

The City’s 2040 Comprehensive Plan identifies strengthening the identify and image of the community as a desirable place to live, work, and play as well as preserving and enhancing the existing viable commercial and industrial areas within the community. The zoning code amendments proposed will help achieve more consistency with the 2040 Comprehensive Plan.

(b) The amendment is in the public interest and is not solely for the benefit of a single property owner.

The zoning text amendments remove certain barriers that commercial business operators and homeowners have experienced and enables more flexibility in the zoning code by ensuring consistency across zoning districts.

(c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.

The amendment is not to change the zoning classification of a particular property.

(d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.

The amendment is not to change the zoning classification of a particular property.

The Planning Commission gave a positive recommendation (6-0) to draft Ordinance No. 1700, an Ordinance amending City Code 9.103 Definitions, 9.104 Administration and Enforcement, 9.105 Nonconformities, 9.106 General Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, and 9.111 Industrial Districts as presented at the August 7, 2024 Planning Commission meeting. The Zoning Ordinance modifications are recommended by Staff with the full draft ordinance attached to the staff report.

RECOMMENDATION

Staff recommends approval of Ordinance No. 1700, on first consideration:

RECOMMENDED MOTION(S):
MOTION: Move to waive the reading of Ordinance No. 1700, there being ample copies available to the public.
MOTION: Move to set the second reading of Ordinance 1700, being an ordinance to amend Chapter 9 - Land Use: 9.103 Definitions, 9.104 Administration and Enforcement, 9.105 Nonconformities, 9.106 General

Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, and 9.111 Industrial Districts, in the City of Columbia Heights for August 26, 2024 at approximately 6:00pm.

ATTACHMENT(S):

- Draft Ordinance No. 1700
- Public Hearing Notice

CITY OF COLUMBIA HEIGHTS
PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Columbia Heights will conduct a public hearing in the City Council Chambers of City Hall at 3989 Central Avenue NE on Wednesday, August 7, 2024, at 6:00 p.m. The order of business is as follows:

A request for a Zoning Text Amendment from the City of Columbia Heights proposing to amend City Code Chapter 9 – Land Use; specifically, Sections 9.103 Definitions, 9.104 Administration and Enforcement, 9.105 Nonconformities, 9.106 General Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, and 9.111 Industrial Districts. Section 9.104 (F) of the Zoning Ordinance requires the Planning Commission to hold a public hearing on the zoning amendment and make findings before submitting a recommendation to City Council.

Notice is hereby given that all persons having an interest will be given an opportunity to be heard. For questions and a full description of the zoning amendments being proposed, please contact Andrew Boucher, City Planner, at (763) 706-3673.

ORDINANCE NO. 1700

AN ORDINANCE AMENDING CHAPTER 9 – LAND USE OF THE CITY CODE OF 2005 TO AMEND 9.103 DEFINITIONS, 9.104 ADMINISTRATION AND ENFORCEMENT, 9.105 NONCONFORMITIES, 9.106 GENERAL DEVELOPMENT STANDARDS, 9.107 SPECIFIC DEVELOPMENT STANDARDS, 9.109 RESIDENTIAL DISTRICTS, 9.110 COMMERCIAL DISTRICTS, AND 9.111 INDUSTRIAL DISTRICTS.

The City of Columbia Heights does ordain:

Section 1

The following definitions are introduced, amended, or deleted as provided in Section 9.103 of the City Code of 2005, is hereby established to read as follows:

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

ABANDONMENT. To discontinue a use or activity for any reason, but excluding temporary interruptions to the use during periods of building or remodeling where a valid building permit has been issued or during periods of routine seasonal closure.

ACCESSORY BUILDING OR STRUCTURE. A building or structure or portion of a structure subordinate to and serving the principal structure on the same lot.

ACCESSORY USE. A use that is reasonably necessary and incidental to the conduct of the primary use of the principal building or buildings.

ADDITION. Any change or modification in construction or occupancy of an existing structure. The enclosure of an existing screened porch, deck, roofed deck, patio, or roofed patio shall be considered an addition.

ADJACENT or CONTIGUOUS. Bordering, touching or adjoining. If two lots are separated by a public street, they shall not be deemed adjacent. If two lots are separated by a public walkway, they shall be deemed adjacent.

ADULT USE. Adult uses include adult bookstores, adult motion picture theaters, adult motion picture sales/rental, adult mini-motion picture theaters, adult massage parlors, adult steam room/bathhouse/sauna facilities, adult companionship establishments, adult conversation parlors, adult health/sport clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses or places open to some or all members of the public, at or in which there is an emphasis on the presentation, display, depiction or description of “specified sexual activities” or “specified anatomical areas” which are capable of being seen by members of the public. Activities classified as obscene as defined by M.S. § 617.241, as it may be amended from time to time, are not included.

ADULT USE, ACCESSORY. The offering of retail goods for sale which are classified as adult uses on a limited scale and which are incidental to the primary activity and goods and/or services offered by the establishment. Examples of such items include the sale of adult magazines, the sale or rental of adult motion pictures, the sale of adult novelties, and the like.

ADULT USE, PRINCIPAL. The offering of goods and/or services which are classified as adult uses as a primary or sole activity of a business or establishment and include, but are not limited to adult body painting studios,

adult bookstores, adult cabarets, adult companionship establishments, adult conversation parlors, adult health clubs, adult theaters, adult modeling studios, and adult saunas and massage parlors.

ALLEY. A public right-of-way or private way that affords a secondary means of access to abutting property.

ANNEXATION. The incorporation of a land area into the city with a resulting change to the corporate limits of the city.

ARCADE. A place or facility where pinball or other similar electronic games are played for amusement only. Shall not be construed so as to include bingo games nor shall it be construed so as to include gambling devices or any other devices prohibited by law.

ASSEMBLY, MANUFACTURING AND/OR PROCESSING. Any manufacturing or industrial production which by the nature of the materials, equipment, and process utilized are not objectionable by reason of odor, radiation, noise, vibration, gas fumes, dust, smoke, refuse matter or water-carried waste.

ASSISTED LIVING. A facility licensed by the MnDOH where individualized home care aide services or home management services are provided to residents either by management or by providers under contract with the management.

AUDITORIUM/PLACE OF ASSEMBLY. An open, partially enclosed, or fully enclosed facility used or intended to be used primarily for spectator sports, entertainment events, expositions, and other public gatherings. Typical uses include convention and exhibition halls, sports arenas, and amphitheaters.

AUTO REDUCTION YARD. A lot or yard where one or more unlicensed motor vehicles or the remains thereof are kept for the purpose of dismantling, sale of parts, sale as scrap, storage or abandonment.

AUTOMOBILE AND MOTORCYCLE SALES/RENTAL NEW. The use of any building, land area, or other premises or portion thereof, for the display, sale, or lease of new automobiles, panel trucks or vans, trailers, or recreational vehicles and including any warranty repair work and other repair service conducted as an accessory use.

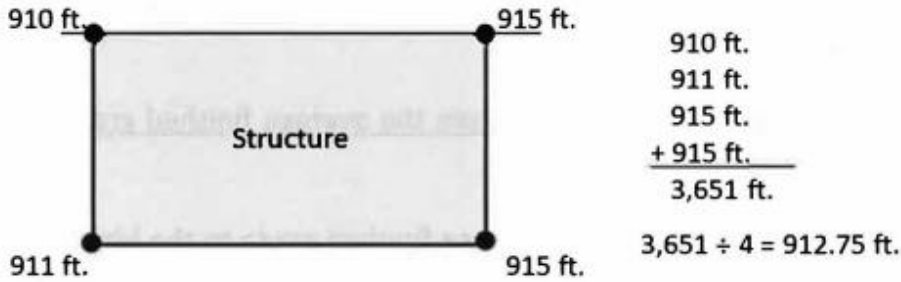
~~AUTO AND TRUCK SALES LOT. Buildings and premises for automobile/truck sales and show rooms with incidental and accessory sales and service facilities also permitted but not required.~~

AUTO AND TRUCK SALES LOT, USED. Any land used or occupied for the purpose of buying and selling secondhand passenger cars or trucks, and the storing of such vehicles prior to sale.

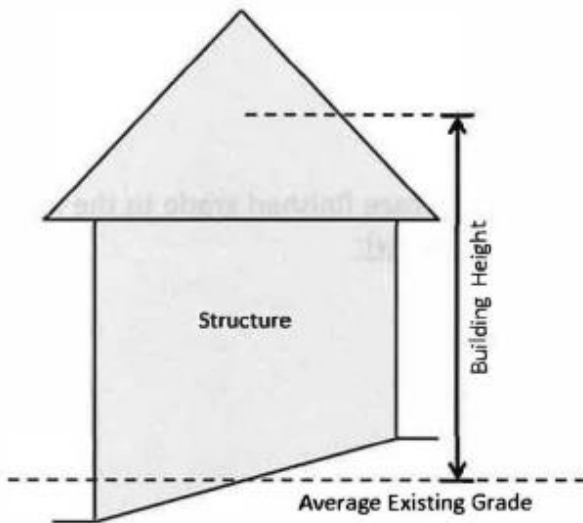
AUTOMOBILE, USED. Any secondhand, previously owned passenger vehicle, car, or truck.

AVERAGE EXISTING GRADE. The average existing grade is measured as the existing elevation (prior to any construction alterations) at each corner of the structure and calculating an average.

AVERAGE FINISHED GRADE. The average finished grade is measured by taking the finished elevation (after any construction alterations) at each corner of the structure and calculating an average; see example images below:



The structure's average existing grade is 912.75 feet



BANNER, FLAG or PENNANT. A sign made of a flexible material, such as cloth, paper, or plastic, however and wherever affixed.

BANQUET HALL. A building for the purpose of hosting a party, banquet, wedding, reception or other social events.

BASEMENT. A portion of a building located partially, up to 50% underground or below grade.

BAY. Cantilevered portion of a building.

BED AND BREAKFAST RESIDENCE. An owner-occupied, single-family residence that provides lodging and meals to registered guests.

BEDROOM. Any room used principally for sleeping purposes and does not contain separate kitchen and sanitary facilities.

BILLIARDS HALL. A business establishment containing more than two pool or billiard tables for the use of patrons.

BOARD OF ADJUSTMENTS. The Columbia Heights Planning Commission.

BOARDING HOUSE. A building other than a motel or hotel where, for compensation and by pre- arrangement for definite periods, meals and/or lodgings are provided for three or more persons, but not to exceed eight persons.

BODY PIERCING SHOP. The practice of physical body adornment by establishments and artists using the techniques of body piercing,

BOWLING ALLEY. Indoor facility for the sport of ten-pin or duck-pin bowling, with customary accessory uses such as snack bars.

BREW PUB. A restaurant that conducts the retail of on-sale malt liquor consumed and brewed on the premise.

BREWER TAPROOM. A facility on the premises of, or adjacent to, a malt liquor manufacturer intended for on-sale and consumption of malt liquor produced by the brewer.

BUFFER. A landscaped area intended to separate and/or partially obstruct the view of adjacent land uses or properties from one another.

BUILDABLE AREA. The area of the lot remaining after the minimum yard or setback requirements of this article have been established.

BUILDING. Any roofed structure that may provide shelter or enclosure of persons, animals or chattel.

BUILDING LINE. A line parallel with the street right-of-way, or any property line, at the foundation level of a building and representing the distance which the building is set back from the street right-of-way or other property line.

BULK REGULATIONS. Standards and controls that establish the maximum size of structures and the buildable area within which the structure can be located, including height, floor area ratio, gross floor area, lot area, lot coverage, impervious surface area and yard requirements, but excluding residential density regulations.

BUSINESS. Any occupation, employment, or enterprise wherein merchandise is exhibited, rented or sold or which occupies time, attention labor and/or materials or where services or goods are offered for compensation.

BUSINESS FRONTAGE. The property lines or lease lines at the front of the building or the location of the main public entrance of said building.

CANOPY, AWNING or MARQUEE. A projection or extension of a structure, building or place of assembly, erected in such a manner as to provide a shelter or cover over the approach to any entrance of such structure, building, or place of assembly.

CARETAKER'S RESIDENCE. An accessory dwelling on a nonresidential premises, occupied by the person who oversees the nonresidential operation 24 hours a day, and his or her family.

CARPORT. An automobile shelter having one or more sides open.

CARWASH. A building that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices, and which may employ some hand labor.

CERTIFICATE OF OCCUPANCY. A document issued by the Building Official allowing for the occupancy or use of a building, and certifying that the structure or use has been constructed or will be used in compliance with all the applicable codes and ordinances.

CLINIC, MEDICAL. A place used for the diagnosis and treatment of sick, ailing, infirm, injured persons, and those persons who are in need of medical attention. Overnight care facilities are not provided at the clinic.

CLINIC, VETERINARY. A place used for the diagnosis and treatment of sick or injured animals and those animals in need of medical attention within a completely enclosed building with soundproofing and odor control, does not include outdoor kennels.

CLUB OR LODGE. An organization and its premises catering exclusively to members and their guests for social, intellectual, recreational, or athletic purposes that are conducted for profit; includes lodge.

COFFEE SHOP. An establishment engaged principally in the sale of coffee and other non-alcoholic beverages for consumption on the premises or for carryout, which may also include the sale of a limited number of food items.

COLOR. Any hue or combination of values of these. Black and white, shall not be considered colors.

COMMERCIAL USE. A use of land, building or structure intended, designed or arranged for a business, occupation, trade, or profession, including entertainment, services or sale of goods.

COMMUNITY CENTER. An establishment operated by a non-profit organization or government agency, which includes recreational facilities, meeting rooms, social service facilities, and public health facilities, or any combination thereof.

COMPREHENSIVE PLAN. The policies, statements, goals and interrelated plans for private and public use of land and water, transportation, and community facilities including recommendations for plan execution, documented texts, ordinances, maps which constitute the guide for the future development of the city.

CONCRETE, ASPHALT, ROCK CRUSHING OPERATION. A plant for the manufacture, mixing, and crushing of concrete, cement, and concrete and cement and rock products, including any apparatus and uses incident to such manufacturing and mixing.

CONDITIONAL USE PERMIT. A permit specially and individually granted by the City Council after public hearing thereon by the Planning Commission for any conditional use so permitted in any use district.

CONSIGNMENT/SECONDHAND STORE. Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment. This classification does not include secondhand motor vehicles, parts, or accessories.

CONVENIENCE STORE. A retail establishment, having a maximum gross floor area of 7,500 square feet, offering for sale prepackaged food products, household items and other goods commonly associated with this type of store. This use may also be combined with a motor vehicle service station.

COUNCIL. The Columbia Heights City Council.

CURB. A stone, asphalt or concrete boundary marking the edge of a roadway or paved area.

CURB LEVEL. The grade elevation as established by the city, of the curb in front of the center of the building. Where no curb level has been established, the City Engineer shall determine a curb level or its equivalent for the purpose of this article.

CURB LINE. The line at the face of the curb nearest the street or roadway. In the absence of a curb, the curb line shall be established by the City Engineer.

CURRENCY EXCHANGE. Any person, except a bank, trust company, savings bank, savings and loan association, credit union, or industrial loan and thrift company, engaged in the business of cashing checks, drafts, money orders, or travelers' checks for a fee. Does not include a person who provides these services incidental to the person's primary business if the charge for cashing a check or draft does not exceed one dollar or 1 percent of the value of the check or draft, whichever is greater.

DAY CARE, ADULT. A facility that provides care to functionally impaired adults on a regular basis for periods of less than 24 hours in a structure that is not the residence of the person being served or the facility operator.

DAY CARE, FAMILY. A facility that provides care, protection and supervision of children in a private residence for periods of less than 24 hours. The size of the outdoor play area, the maximum number of children who may be served, and the number and qualifications of required outside teachers and helpers are set forth in Minnesota Statutes. This use may be licensed by other agencies.

DAY CARE, GROUP. A non-residential facility where child care, protection and supervision services are provided on a regular basis for periods of less than 24 hours. A group day care facility may also be referred to as a NURSERY.

DECK, ATTACHED. A structure six feet or more attached to the main building that may or may not have a railing or access to the ground, but does not have a roof or contain walls.

DECK, DETACHED. A free-standing structure that is directly adjacent or attached to the principal building that may or may not have a railing, but does not have a roof or contain walls.

DENSITY. The number of dwellings or principal buildings or uses permitted per net acre of land. Net acre of land shall not include any land required for public streets or other rights-of-way.

DEVELOPMENT. All structures and other human modifications of the landscape.

DRINKING ESTABLISHMENT. Any premise where alcohol or non-alcoholic beverages are sold at retail for consumption on the premises.

DRIP LINE. A vertical line extending from the outermost branches of a tree to the ground.

DRIVE-IN FACILITY. Any portion of a building from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle. Such use may also be referred to as a drive-through.

DRIVEWAY. A private way used by vehicles to gain access to an individual lot or parcel of land. For one- and two-family dwellings, the driveway shall be defined as the length and width of a driving surface that is used to gain access to a private garage.

DROP-IN FACILITY. A facility operated by an organization which provides services such as training, counseling, health, or the distribution of food or clothing. This term includes but is not limited to a facility offering life skills training, substance abuse counseling, housing services, or a neighborhood recovery center. This term does not include an emergency residential shelter.

DWELLING. A building or one or more portions thereof occupied or intended to be occupied exclusively by a family, but not including rooms in motels, hotels, nursing homes, boardinghouses, nor trailers, tents, cabins, or trailer coaches.

DWELLING UNIT, ACCESSORY. A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an internal, attached or detached extension to an existing single-family structure.

DWELLING, ATTACHED. A dwelling that is joined to another dwelling on one or more sides by a common wall.

~~DWELLING, DETACHED. A dwelling that is surrounded by open space on the same lot.~~

DWELLING, MULTIPLE. A building so designed as to contain three or more dwellings as the principle use.

DWELLING, SINGLE-FAMILY. Any building that contains one dwelling unit used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied or occupied for living purposes.

DWELLING, TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to the roof and having open space on at least two sides of each unit. Each single-family dwelling unit shall be considered to be a separate building. Separate building service utilities shall be provided to each single-family dwelling unit when required by other chapters of the State Building Code. Attached dwelling units, each with a separate entrance to front and rear yards.

DWELLING, TWO-FAMILY. Any building that contains two separate dwelling units with separation either horizontal or vertical on one lot that is used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or occupied for living purposes.

EASEMENT, UTILITY. A grant by a property owner for the use of a portion or strip of land for the purposes of constructing and maintaining utilities, including, but not limited to, sanitary sewers, water mains, electric liners, telephone lines, storm sewers or storm drainage ways, and gas lines.

EMERGENCY SHELTER. A non-profit, charitable, or religious organization providing boarding and/or lodging and ancillary services on the premises primarily to indigent, needy, homeless or transient persons.

EQUAL DEGREE OF ENCROACHMENT. A method of determining the location of encroachment lines so that flood plain lands on both sides of a stream are capable of conveying a proportionate share of flood flows. This

as determined by considering the effect of encroachment on the hydraulic efficiency of the flood plain along both sides of a stream for a significant reach.

ESSENTIAL SERVICE. Underground or overhead gas, electrical, steam, or water distribution systems; collection, communication, supply or disposal systems including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants or other similar equipment and accessories in conjunction therewith; but not including telecommunication towers.

FACADE. The exterior wall of a building exposed to public view.

FAMILY. Any number of persons living together as a single housekeeping unit under a common housekeeping management plan. ~~An individual, or two or more persons each related by blood, marriage or adoption, living together as a single housekeeping unit; or a group of not more than four persons not so related, maintaining a common household and using common cooking and kitchen facilities.~~

FAMILY, SHARED LIVING ARRANGEMENT. The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and to provide social contact, mutual support, and assistance.

FENCE. A fence is any partition, structure, wall or gate erected as a dividing marker along property lines or within the required yard.

FILLING. The placement of sand, gravel, earth or other materials of any composition on a parcel of land.

FIREARM. Any device, designed to be used as a weapon, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other form of combustion, but excluding a stud or nail gun used in the construction industry or a toy gun.

FIREARMS DEALER. Any person engaged in the sale, lease, trade, or other transfer of firearms or ammunition at wholesale or retail. Firearms dealer shall not include any person engaged only in the business of repairing firearms.

FLOOD. A temporary rise in stream flow or stage that results in inundation of the areas adjacent to the channel.

FLOOD FREQUENCY. The average frequency, statistically determined, for which it is expected that a specific flood state or discharge may be equaled or exceeded.

FLOOD FRINGE. That portion of the flood plain outside of the floodway. Flood fringe is synonymous with the term floodway fringe used in the Flood Insurance Study.

FLOOD PLAIN. The areas adjoining a watercourse that have been or hereafter may be covered by the regional flood.

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

FLOODWAY. The channel of the watercourse and those portions of the adjoining flood plain that is reasonably required to carry and discharge the regional flood.

FLOOR AREA, GROSS. The sum of the gross horizontal areas of the several floors measured to the outside of exterior walls.

FLOOR AREA, NET. The sum of the gross horizontal areas of the several floors of a building including interior balconies, mezzanines and basements, but excepting that area primarily devoted to window display, fitting rooms, stairs, escalators, unenclosed porches, dead storage, heating and utility rooms, inside off-street parking or loading space. Measurements shall be made from the outside of exterior walls.

FLOOR AREA RATIO. The numerical value obtained through dividing the gross floor area of a building or buildings by the lot area on which such building or buildings are located.

FREIGHT TERMINAL. A transportation facility in which quantities of goods or container cargo are stored without undergoing any manufacturing processes, transferred to other carriers, or stored outdoors in order to transfer them to other locations

FRONTAGE. The distance for which a lot line coincides with the right-of-way line of a public street or the boundary of a private street.

FUNERAL HOME. A building or part of a building thereof used for human funeral services. Such building may contain space and facilities for embalming and other services used to prepare the dead for burial, performance of autopsies, storage of caskets, funeral urns and other related funeral supplies and the storage of other funeral supplies, but excluding crematoriums.

GARAGE, PRIVATE. A detached accessory building or portion of principal building, including a carport, which is used primarily for storing passenger vehicles, trailers or one truck of a rate capacity not in excess of 9,000 pounds.

GARAGE SALE. Any display of used goods and/or salesmen samples and sale of said goods on a property used primarily as a dwelling. The person conducting the sale shall be a member of the family occupying the dwelling.

GLARE, DIRECT. That part of the visible light reaching an observer directly in a straight line from the source of its principal diffuser and/or its associated focusing reflector.

GLARE, INDIRECT. Light described in the definition for direct glare, but reaching an observer by reflection from a surface or surfaced which either:

- (1) Move periodically under power of the wind, electricity, burning fossil fuel, or similar energy source; or
- (2) Reflect 70% or more of the light incident upon them; or
- (3) Produce by imaging the effect of the conditions of subdivision (a) above.

GOLF COURSE. A tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.

GOVERNMENT PROTECTIVE SERVICE FACILITY. An establishment for training state and local law enforcement, fire safety, national guard, or transit personnel and accessory facilities including but not limited to: (1) dining and overnight accommodations; (2) classrooms; (3) indoor shooting ranges; (4) auto test tracks; and (5) fire suppression simulations.

GRADE. The elevation or level of the street closest to the building, structure or sign to which reference is made, measured at the street's centerline.

GRAPHICS. An illustration or rendering which is not for an advertising purpose and which is applied directly to a building or structure.

GREENHOUSE, RESIDENTIAL. A seasonal/temporary accessory building or structure constructed chiefly of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers or other tender plants.

HEALTH/FITNESS CLUBS. An establishment that provides exercise facilities such as running, jogging, aerobics, weight lifting, court sports, and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

HEIGHT, BUILDING. Building height is measured as the distance from the average finished grade to the tallest point of a flat roof; or the peak of a pitched or mansard roof; or the highest point on all other roof types.

HEIGHT, SIGN. Sign height is measured as the distance from the average existing grade to the tallest point on the structure or sign, whichever is taller. For pylon signs, the average existing grade is taken from the elevation where the pole meets the existing grade.

HEIGHT, STRUCTURE. Structure height is measured as the distance from the average finished grade to the tallest point on the structure.

HOME OCCUPATION. Any gainful occupation or profession engaged in by an occupant of a dwelling unit. Such use must be clearly incidental and secondary to the principal use of the dwelling for residential purposes

and shall not change the residential character of the dwelling or have an adverse effect on adjacent properties nor constitute a nuisance or safety hazard.

HOTEL. A building containing eight or more guest rooms in which lodging is provided with or without meals for compensation and which is open to transient, permanent guests or both, and where no provision is made for cooking in any guest room, and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge.

IMPERVIOUS SERVICE. A surface that is occupied by buildings or structures, or has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

INDUSTRIAL USE. The use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities or other wholesale items.

JUNK YARD. An area where used, waste, discarded or salvaged materials are bought, sold, exchanged, stored baled, cleaned, packed, disassembled or handled including but not limited to scrap, iron, and other metals, paper, rags, rubber products, bottles and lumber. Storage of such material in conjunction with a permitted manufacturing process when within an enclosed area or building shall not be included.

~~**KENNEL.** Any premises where three or more non-caged domestic animals over six months of age are kept, except for an animal hospital, pet shop or veterinary clinic.~~

KENNEL, ANIMAL (ANIMAL SHELTER). Any premises where three or more non-caged domestic animals over six months of age are kept, except for an animal hospital, pet shop or veterinary clinic. "Animal kennels" and "animal shelters" include animal daycare uses such as "doggie daycare" and incidental grooming, walking and/or training services.

LAND ALTERATION. Depositing or removing 400 cubic yards or more of material after the effective date of this article so as to modify the existing grade, excluding excavations for the placement of footings or the construction of basements.

LIQUOR STORE, OFF-SALE. Establishments engaged in the sale of alcoholic beverages for off-premises consumption.

LOT. A parcel of land occupied or used or intended for occupancy or use by a use permitted in this article, abutting on a public street, and of sufficient size to provide the yard required by this article.

LOT AREA. The area of a lot in a horizontal plan bounded by the lot lines, but not including any area occupied by the waters of a duly recorded lake or area which has been dedicated as a public right-of-way.

LOT AREA PER DWELLING UNIT. The number of square feet of lot area required per dwelling unit.

LOT, CORNER. A lot situated at the junction of, and abutting on two or more intersecting streets or other public rights-of-way, or a lot at the point of deflection in alignment of a continuous street, the interior angle of which does not exceed 135 degrees.

LOT DEPTH. The mean horizontal distance between the front lot line and the rear lot line of a lot.

LOT, INTERIOR. A lot other than a corner lot.

LOT LINE. A lot line is the property line bounding a lot except that where any portion of a lot extends into the public right-of-way or a proposed public right-of-way shown on a recorded official map, the line of such public right-of-way shall be deemed the lot line.

LOT LINE, FRONT. That boundary of a lot that abuts a public street. In the case of a corner lot it shall be the shortest dimension on a public street. If the dimensions of a corner lot are equal, the front lot line shall be designated by the owner and filed with the city.

LOT LINE, REAR. That boundary of a lot that is opposite the front lot line. If the rear lot line is less than ten feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line ten feet in length within the lot, parallel to, and at the maximum distance from the front lot line.

LOT LINE, SIDE. Any boundary of a lot that is not a front lot line or a rear lot line.

LOT OF RECORD. Any lot which is one unit of a plat heretofore or hereafter duly approved and filed, or one unit of an auditor's subdivision or a registered land survey, or a parcel of land not so platted, subdivided or registered for which a deed, auditor's subdivision or registered land survey has been recorded in the office of the Register of Deeds or Registrar of Titles for Anoka County, Minnesota prior to the effective date of this article.

LOT, SUBSTANDARD. A lot or parcel of land that has less than the required minimum area or width as established by this article as a buildable parcel.

LOT, THROUGH. A lot which has a pair of opposite lot lines abutting two substantially parallel streets, and which is not a corner lot. On a through lot, both street lines shall be front lot lines for applying this article.

LOT WIDTH. The minimum horizontal distance between the side lot lines as measured at the median point of the front yard setback line.

MAINTENANCE FACILITY. An establishment providing routine maintenance of buildings. This term includes but is not limited to an establishment performing window washing, building cleaning, pest extermination or a disinfecting service.

MANUFACTURED HOME. A manufactured home means a factory-built structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

MANUFACTURED HOME PARK. A parcel of land so designed and improved with utilities, parking pads, walks, access roads, and other facilities to accommodate manufactured homes that are to be used as dwellings and that have received state approval.

MEDICAL LABORATORY. A facility offering diagnostic or pathological testing and analysis of blood, blood fluids, pathological specimens, DNA sampling and analysis, and any other diagnostic test generally recognized in the healthcare industry.

MOTEL. A building containing eight or more guest rooms in which lodging is provided with or without meals for compensation and which is open to transient, permanent guests or both, and where no provision is made for cooking in any guest room, and in which ingress and egress to and from all rooms is made directly from the outside.

MOTOR FREIGHT TERMINAL. A building or area where freight arrives and/or is removed for routing in intra-state or inter-state shipment by motor truck.

MOTOR FUEL STATION. A retail place of business engaged primarily in the sale of motor fuels, but may also be engaged in supplying goods and services generally required in the operation and maintenance of motor vehicles.

MOTOR FUEL STATION, MAJOR. A primarily retail place of business which may engage in major motor vehicle repair and may include auto wash or convenience store as an accessory use.

MOTOR FUEL STATION, MINOR. A retail place of business which shall have no more than two service bays, and may engage in minor motor vehicle repair.

MOTOR VEHICLE PARTS STORE. Any building or premise used for the purpose of selling and storing any component, product or system of an automobile, motorcycle or truck vehicle.

MOTOR VEHICLE REPAIR, MAJOR. General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, including body work, frame work and major painting service.

MOTOR VEHICLE REPAIR, MINOR. The replacement of any part or repair of any part including the removal of the engine head or pan, engine, transmission or differential; incidental body and fender work; minor painting and upholstering service when said service above stated is applied within an enclosed building.

MUSEUM/GALLERY. A room or structure in which original works of art or limited editions of original art are bought, sold, loaned, appraised, or exhibited to the general public.

NONCONFORMITY. Nonconformity shall have the meaning given in the M.S. § 394.22, subd. 8, or successor statutes.

NOXIOUS MATTER OR MATERIAL. Material capable of causing injury to living organisms by chemical reaction, or is capable of causing detrimental effects on the physical or economic well being of individuals.

NURSING HOME. A place, residence, or home used for the boarding and care of elderly or infirm that are dependent upon the services of others.

OBSTRUCTION. Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.

OFFICE. A building or portion of a building wherein services are performed involving predominantly administration, professional or clerical operations.

OFFICE/SHOWROOM. A structure designed for the display of goods for sale, such as appliances, cars, or furniture with an office as an accessory use.

OFFICE/WAREHOUSE. Facilities characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or nuisances such as dust, noise, and odors, but not involved in manufacturing or production.

OFFICIAL CONTROL. Means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria all of which control the physical development of a municipality or a county or any part thereof or any detail thereof, and are the means of translating into ordinances all or any part of the general objections of the comprehensive plan. Such official controls may include but are not limited to ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes, housing codes and official maps.

OFFICIAL MAP. Means a map adopted in accordance to Minnesota Statutes which may show existing roads and highways, future roads and highways and the area needed for widening existing public land and facilities and other land needed for future parks, playgrounds, schools, and other public buildings, civic centers, travel service facilities.

OPAQUE. Impervious to the passage of light.

OPEN SALES LOT. Land devoted to the display of goods for sale, rent, lease, advertising or trade where such goods are not enclosed within a building but not including new or used cars or trucks.

OPEN SPACE, COMMON. Open space within or related to a development designed and intended for the common use or enjoyment of the occupants of the development or the public at large.

ORDINARY HIGH WATER MARK. Shall have the meaning given in M.S. § 103G.005, subd. 14; or successor statutes.

OUTDOOR SALES/DISPLAY. An outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product, or service.

OUTSIDE STORAGE. The keeping in an unroofed area of any goods, bulk material, other material, merchandise, or products for more than 24 hours.

OVERLAY DISTRICT. A zoning district that encompasses one or more primary zoning districts, or portions thereof, and that imposes additional requirements above and beyond those required by the primary zoning district.

PARCEL. An area of land that may be designated by platting, by metes and bounds descriptions, by a registered land survey, by auditor's subdivision, or other acceptable means, which distinguishes it from other parcels.

PARKING, JOINT. The development and use of a parking space or parking lot by two or more separate uses.

PARKING RAMP. A structure designed and used for the storage of motor vehicles at, below, or above grade or a combination thereof that does not consist solely of an at grade outdoor parking area.

PAWNBROKER. A person who loans money on deposit or pledge of personal property or other valuable items or who deals in the purchasing of personal property or other valuable items on condition of selling the same back again at a stipulated price or who loans money secured by security interest on personal property or any part thereof.

PAWN SHOP. A business establishment operated by a pawnbroker.

PEDESTRIAN WAY. A public or private right-of-way, across or within a block that provides access for pedestrians.

PERFORMANCE STANDARD. Criterion established to control noise, odor, radiation, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

PERSONS. Any individual, firm, partnership, corporation, company, association, joint stock association or body politic; includes any trustee, receiver, assignee, or other similar representative thereof.

PLACE OF WORSHIP. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which buildings and uses are maintained and controlled by a religious body organized to sustain regular public worship. **May include a convent, monastery, or other religious residence when accessory to a place of worship or religious facility.**

PLANNED UNIT DEVELOPMENT. Planned unit development means 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 usually involving a mix of land use, structure types and other design development details specific to the site or project goals.

PLAT. A map depicting the division or subdivision of land into lots, blocks, parcels, tracts or other portions thereof.

PLAT, FINAL. A drawing of a permanent nature showing the precise location and dimensions of such features as streets, lots, easements and other elements pertinent to transfer of ownership and prepared for permanent record.

PLAT, PRELIMINARY. A drawing showing the proposed general pattern of streets, lots, and land uses within a tract of land to be subdivided.

PLAYGROUND. An area developed for active play and recreation that may contain courts for such games as basketball or tennis

PRECIOUS METALS. Gold, silver or platinum.

PRECIOUS METALS DEALER. Any person, partnership or corporation, either as principal or agent, who engages in the business of buying or selling secondhand items containing precious metal, including but not limited to jewelry, watches, coins, eating utensils, candlesticks, decorative objects and ingots.

PRECIOUS METALS DEALERSHIP. Any business establishment operated by a precious metals dealer.

PRINTING/PUBLISHING. An establishment in which the principal business consists of duplicating and printing services using photocopy, blueprint, or offset printing equipment, including publishing, binding, and engraving.

PROFESSIONAL SERVICE. An establishment or place of business primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty and barber shops, shoe repair shops, and tailor shops.

PROFESSIONAL STUDIO. Work space for artists or other commercial professional, including individuals practicing one of the fine arts or skilled in an applied art, craft, or trade that requires a working area.

PUBLIC ART. A fountain, sculpture, painting, mural, or similar object that is sited within a planned development as a focal point and is intended for the enjoyment of the general public.

PUBLIC PARK. A natural or landscaped area, buildings, or structures, provided by a unit of government, to meet the active or passive recreational needs of people.

PUBLIC WATERS. Public waters shall have the meaning given in M.S. § 103G.005, subd. 15, or successor statutes.

RADIO AND TELEVISION, STUDIO. All uses related to the production of motion pictures and television film and tape as well as radio recordings, including motion picture and television stages; exterior sets; laboratories; construction, repair, and storage facilities; caretaker and temporary housing; all vehicles used to transport this equipment and other related commercial vehicles; and accessory fabrication activities.

RAMP. A structure attached to a principle or accessory building which is constructed at a slope that meets the Uniform Building Code requirements for the purposes of providing access to a building.

REACH. A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or manmade obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.

RECREATIONAL FACILITY (INDOOR AND OUTDOOR). Clubhouses, swimming pools, tennis courts, trails and similar facilities used by the general public for exercise, sports or entertainment.

REGIONAL FLOOD. A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100-year recurrence interval. Regional flood is synonymous with the term base flood used in the flood insurance study.

RENTAL UNIT. A licensed dwelling designed for use and occupancy by persons other than the owners.

RESIDENTIAL CARE FACILITY. A licensed public or private facility, which, for gain or otherwise, regularly provides one or more dependents with 24-hour-a-day substitute for the care, food, lodging, training, supervision, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the dependent's own home. The term includes facilities that are licensed by the Minnesota Department of Health, foster homes, residential treatment facilities, maternity shelters, group homes, schools for challenged children, and homes for battered children or spouses. Such term shall not include any facility eligible for licensure by the Minnesota Department of Corrections. **Residential care facilities serving six or fewer dependents are considered permitted uses in all residential zoning districts where single family residences are permitted subject to the same regulations.**

RESIDENTIAL CARE FACILITY, CORRECTIONAL. A licensed public or private facility, which, for gain or otherwise, regularly provides one or more dependents with 24-hour-a-day substitute for the care, food, lodging, training, supervision, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the dependent's own home. The term includes facilities that are licensed by the Minnesota Department of Health, foster homes, residential treatment facilities, maternity shelters, group homes, schools for challenged children, and homes for battered children or spouses. Such term shall also include any facility eligible for licensure by the Minnesota Department of Corrections.

RESIDENTIAL USE BUILDING. A dwelling, boarding, lodging, rooming, fraternity or sorority house, or a dormitory unit.

RESTAURANT. An establishment engaged in the preparation and retail sale of food and beverages, which is characterized by table service to customers and does not meet the definition of a fast food restaurant.

RESTAURANT, FAST FOOD. An establishment whose design or principal method of operation includes at least five of the following characteristics.

- (1) Less than 50% of the gross floor area is devoted to customer dining.
- (2) A permanent menu board is provided from which to select and order food.
- (3) If a chain or franchised restaurant, standardized floor plans are used over several locations.
- (4) Customers pay for food before consuming it.
- (5) A self-serve condiment bar is provided.
- (6) Trash receptacles are provided for self-serve bussing.
- (7) Furnishing plan indicates hard-finished stationary seating arrangement.
- (8) Most main course food items are substantially cooked on the premises and packaged in individual, non-reusable containers.

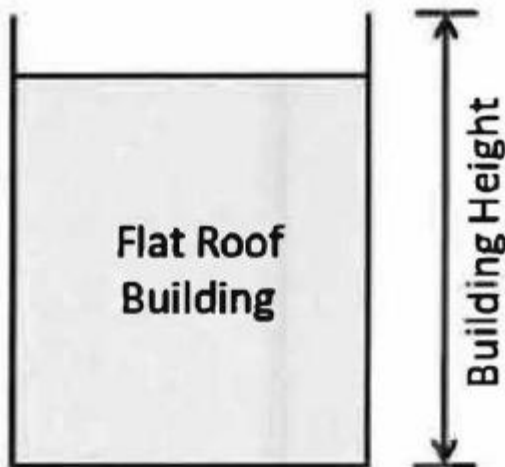
(9) In addition, any restaurant with a drive-through facility shall be considered a fast food restaurant.

RETAIL SALES, LIMITED (LIMITED RETAIL SALES). Retail sales of products manufactured, process, or delivered in bulk and repackaged for sale on the site, provided that the sales area does not exceed 20% of the gross floor area of the principal building and must adhere to the performance standards set forth in section 9.106.

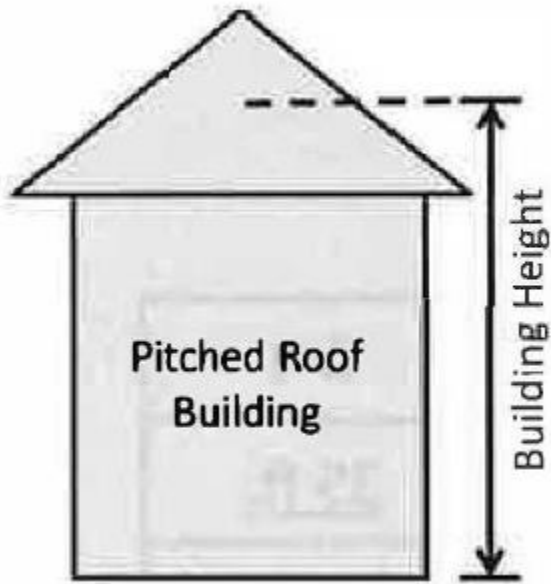
RIGHT-OF-WAY. An area or strip of land, either public or private, upon which a right-of-passage has been recorded for the use of vehicles, including trains, or pedestrians or both.

ROAD. A public right-of-way affording primary access by pedestrians and vehicles to abutting properties, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, service road, place or however otherwise designated.

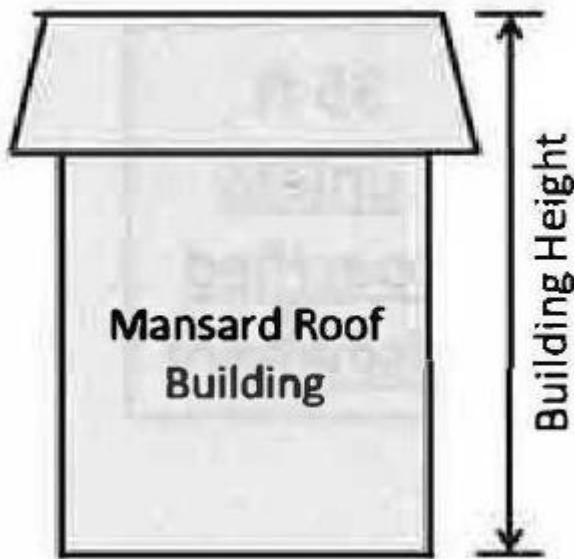
ROOF HEIGHT, FLAT. The height of a flat roof is measured as the average finished grade to the highest point on the roof (see example below):



ROOF HEIGHT, PITCHED. The height of a pitched roof is measured at the average finished grade to the mean distance between the eaves and the highest point of the roof (see example below):



ROOF HEIGHT, MANSARD. The height of a mansard roof is measured as the average finished grade to the highest peak on the mansard roof (see example below):



ROOF HEIGHT, OTHER. All other roof heights are measured as the average finished grade to the highest point or area on the roof.

ROOF LINE. The uppermost line of the roof of a building or, in the case of an extended facade, the uppermost height of said facade.

ROOMER. A person who is not a member of the family occupying a room for a charge.

ROOMING HOUSE. A residential structure that offers a room or rooms without kitchen facilities for rent.

SALVAGE OPERATION/TRANSFER STATION. Structures or systems designed for the collection, processing, or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

SAMPLING, TOBACCO. The lighting, inhalation, or combination thereof of tobacco, tobacco paraphernalia, or tobacco-related products for the purpose of testing a tobacco product prior to the sale of such product.

SCHOOL, K-12. A public, private, or parochial school offering instruction at the elementary, junior, and/or senior high school levels in the branches of learning and study required to be taught in the public schools of the [state].

SCHOOL, PERFORMING/VISUAL/MARTIAL ARTS. A school where classes in the various arts (e.g. dance, painting, theater, martial) are taught to four or more persons at a time.

SCHOOL, VOCATIONAL/BUSINESS. A specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills.

SEASONAL SALES STANDS. An open-air facility which sells seasonal products directly to customers on site. These products include, but are not limited to, produce, fireworks, greenhouses containing trees and plants or other seasonal goods.

SELF-SERVICE STORAGE FACILITY. A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and may include refrigerated facilities

SEMI-PUBLIC USE. The use of land by a private, non-profit organization to provide a public service that is ordinarily open to some persons outside the regular constituency of the organization.

SETBACK. The minimum horizontal distance between a building or structure and a right-of-way, property line, ordinary high water level, or other specified facility.

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

SHOPPING CENTER. A group of four or more commercial uses that has either common management or ownership, or has a contiguous gross retail area of 20,000 square feet or more.

SHORE IMPACT ZONE. The 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 required structure setback for the applicable lake or river classification.

SHORELAND. Shoreland shall have the meaning given in M.S. § 103F.205, subd. 4, or successor statutes.

SHOOTING RANGE. Any building or premises where there are facilities of any sort for the firing of handguns, rifles, or other firearms.

SIGN. A structure, device, advertisement, advertising device or visual representation intended to advertise, identify or communicate information to attract the attention of the public for any purpose and without prejudice to the generality of the foregoing. A sign includes any symbols, letters, figures, graphics, or forms painted or otherwise affixed to a building or structure intended to attract the attention of the public for any purpose. This definition includes a structural or nonstructural device that borders, illuminates, animates or projects the visual representation. **Signage displayed through public art displays or murals shall be subject to the sign area requirements identifying a single continuous perimeter enclosing the extreme limits of such sign.**

(1) **SIGN AREA.** The entire area within a single continuous perimeter enclosing the extreme limits of such sign. Such perimeter shall, in no case, pass through or between any adjacent elements of such sign. In the case of a sign designed with more than one exterior surface, the area shall be computed as including only the maximum single display surface, which is visible from any ground position at one time, **except when the signage includes a public art display or mural component.** The supports, uprights, or structures on which any sign is supported, which do not form an integral part of the display, are not included in the sign area.

(2) **SIGN, MAXIMUM HEIGHT.** Refers to the vertical distance measured from the nearest finished grade to the top of such a sign.

(3) SIGN, MINIMUM HEIGHT. Shall refer to the vertical distance measured from the nearest finished grade to the lower limit of such sign.

(4) SIGN STRUCTURE. The structure which supports or is capable of supporting any sign, including the framework, braces, uprights, and supports of such signs. Said definition shall not include a building to which the sign is attached.

SIGN ALTERATION. A change of copy area, size, or location exclusive of routine maintenance, painting or change of the copy itself.

SIGN, ANIMATED. A sign that includes action or motion effected through mechanical or electrical means or wind, exclusive of flashing, changing and indexing signs.

SIGN, AREA IDENTIFICATION. A sign identifying a shopping center or multiple dwelling units.

SIGN, BILLBOARD. A non-accessory sign for the purpose of advertising a product, event, person, subject or service not entirely or directly related to the premises on which said sign is located, including a sign for the purpose of advertising the availability for rental or sale of the sign itself.

SIGN, CANOPY, AWNING OR MARQUEE. A sign suspended from or forming part of the canopy, awning, or marquee that does not extend horizontally beyond such canopy, awning or marquee.

SIGN, CHANGEABLE COPY. A sign employing detachable copy, letters or symbols which may be altered, substituted or rearranged to convey varying messages, regardless of method of attachment.

SIGN, CHANGING. A sign which displays copy changes, such as an electronically or electrically controlled public service, time and temperature sign, message center or reader-board.

SIGN, COPY. The letters, symbols, or other representatives used on a sign to convey a message.

SIGN, COPY AREA. That portion of the sign which contains the copy and to which the copy is applied.

SIGN, DIRECTIONAL. An on-premise sign designed to guide or direct pedestrian or vehicular traffic.

SIGN, DYNAMIC LED. Any characteristics of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any moving, flashing, blinking, or animated display and any display that incorporates LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

SIGN, ELECTRIC. A sign that uses electrical wiring on, in or near such sign to effect illumination.

SIGN, FLASHING. A sign that contains flashing lights or exhibits discernable and purposeful changes in light intensity or color.

SIGN, FREE-STANDING. A permanent sign which is not affixed to any part of a building or structure and which is supported by upright brace(s) or post(s) placed in the ground.

SIGN, IDENTIFICATION. A sign which is limited to the name, address and number of a building, structure, institution, or person in addition to the activity carried on in the building, structure or institution, or the occupation of the person.

SIGN, ILLUMINATED. A sign designed to give forth or reflect any artificial light, either directly from a source of light incorporated in or connected with such sign, or indirectly from an artificial source in the immediate proximity thereof.

SIGN, INCIDENTAL. A small sign less than two square feet in area of a noncommercial nature, intended primarily for the convenience of the public, including signs designating rest areas and public telephones.

SIGN, INSTITUTIONAL. A sign used by an institution.

SIGN, MONUMENT. A permanent freestanding sign which is not affixed to any part of a building or structure and which is typically constructed of masonry, concrete, wood or other decorative type material to complement the surrounding area.

SIGN, POLITICAL. A sign which states the name, slogan and/or picture of an individual seeking election to a public office, or which pertains to a public election or referendum, or which relates to or advocates political views or policies.

SIGN, PORTABLE. A sign that is not permanently attached to the ground or to a building or structure.

SIGN, PROJECTING. A sign which extends outward from the wall of a building or structure more than 18 inches, and is supported by or suspended from such wall.

SIGN, REAL ESTATE. A sign offering land and/or buildings for sale, lease or rental, located on such property.

SIGN, REVOLVING. A sign, any part of which turns, rotates, or revolves.

SIGN, ROOF. A sign which is painted on, affixed to, or erected upon the roof or parapet of a building or structure of which any portion is situated on or above the roof level of such building or structure and is wholly or partially supported by said building or structure.

SIGN, SANDWICH BOARD. A freestanding "A" frame sign, not requiring staking to the ground, placed near the entrance of a retail store to direct pedestrians to that business.

SIGN, TEMPORARY. A sign, banner, pennant, valance, or advertising device intended to be displayed for a limited period of time, whether portable or attached to the principal structure.

SIGN, TIME AND TEMPERATURE. A sign that displays only time and temperature information.

SIGN, VARIABLE ELECTRONIC MESSAGE. A dynamic LED sign that changes its message more frequently than once every ten seconds for commercial and industrial properties located in the LB, GB, CBD, I-1 and I-2 zoning districts and a dynamic LED sign that changes its message more frequently than once every 10 minutes for religious and/or educational institutions located in the R-1, R-2A, R-2B, R-3, R-4, LB and PO zoning districts.

SIGN, WALL. An identification sign affixed to or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of said wall.

SIGN, WINDOW. A sign painted on, placed in, or affixed to any window, exclusive of merchandise on display.

SIGNIFICANT HISTORIC SITE. An archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites or is determined to be an unplatted cemetery that falls under the provisions of the M.S. § 307.08; or successor statutes. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the director of the Minnesota Historical Society.

SMOKE SHOP. A retail establishment that has obtained an appropriate license, in which greater than 90% of the business's gross revenue must be from the sale of tobacco, tobacco products or smoking related accessories.

SPECIFIED ANATOMICAL AREAS. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breasts below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. Activities including: (1) Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or, (2) Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or, (3) Use of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation; or, (4) Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or, (5) Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint of any such

persons; or, (6) Erotic or lewd touching, fondling or other sexually-oriented contact with an animal by a human being; or, (7) Human excretion, urination, menstruation, vaginal or anal irrigation.

STORY. That portion of a building included between the surface of any floor and the surface of the floor next above it; or if there is no floor above, the space between the floor and the ceiling next above. A basement shall be counted as a story.

STREET. A public right-of-way not less than 50 feet in width which affords a primary means of access to abutting property.

STRUCTURAL ALTERATION. Any change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as bearing walls, column beams, girders, or foundations.

STRUCTURE. Anything constructed or erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground. When a structure is divided into separate parts by an unpierced wall, each part shall be deemed a separate structure.

SUBDIVISION. Land that is divided for the purposes of sale, rent, or lease and including planned unit developments.

SWIMMING POOL, ABOVE-GROUND. All swimming pools that are constructed so that the edge of the pool is greater than three and one-half feet above ground grade or has a capacity of more than 3,000 gallons of water.

SWIMMING POOL, HOT TUB. All pools that are intended for hydro-therapeutic massage and relaxation purposes that have a capacity of less than 750 gallons of water, including such pools generally constructed with a filter unit(s), pump(s), water jet(s), molded seating and a heating unit(s). Any hot tub greater than 750 gallons of water shall be considered an above-ground pool for regulatory purposes.

SWIMMING POOL, IN-GROUND. All swimming pools constructed so that the pool edge is level with the ground grade.

SWIMMING POOL, PORTABLE. Any temporary pool designed for easy construction and removal with a maximum height of 3.5 feet or a capacity of less than 3,000 gallons of water.

TATTOO SHOP. Any room or space where tattooing is performed for compensation. Tattooing means a placement in human tissue of any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instruments; or any design, letter, scroll, figure, or symbol done by scarring upon or under the skin.

THEATER, LIVE PERFORMANCE/MOVIE. An establishment for the performing arts with open-air seating for audiences. Such establishments may include related services such as food and beverage sales and other concessions.

TRANSITIONAL/EMERGENCY HOUSING. A facility, other than a community living arrangement, managed by a public or nonprofit agency that provides short-term housing and a protective sanctuary for victims of fire, natural disaster, economic hardship, crime, abuse, or neglect, including emergency housing during crisis intervention for victims of rape, child abuse, or physical beatings which contains individual sleeping rooms and may or may not have food preparation facilities and private shower or bath facilities.

TWINHOME. A single-family residential dwelling on an individual lot, sharing a common wall with another single-family residential dwelling.

USE. The purpose or activity for which the land, structure or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

USE, CONDITIONAL. Either a public or private use as listed which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district.

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

USE, PERMITTED. A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and performance standards of such district.

USE, PRINCIPAL. The main use of land or buildings.

VENDING MACHINE. Any coin operated device that dispenses a product or service without an attendant.

WALL SURFACE. The total horizontal area of the building face, including windows and door areas, measured to the extreme outer limits of such wall surface.

WAREHOUSING AND/OR DISTRIBUTION. A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive.

YARD. A required open space on a lot, which is unoccupied and unobstructed by a structure from its lowest ground level to the sky except as expressly permitted in this article. A yard shall extend along a lot line and at right angles to such lot line to a depth or width specified in the yard regulations for the district in which such lot is located.

YARD, FRONT. A yard extending along the full width of the front lot line between side lot lines and extending from the abutting front street right-of-way line to a depth required in the yard regulations for the district in which such lot is located.

YARD, REAR. A yard extending along the full width of the rear lot line between the side lot lines and extending toward the front lot line for a depth as specified in the yard regulations for the district in which such lot is located.

YARD, SIDE. A yard extending along a side lot line between the front and rear yards, having a width as specified in the yard regulations for the district in which such lot is located.

ZONING ADMINISTRATOR. Person appointed by the City Manager as provided by this article.

ZONING DISTRICT. An area or areas within the limits of the city for which the regulations and requirements governing use are uniform.

Section 2

The following administrative processes are amended or deleted as provided in Section 9.104 of the City Code of 2005, is hereby established to read as follows:

(A) General provisions.

(1) Purpose. This article sets forth the procedures required for the administration of this article, outlines the powers and duties of the officials and bodies charged with such administration, establishes standards for required approvals, and provides enforcement in a manner which protects the public health, safety and general welfare.

(2) Concurrent review. In order to provide for the efficient administration of this article, all applications for a single project or proposal that require multiple actions shall be processed concurrently.

(3) Substantially similar uses. Whenever an application contains a use not specifically included in this article, the Zoning Administrator shall issue a statement of clarification, finding that the use is either substantially similar in character and impact to a use regulated in this article or that the use is not substantially similar to any other use regulated in this article. If the use is not substantially similar to any other use regulated in this article, the use shall be prohibited.

(B) Authority and duties for administration.

(1) Authority. The following city officials and bodies, without limitation upon such authority as each may possess by law, have responsibility for implementing and administering this article:

- (a) Zoning Administrator;
- (b) Development Review Committee;
- (c) Planning Commission;
- (d) City Council.

(2) Zoning Administrator.

(a) Authority. The Zoning Administrator shall be appointed by the City Manager to administer and enforce the provisions of this article.

(b) Duties. The Zoning Administrator shall have the following responsibilities:

1. Conduct inspections of buildings and uses of land to determine compliance with the provisions of this article.

2. Maintain permanent and current records of this article, including, but not limited to, all associated maps, amendments, conditional uses, variances, and appeals.

3. Receive, file and forward all applications for appeals, variances, conditional use permits, interim use permits, zoning ordinance amendments, vacations, minor subdivisions, preliminary plats, final plats or other matters to the appropriate decision-making body.

4. Make a determination of compliance with this article on all applications for building permits and certificates of occupancy.

5. Provide zoning information to residents and others upon request.

6. Interpret the provisions of this article.

(3) Development Review Committee.

(a) Authority. The membership of the Development Review Committee shall be city staff members as appointed by the City Manager.

(b) Duties. The Development Review Committee shall have the following responsibilities:

1. Review plans and plats for conformance with the technical requirements of this article.

2. Make recommendation to the Planning Commission and City Council regarding applications for development or land use approvals.

(4) Planning Commission.

(a) Authority. The Planning Commission shall be appointed by the City Council.

(b) Duties. The Planning Commission shall have the following responsibilities:

1. Hear and make recommendations to the City Council regarding all applications for a conditional use permit or an amendment to a conditional use permit.
2. Hear and make the final decisions on all applications for an interim use as defined in this article.
3. Hear and make recommendations to the City Council regarding all applications for an amendment to this article, both text amendments and amendments to the district boundaries on the official zoning map.
4. Hear and make recommendations to the City Council regarding all applications for minor subdivisions, preliminary plats and final plats.
5. Review, hold public hearings, and prepare recommendations on any changes to the City's Comprehensive Plan.
6. Review this article from time to time and make recommendations to the City Council that changes be initiated.
7. Hear and make recommendations on any other matter referred to it by the City Council.

(c) Board of Appeals and Adjustment duties. In accordance with M.S. § 462.354, as it may be amended from time to time, the City Council has designated the Planning Commission as the Board of Appeals and Adjustments. As such, the Planning Commission shall have the following additional responsibilities:

1. Hear and make decisions on all applications for an appeal of any administrative order, requirement, determination or final decision made by the Zoning Administrator or other official in the administration of this article.

2. Hear and make decisions on all applications for a variance from the literal provisions of this article.

(5) City Council.

- (a) Authority. The City Council shall have the authority given to it by state statutes.

- (b) Duties. The City Council shall hear and make the final decision on all matters identified as requiring City Council action in this article.

(C) General application procedures.

- (1) Applications. All applications for land use or development approval shall be made on the appropriate application, as approved by the city and available from the Community Development Department. The application shall be accompanied by detailed written and graphic materials fully explaining the proposed development or land use change, as required by the Zoning Administrator. The application shall also be accompanied by the appropriate fee, proof of legal interest in the property, and two copies of a list of property owners within 350 feet of the subject property or as otherwise defined in state statutes, in the format required by the Zoning Administrator.

- (2) Additional information. The Zoning Administrator may require applicants for land use or development approval to submit additional information as may be necessary to evaluate the application. Such additional information may include, but shall not be limited to, traffic studies, engineering studies and environmental studies. The costs of such studies shall be the responsibility of the applicant, with the person or firm preparing the study approved by the Zoning Administrator.

(3) Pre-application conference. A pre-application conference with the Zoning Administrator shall be required prior to the submission of any application for land use or development approval. The purpose of the conference is to review application procedures and ordinance requirements with the applicant, to exchange information regarding the proposed project, and to identify potential opportunities and constraints for development of the site under consideration.

(4) Completeness of application. No application for land use or development approval shall be deemed complete until all items that are required in support of the application, including any additional studies or information required by the Zoning Administrator, have been submitted.

(5) Application fees. Fees for all applications for development or land use approval shall be a flat rate and established by resolution of the City Council. The city retains the right to require an escrow and additional payment for any out-of-pocket expenses for consultants and professional services and/or to obtain an escrow for cases that are extraordinary in size or complexity. Remaining escrowed funds not spent in reviewing the application shall be returned to the applicant. Payment of all fees is a condition of application approval. The Community Development Department will keep a record of current fees for all land use applications.

(6) Required action. Pursuant to M.S. § 15.99, as it may be amended from time to time, all applications for land use or development approval shall be approved or denied as per state statute, unless extended pursuant to statute or unless a time waiver has been granted by the applicant.

(7) Reconsideration of applications. No application for land use or development approval that has been denied by the City Council, in whole or in part, shall be reconsidered for a period of six months from the date of City Council action on the application.

(8) Expiration of approval. If substantial development or construction has not taken place within one year of the date of City Council approval of an application for land use or development approval, the approval shall be considered void unless a petition for time extension has been granted by the City Council. Such extension shall be submitted in writing at least 30 days prior to the expiration of the approval and shall state facts showing a good faith effort to complete the work permitted under the original approval. This provision shall not apply to zoning amendments or vacations of streets, alleys or public rights-of-way.

(D) Public hearings.

(1) Notice of public hearing. For all development or land use applications requiring a public hearing, notice of the public hearing shall be as follows:

(a) Official publication. The Zoning Administrator shall publish notice of the time, place and purpose of the public hearing at least once in the official city newspaper, not less than 10 days nor more than 30 days before the hearing.

(b) Notice to affected property owners. The Zoning Administrator shall mail a written notice of the time, place and purpose of the public hearing to all owners of record of property located in whole or in part within 350 feet of the boundaries of the subject property, or as otherwise defined in state statutes, not less than 10 days nor more than 30 days before the hearing. The failure to give mailed notice to individual property owners, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this requirements has been made.

(c) Notice to Department of Natural Resources. When a land use or development application relates to property within the Floodplain Management or Shoreland Management Overlay District, the Zoning Admi or

shall mail a written notice of public hearing to the Commissioner of Natural Resources at least 21 days before the hearing.

(2) Hearing procedure. All hearings shall be open to the public. Any person may appear and testify at a hearing in person or by representative. Upon conclusion of the public testimony, the decision-making body shall announce its decision or recommendation, or shall continue the matter to a subsequent meeting.

(E) Appeals.

(1) Right of appeal. At any time within 30 days after a written order, requirement, determination or final decision has been made by the Zoning Administrator or other official in interpreting or applying this article, except for actions taken in connection with prosecutions for violations thereof, the applicant or any other person affected by such action may appeal the decision.

(2) Application for appeal. An appeal must be made by filing a written notice of appeal addressed to the Zoning Administrator and Planning Commission, and stating the action appealed as well as the specific grounds upon which the appeal is made.

(3) Public hearing. The Planning Commission, sitting as the Board of Appeals and Adjustments, shall hold a public hearing on the appeal in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall render its findings.

(F) Zoning amendments.

(1) Right of application. Amendments to the text of this article or to the district boundaries on the official zoning map may be initiated by the City Council, the Planning Commission, or by application of any person with a legal interest in the affected property.

(2) Application for amendment. An application for an amendment to change the district boundaries on the official zoning map or the text of this article shall be filed with the Zoning Administrator on the approved form and shall be accompanied by a map or plat showing the lands proposed to be changed, a concept development plan and any other information determined by the Zoning Administrator to be necessary.

(3) Public hearing. The Planning Commission shall hold a public hearing on the complete application for a zoning amendment and all amendments initiated by the City Council or Planning Commission in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall make findings and submit its recommendation to the City Council.

(4) City Council action. The City Council shall make the final decision regarding an application for a zoning amendment. Amendments of this article or the district boundaries on the official zoning map shall require a four-fifths majority vote of the City Council.

(5) Required findings. The City Council shall make each of the following findings before granting approval of a request to amend this article or to change the district boundaries on the official zoning map:

(a) The amendment is consistent with the comprehensive plan.

(b) The amendment is in the public interest and is not solely for the benefit of a single property owner.

(c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.

(d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.

(G) Variances.

(1) Purpose. The purpose of a variance is to provide a means of departure from the literal provisions of this article. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. It is not the intent of this section to allow a variance for a use that is not permitted within a particular zoning district.

(2) Right of application. Any person with a legal interest in the property may file an application for one or more variances.

(3) Application for variance. An application for a variance shall be filed with the Zoning Administrator on the approved form and shall be accompanied by a site plan and any other information determined by the Zoning Administrator to be necessary.

(4) Public hearing. The Planning Commission, sitting as the Board of Appeals and Adjustments, shall hold a public hearing on the complete application for a variance in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall make findings and submit its recommendation to the City Council.

(5) City Council action. The City Council shall make the final decision regarding an application for a variance from the provisions of this article. Approval of a variance shall require a simple majority vote of the City Council.

(6) Required findings. The City Council shall make each of the following findings before granting a variance from the provisions of this article:

(a) Because of the particular physical surroundings, or the shape, configuration, topography, or other conditions of the specific parcel of land involved, strict adherence to the provisions of this article would cause practical difficulties in conforming to the zoning ordinance. The applicant, however, is proposing to use the property in a reasonable manner not permitted by the zoning ordinance.

(b) The conditions upon which the variance is based are unique to the specific parcel of land involved and are generally not applicable to other properties within the same zoning classification.

(c) The practical difficulties are caused by the provisions of this article and have not been created by any person currently having a legal interest in the property.

(d) The granting of the variance is in harmony with the general purpose and intent of the Comprehensive Plan.

(e) The granting of the variance will not be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development or value of property or improvements in the vicinity.

(7) Conditions of approval. The City Council may establish any reasonable conditions of approval that are deemed necessary to mitigate adverse impacts directly associated with granting of the variance and to protect neighboring properties.

(H) Conditional use permits.

(1) Purpose. The conditional use permit process is intended as a means of reviewing uses which, because of their unique characteristics, cannot be permitted as a right in a specific zoning district, but may be allowed upon demonstration that such use meets identified standards established in this article. A conditional use permit is granted for a specific use of a specific property, and may be transferred to subsequent owners as long as the conditions agreed upon are observed.

(2) Right of application. Any person with a legal interest in the property may file an application for a conditional use permit, provided said conditional use is identified as a conditional use within the zoning district in which the property is located.

(3) Application for conditional use permit. An application for a conditional use shall be filed with the Zoning Administrator on the approved form and shall be accompanied by a site plan, a detailed written description of the proposed use and any other information determined by the Zoning Administrator to be necessary.

(4) Public hearing. The Planning Commission shall hold a public hearing on the complete application for a conditional use permit in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall make findings and submit its recommendation to the City Council.

(5) City Council action. The City Council shall make the final decision regarding an application for a conditional use permit. Approval of a conditional use permit shall require a simple majority vote of the City Council.

(6) Required findings. The City Council shall make each of the following findings before granting a conditional use permit:

(a) The use is one of the conditional uses listed for the zoning district in which the property is located, or is a substantially similar use as determined by the Zoning Administrator.

(b) The use is in harmony with the general purpose and intent of the comprehensive plan.

(c) The use will not impose hazards or disturbing influences on neighboring properties.

(d) The use will not substantially diminish the use of property in the immediate vicinity.

(e) The use will be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.

(f) The use and property upon which the use is located are adequately served by essential public facilities and services.

(g) Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.

(h) The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.

(i) The use complies with all other applicable regulations for the district in which it is located.

(7) Conditions of approval. The City Council may establish any reasonable conditions of approval that are deemed necessary to mitigate adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve the objectives of this article.

(8) Revocation. Failure to comply with any condition set forth as part of a conditional use permit shall be a violation of this article and is subject to the enforcement process identified in this section. Continued noncompliance shall be grounds for revocation of the conditional use permit, as determined by the City Council following a public hearing on the issue.

(9) Discontinuance. When a conditional use has been established and is discontinued for any reason for a period of one year or longer, or where a conditional use has been changed to a permitted use or any other conditional use, the conditional use permitted shall be considered abandoned.

(l) Interim uses.

(1) Purpose. The interim use process provides for a temporary use of land for a specific period of time, and may be allowed upon demonstration that such use meets identified standards established in this article. It is intended that the interim use of land does not run with the land, and would need to be approved upon each subsequent use.

(2) Right of application. Any person with a legal interest in the property may file an application for an interim use, provided said interim use is identified as an interim use within the zoning district in which the property is located.

(3) Application for interim use. An application for an interim use shall be filed with the Zoning Administrator on the approved form and shall be accompanied by a site plan, a detailed written description of the proposed use and any other information determined by the Zoning Administrator to be necessary.

(4) Public hearing. The Planning Commission shall hold a public hearing on the complete application for an interim use in accordance with the regulations of this section. After the close of the public hearing, the Planning Commission shall make findings and make the final decision regarding the application.

(5) Required findings. The Planning Commission shall make each of the following findings before granting an interim use:

(a) The use is one of the interim uses listed for the zoning district in which the property is located, or is a substantially similar use, as determined by the Zoning Administrator.

(b) The use is in harmony with the general purpose and intent of the Comprehensive Plan.

(c) The use will not impose hazards or disturbing influences on neighboring properties.

(d) The use will not substantially diminish the use of property in the immediate vicinity.

(e) The use will be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.

(f) Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.

(g) The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.

(6) Conditions of approval. The Planning Commission may establish any reasonable conditions of approval that are deemed necessary to mitigate adverse impacts associated with the interim use, to protect neighboring properties, and to achieve the objectives of this article.

(7) Time duration. An interim use shall be granted for a maximum of 90 days per calendar year, unless otherwise specified in this article.

(8) Discontinuance. An interim use shall be deemed discontinued after the specified time duration has elapsed. Upon discontinuance of an interim use, all subsequent interim uses shall require an interim use permit.

(J) Vacations.

(1) Purpose. The vacation process allows for the vacation of public streets, alleys or other public rights-of-way when it is demonstrated that the public reservation of the land no longer serves a clearly identified public purpose.

(2) Right of application. Any person or persons who own property adjoining both sides of the street, alley or other public right-of-way to be vacated may file an application for vacation. In the event that the person or persons making the request do not own all of the adjoining parcels, the application shall be accompanied by affidavits from all such property owners indicating their consent.

(3) Application for vacation. An application for the vacation of a street, alley or other public right-of-way shall be filed with the Zoning Administrator on the approved form and shall be accompanied by a legal description, a survey depicting the area to be vacated, a list of all property owners with land adjacent to the area to be vacated, and any other information determined by the Zoning Administrator to be necessary.

(4) Public hearing. The Planning Commission shall hold a public hearing on the completed application for the vacation of a street, alley or other public right-of-way in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall make findings and submit its recommendation to the City Council.

(5) City Council action. The City Council shall make the final decision regarding an application for the vacation of a street, alley or other public right-of-way. Approval of the vacation shall require a four-fifths majority vote of the City Council.

(6) Required findings. The City Council shall make each of the following findings before vacating a street, alley or other public right-of-way:

(a) No private rights will be injured or endangered as a result of the vacation.

(b) The public will not suffer loss or inconvenience as a result of the vacation.

(K) Minor subdivisions (lot splits).

(1) Purpose. The purpose of this process is to provide for approval of subdivisions that meet specific criteria and for the waiver of standard platting requirements specified elsewhere in this article. It is intended to **enable administrative approval of minor subdivisions that** facilitate the further division of previously platted lots, the combination of previously platted lots into fewer lots, or for the adjustment of an existing lot line by relocation of a common boundary.

(2) Right of application. Any person having a legal interest in the property may file an application for a minor subdivision. For an adjustment of an existing lot line, the application shall be accompanied by affidavits from all affected property owners indicating their consent.

(3) Application for minor subdivision. An application for a minor subdivision shall be filed with the Zoning Administrator on the approved form and shall be accompanied by an accurate boundary survey and legal description of the original parcel, a survey and legal description of the resulting parcels, and any other information determined by the Zoning Administrator to be necessary.

~~—(4) Public Hearing. The Planning Commission shall hold a public hearing on the completed applications for a minor subdivision in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall make findings and submit its recommendation to the City Council.~~

~~—(5) City Council action. The City Council shall make the final decision regarding the application for a minor subdivision. Approval of a minor subdivision shall require a simple majority vote of the City Council.~~

(4) Required findings. The ~~City Council~~ Zoning Administrator shall make each of the following findings before approving a minor subdivision:

(a) The proposed subdivision of land will not result in more than three lots.

(b) The proposed subdivision of land does not involve the vacation of existing easements.

(c) All lots to be created by the proposed subdivision conform to lot area and width requirements established for the zoning district in which the property is located.

(d) The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property **or additional dedication of public right-of-way.**

(e) The proposed subdivision does not include a change in existing streets, alleys, water, sanitary or storm sewer or other public improvements.

(f) The property has not previously been divided through the minor subdivision provisions of this article.

(g) The proposed subdivision does not hinder the conveyance of land.

(h) The proposed subdivision does not hinder the making of assessments or the keeping of records related to assessments.

(i) The proposed subdivision meets all of the design standards specified in the § 9.116.

(5) Conditions of approval. The Zoning Administrator may establish any reasonable conditions of approval that are deemed necessary to protect the public interest and ensure compliance with the provisions of this article, including, but not limited to, the following:

(a) The applicant shall provide required utility and drainage easements for all newly created lots and be responsible for the cost of filing and recording written easements with the Anoka County Recorder's Office.

(b) The applicant shall pay parkland dedication fees for each lot created beyond the original number of lots existing prior to subdivision, except when such fees have been applied to the property as part of a previous subdivision.

(6) Recording of minor subdivision. Upon approval of a minor subdivision, the applicant shall be responsible for filing the subdivision survey with the Anoka County Recorder's Office. Any minor subdivision approved under this section shall become invalid if the minor subdivision is not filed with the Anoka County Recorder within one year of the date of the City Council action.

(L) Preliminary plats.

(1) Purpose. A preliminary plat is a drawing intended to illustrate the proposed subdivision of land within the city. Preliminary plat approval is required for all subdivisions of land not specifically exempted in this article. Approval of a preliminary plat is authorization to proceed with the final plat and does not constitute approval of the subdivision.

(2) Right of application. Any person having a legal interest in the property may file an application for a preliminary plat.

(3) Application for preliminary plat. An application for a preliminary plat shall be filed with the Zoning Administrator on the approved form and shall be accompanied by an accurate boundary survey and legal description of the original parcel, five copies of the preliminary plat, and any other information determined by the Zoning Administrator to be necessary.

(4) Public hearing. The Planning Commission shall hold a public hearing on the completed application for a preliminary plat in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall make findings and submit its recommendation to the City Council.

(5) City Council action. The City Council shall make the final decision regarding an application for a preliminary plat. Approval of a preliminary plat shall require a simple majority vote of the City Council.

(6) Required findings. The City Council shall make each of the following findings before approving a preliminary plat:

(a) The proposed preliminary plat conforms with the requirements of § 9.116.

(b) The proposed subdivision is consistent with the comprehensive plan.

(c) The proposed subdivision contains parcel and land subdivision layout that is consistent with good planning and site engineering design principles.

(7) Expiration of preliminary plat. An approved preliminary plat shall be valid for a period of one year from the date of City Council approval. In the event that a final plat is not submitted within this time period, the preliminary plat will become void.

(M) Final plats.

(1) Purpose. A final plat is a drawing representing the proposed subdivision of land within the city and serves as the document for recording purposes, as required by the Anoka County Recorder's Office.

(2) Right of application. Any person having a legal interest in the property may file an application for a final plat. A preliminary plat for the property must have been approved within the past year for a final plat application to be accepted by the city.

(3) Application for final plat. An application for a final plat shall be filed with the Zoning Administrator on the approved form and shall be accompanied by five copies of the final plat and any other information determined by the Zoning Administrator to be necessary.

(4) Public hearing. The Planning Commission shall hold a public hearing on the complete application for a final plat in accordance with the requirements of this section. After the close of the hearing, the Planning Commission shall make findings and submit its recommendation to the City Council.

(5) City Council action. The City Council shall make the final decision regarding an application for a final plat. Approval of a final plat shall require a simple majority vote of the City Council.

(6) Required findings. The City Council shall make each of the following findings before approving a final plat:

- (a) The final plat substantially conforms to the approved preliminary plat.
- (b) The final plat conforms with the requirements of § 9.116.

(7) Recording of final plats. Upon approval of a final plat, the applicant shall be responsible for filing and recording the final plat with the Anoka County Recorder's Office within one year of the date of City Council action. In the event that a final plat is not recorded within this time period, the final plat will become void.

(N) Site plan review.

(1) Purpose. The purpose of the site plan review process is to promote the efficient use of land and visual enhancement of the community, ensure that newly developed and redeveloped properties are compatible with adjacent development, and that traffic conflicts, public safety and environmental impacts are minimized to the greatest extent possible.

(2) Site plan review required. All site development plans for new development, or additions to existing structures other than one- and two-family residences, shall be reviewed and approved by the Planning and Zoning Commission and Development Review Committee prior to the issuance of a building permit.

(3) Required information. An application for site plan review shall be filed with the Zoning Administrator on the approved form and shall be accompanied by a vicinity map; an accurately scaled site plan showing the location of proposed and existing buildings, existing and proposed topography, vehicular access and parking areas, landscaping, and other site features; elevation views of all proposed buildings and structures; and any other information determined by the Zoning Administrator to be necessary.

(4) Required findings. The Development Review Committee shall conduct the administrative review of all site plan approval requests. All findings and decisions of the Committee shall be forwarded to the Planning and Zoning Commission for final decision, unless the Zoning Administrator determines that Development Review Committee approval of site plan is sufficient. The Planning and Zoning Commission shall make each of the following findings before approving a site plan:

- (a) The site plan conforms to all applicable requirements of this article.
- (b) The site plan is consistent with the applicable provisions of the city's comprehensive plan.
- (c) The site plan is consistent with any applicable area plan.

(d) The site plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.

(5) Conditions of site plan approval. The Development Review Committee and the Planning and Zoning Commission may impose conditions of approval on any site plan and require guarantees deemed necessary to ensure compliance with the requirements of this section.

(6) Changes to approved site plan. An approved site plan may not be changed or modified without the approval of the City Zoning Administrator. If the proposed change is determined by the Zoning Administrator to be minor in nature, a revised site plan may not be required. In all other cases, a revised site plan shall be submitted for review and approval in accordance with this section.

(7) Expiration of site plan approval. The approval of a site plan by the Planning and Zoning Commission shall be valid for a period of one year.

(O) Other development approvals and permits.

(1) Building permits. Building permits are required in accordance with the adopted building code. No building permit shall be issued unless the proposed construction or use is in conformance with the requirements of this article and all necessary zoning approvals have been granted.

(2) Sign permits. All signs displayed within the city are required to obtain a sign permit from the Zoning Administrator in accordance with § 9.106, unless herein excluded.

(3) Site plan approval. All site development plans for development, other than one- and two-family residences, shall be reviewed and approved by the Development Review Committee prior to the issuance of a building permit.

(P) Enforcement.

(1) Complaints. The Zoning Administrator shall have the authority to investigate any complaint alleging a violation of this article or the conditions of any zoning or plat approval, and take such action as is warranted in accordance with the provisions set forth in this article.

(2) Procedure.

(a) Notice of violation. The Zoning Administrator shall provide a written notice to the property owner or to any person responsible for such violation, identifying the property in question, indicating the nature of the violation, and ordering the action necessary to remedy the violation, including a reasonable time period for action. Additional written notices may be provided at the Zoning Administrator's discretion.

(b) Enforcement without notice. Whenever the Zoning Administrator finds that an emergency exists in relation to the enforcement of the provisions of this article, which requires immediate action to protect the health, safety or welfare of the occupants of any structure, or the public, the Zoning Administrator may seek immediate enforcement without prior written notice.

(3) Violation and penalties. Any person, firm or corporation violation any of the provisions of this article or any amendments thereto is guilty of a misdemeanor. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 3

The following language for Nonconforming Uses is amended and deleted as provided in Section 9.105 of the City Code of 2005, is hereby established to read as follows:

(A) General Provisions.

(1) Purpose.

(a) This section regulates and limits the continued existence of uses, structures, lots and signs that were lawfully established prior to the effective date of this article but do not conform to the regulations set forth in this article.

(b) The zoning districts established in this article are designed to guide the future use of land within the city by encouraging the development and maintenance of desirable residential, commercial, industrial and public uses in specific locations throughout the city. The continued existence of nonconformities is inconsistent with the purposes for which the zoning districts are established and the gradual elimination of nonconformities is generally desirable.

(2) Continuation of nonconformities.

(a) Legal nonconformities shall be allowed to continue as long as they remain otherwise lawful, subject to the provisions of this section. Nonconformities that were not lawfully in existence on the effective date of this article shall be prohibited.

(b) Nothing contained in this section shall be construed to permit a violation of any provision of the Columbia Heights City Code or the continuation of any unsafe or unsanitary condition.

(3) Change of ownership. A change in tenancy, management or ownership of a nonconformity shall be allowed, provided there is no change in the nature or character of the nonconformity, except as otherwise provided by this section.

(B) Nonconforming uses.

(1) Nonconformity established. Any use of land that is not identified as a permitted, provisional or conditional use within the zoning district in which the property is located shall be deemed a nonconforming use of land.

(2) Right to continue. A legal nonconforming use of land may be continued as it existed on the effective date of this article, except as provided for herein.

(3) Expansion prohibited. A nonconforming use of land shall not be enlarged, increased, expanded or changed in any manner or dimension except to comply with the provisions of this article.

(4) Intensification prohibited. A nonconforming use of land shall not be intensified in character or operation, including, but not limited to, increased hours of operation and the expansion of the use to a portion of the property not previously used.

(5) Repair and maintenance. Minor repairs and routine maintenance of a structure containing or related to a nonconforming use of land that are necessary to keep the structure in a sound and safe condition are permitted.

(6) Discontinuation of use. A nonconforming use of land that has been discontinued for a period of six months shall not be re-established.

(7) Change of use. A nonconforming use of land that has been changed to a conforming use shall not thereafter be changed back to any nonconforming use. A change in the use of land from one nonconforming use to another nonconforming use is prohibited.

(8) Reduction of nonconformity. A nonconforming use that is reduced in size, intensity or otherwise becomes more conforming may not again be expanded or become less conforming. Removal of a structure, relocation of the use, and reduction or elimination of any site element (such as outdoor storage) is deemed a reduction in intensity.

(9) Damaged or destroyed. ~~Any nonconforming use destroyed by fire or other peril to the extent that the value is greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged, the use loses its legal nonconforming status. In this case, a municipality may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body. A structure containing or relating to a nonconforming use of land that is damaged or destroyed by fire or natural causes, to the extent that the cost of repair is more than 50% of the assessed value, shall not be restored unless to a conforming use. However, any principal residential structure located in a LB (Limited Business District) which falls within the "Town Square Concept" (adopted August, 2000) of the Columbia Heights Downtown Master Plan, and is damaged or destroyed by fire or natural causes over 50% of the assessed value, the dwelling may be reconstructed in the same footprint as the original structure, but may not be expanded in size.~~

(10) Uses in Floodway District. Nonconforming uses located in the Floodway District shall be eliminated or brought into conformity with the standards contained in this article within a reasonable period of time as determined by the City Council, after a hearing for each such nonconforming use. The Board shall make its determination upon the basis of the normal useful life of any improvement upon the premises. In addition, the monetary value of any competitive advantage derived by the operation of such nonconforming use, by reason of the limitation on establishment of competing businesses as a result of this article, shall be considered as a reduction of losses resulting from the requirement of termination of the use under this article.

(C) Nonconforming structures.

(1) Nonconformity established. Any building or structure that does not conform to the setback, dimensional or density standards of the zoning district in which the property is located shall be deemed a nonconforming structure.

(2) Right to continue. A legal nonconforming structure may be continued as it existed on the effective date of this article, except as provided for herein.

(3) Expansion prohibited. A nonconforming accessory building shall not be enlarged, altered or expanded in any manner or dimension. A nonconforming principal structure shall not be enlarged, altered or expanded in any manner or dimension, unless the alteration or expansion: 1) does not increase the degree of nonconformity; 2) does not further infringe upon established setbacks or building restrictions; 3) does not exceed 50% of the assessed

value of the structure over the life of the structure at the time it became nonconforming; and 4) would substantially reduce potential flood damages for the entire structure.

(4) Repair and maintenance. Minor repairs and routine maintenance necessary to keep a nonconforming structure in a sound and safe condition are permitted.

(5) Damaged or destroyed. A nonconforming structure that is damaged or destroyed by fire or natural causes, to the extent that the cost of repair is more than 50% of the assessed value, shall not be restored unless it is brought into conformance. However, any principal residential structure located in a LB (Limited Business District), which falls within the "Town Square Concept" (adopted August, 2000) of the Columbia Heights Downtown Master Plan, and is damaged or destroyed by fire or natural causes over 50% of the assessed value, the dwelling may be reconstructed in the same footprint as the original structure, but may not be expanded in size.

(6) Increased livability. Alterations may be made to a building containing nonconforming residential units when the alteration will improve the livability thereof, provided it will not increase the number of dwelling units nor the outside dimensions of the building.

(D) Nonconforming lots.

(1) Nonconformity established. A lot of record that does not conform to the width, depth, lot area or frontage requirements of the zoning district in which the property is located is deemed a nonconforming lot.

(2) Combination of lots required. If two or more nonconforming lots are contiguous and under common ownership on the effective date of this article, such lots shall be combined for the purposes of development in order to satisfy the requirements of this article.

(3) Lot developable. A nonconforming lot that can be used in conformity with all of the regulations applicable to the intended use, except that the lot is smaller than the minimum required in the applicable zoning district, can be used as proposed just as if it were conforming.

(4) Variance required. Development of a nonconforming lot that will be conforming with all applicable regulations, except for applicable setback requirements, shall require a variance in accordance with the provisions found in § 9.104.

(E) Nonconforming signs.

(1) Nonconformity established. A sign that was installed prior to July 13, 1981, and does not conform to the requirements of § 9.106 is deemed a nonconforming sign.

(2) Right to continue. A legal nonconforming sign may be continued as it existed on the effective date of this article, except as provided for herein.

(3) Expansion prohibited. A nonconforming sign shall not be enlarged, reconstructed or altered in any manner or dimension except to comply with the provisions of this article.

(4) Repair and maintenance. Minor repairs and routine maintenance of a nonconforming sign that are necessary to keep the structure in a sound and safe condition are permitted. If the nonconforming sign requires significant repairs or replacement, the Zoning Administrator may require its removal.

(5) Discontinuation of use. A nonconforming sign that has not been used for a period of six months shall be removed from the property.

(6) Damaged or destroyed. A nonconforming sign that is damaged or destroyed by any cause or means, to the extent that the cost of repair is more than 50%, of the assessed market value, shall not be restored unless to a conforming sign.

Section 4

The following language for General Development Standards is added, amended and deleted as provided in Section 9.106 of the City Code of 2005, is hereby established to read as follows:

§ 9.106 GENERAL DEVELOPMENT STANDARDS.

(A) General provisions.

(1) Purpose. The purpose of this section is to establish regulations of general applicability to property throughout the city, to promote the orderly development and use of land, to minimize conflicts between uses of land, and to protect the public health, safety and welfare.

(2) Applicability. The regulations set forth in this section shall; apply to all structures and uses of land, except as otherwise provided in this article.

(B) Lot controls.

(1) Purpose. Lot controls are established to provide for the orderly development and use of land, and to provide for adequate light, air, open space and separation of uses.

(2) Use of lots. All lots shall be used in a manner consistent with the requirements of the zoning district in which the property is located. No part of any existing lot shall be used as a separate lot or for the use of another lot, except as otherwise provided in this article.

(3) Lot divisions. No lot shall be divided into two or more lots unless all lots resulting from such division conform to all applicable regulations of this article.

(4) Lots of record. A lot of record shall be deemed a buildable lot provided it has frontage on a public right-of-way and meets the setback and area requirements for the district in which it is located, or adjusted to conform as follows: a lot or lot of record upon the effective date of this article which is in a residential district and which does not meet the requirements of this article as to area or width, may be utilized for single-family detached dwelling purposes provided the measurements of such lot meets 100% of the front yard, side yard and rear yard setback requirements for the district in which it is located and 60% of the minimum lot area or lot width requirements for the district in which it is located.

(5) Principal buildings in residential districts. There shall be no more than one principal building on a lot in any residential district, unless otherwise provided for through a mixed use planned development.

(6) Principal buildings in non-residential districts. There may be more than one principal building on a lot in non-residential districts, provided each building meets all of the requirements, including setbacks, of the district in which it is located.

(7) Required yards. Yard requirements shall be as specified for the zoning district in which the lot is located. No yard or other open space shall be reduced in area or dimension so as to make such yard or other open space less than the minimum required by this article. If the existing yard or other open space is less than the minimum

required, it shall not be further reduced. In addition, no required yard or other open space allocated to a building or dwelling group shall be used to satisfy yard, open space, or minimum lot area requirements for any other structure or lot.

(8) Setback exception in residential districts. In any residential district where the average depth of the front yard for buildings within 200 feet of the lot in question and within the same block front is lesser or greater than that required by article, the required front yard for the lot in question shall be the average plus or minus 10% of the depth; however, the depth of the required front yard shall not be less than 10 feet nor more than 50 feet.

(9) Corner lots. For corner lots, the shorter lot line abutting a public street shall be deemed the front lot line for purposes of this article, and the longer lot line abutting a public street shall be deemed a side lot line.

(10) Through lots. For through lots, both lot lines that abut a public street or other right-of-way shall be deemed front lot lines for purposes of this article, and the required front yard shall be provided along each front lot line.

(11) Yard encroachments. The following uses shall not be considered as encroachments into required yards, provided they are not located closer than one foot to the property line, except for fences:

(a) Cornices, canopies, awnings, eaves, bay windows and other ornamental features, provided they do not extend more than three feet into the required yard.

(b) Chimneys, air conditioning units, fire escapes, uncovered stairs, ramps and necessary landings, provided they do not extend more than four feet into the required yard.

(c) Fences constructed and maintained in accordance with the applicable provisions of this article.

(d) Driveways and parking areas constructed and maintained in accordance with the applicable provisions of this article.

(e) Accessory buildings constructed and maintained in accordance with the applicable provisions of this article.

(f) Mechanical equipment constructed and maintained in accordance with the applicable provisions of this article.

(g) Signs constructed and maintained in accordance with the applicable provisions of this article.

(h) Private swimming pools, tennis courts, basketball courts or other private recreational facilities constructed and maintained in accordance with the applicable provisions of this article.

(12) Traffic visibility. No planting, structure or other obstruction shall be placed or allowed to grow on corner lots in a manner that will impede vision on the intersecting rights-of-way, in accordance with the following sight triangles:

(a) Street intersections. No planting or structure in excess of 30 inches above the abutting curb line shall be permitted within the sight triangle, defined as the area beginning at the intersection of the projected curb line of two intersecting streets, then 30 feet along one curb line, diagonally to a point 30 feet from the point of beginning on the other curb line, then back to a point of beginning.

(b) Street and alley intersections. No planting or structure in excess of 30 inches above the abutting curb line shall be permitted within the sight triangle, defined as the area beginning at the point of intersection of the

projected curb line and the alley right-of-way, then 30 feet along the street curb line, diagonally to a point 15 feet from the point of beginning along said alley right-of-way or projection of the alley right-of-way, then back to the point of beginning.

(c) Alley and alley intersections. No planting or structure in excess of 30 inches above the nearest edge of the traveled right-of-way shall be permitted within the sight triangle, defined as the area beginning at the point of intersection of the two alley right-of-way lines, then 15 feet along one alley right-of-way line, then diagonally to a point 15 feet from the point of beginning along the second alley right-of-way line, then back to the point of beginning. Any structures existing within this sight triangle shall be deemed nonconforming structures in accordance with the provisions of § 9.105.

(13) Height limitations. The building and structure height limitations established for each zoning district shall apply to all buildings and structures, except that such height limitations may be increased by 50% when applied to the following:

- (a) Church spires, steeples or belfries.
- (b) Chimneys or flues.
- (c) Cupolas and domes which do not contain usable space.
- (d) Towers, poles or other structures for essential services.
- (e) Flag poles.
- (f) Mechanical or electrical equipment, provided said equipment does not occupy more than 25% of the roof area.
- (g) Television and ham radio antennas.
- (h) Monuments.
- (i) Telecommunication towers constructed in accordance with the provisions of § 9.106(O).

(C) Accessory uses and structures.

(1) Accessory structures, residential uses. The following standards shall regulate the construction and maintenance of residential accessory structures:

- (a) Each residentially zoned parcel shall be allowed two detached accessory structures.
- (b) No accessory structure shall be constructed or located within any front yard.
- (c) Accessory structures for one- and two-family dwellings shall be set back a minimum of three feet from the side lot line, and a minimum of three feet from the rear lot line, a minimum of five feet from any other building or structure on the same lot, and behind the principal structure building line in the front yard.
- (d) An accessory structure shall be considered an integral part of the principal structure if it is connected to the principal building by a covered passageway.
- (e) An accessory structure, or any combination of accessory structures, storage sheds and attached garages, shall not exceed 1,000 square feet in area.

(f) Unless a height limitation is specifically stated, the height of an accessory structure shall not exceed the lesser of:

1. The height of the principal structure;
2. 12 feet above average finished grade for flat roofs;
3. 18 feet above average finished grade for pitched roofs, mansard roofs, and all other roofs.

(g) Where the natural grade of the lot is 10 feet or more above or below the established curb level at the front building setback and access from an alley is not available, an accessory structure for the storage of not more than two automobiles may be constructed within any yard, provided that at least one-half of the height is below grade level and the accessory structure is set back a minimum of 20 feet from any right-of-way.

(h) The exterior color and design of an accessory structure shall be similar to the principal structure. Corrugated metal siding and roofs shall be prohibited.

~~——(i) The building coverage on each residential lot, including principal and accessory structures, shall not exceed 35% for lots of 6,500 sq. ft. or less or 30% for lots with more than 6,500 sq. ft. in area.~~

(i) Whenever a garage is so designed that the vehicle entry door(s) are facing a street or alley, the distance between the door(s) and the lot line shall be no less than 20 feet for lots greater than 6,500 square feet, and shall be no less than 15 feet for lots 6,500 square feet or less.

(j) Accessory structures for multiple-family dwellings shall be placed in the rear yard and shall be subject to the same height and exterior finish regulations as the principal structure for the district in which it is located, in addition to the requirements of this section.

(k) Any accessory structure capable of storing one or more motorized vehicle shall be provided with a hard-surfaced access driveway, no less than 12 feet in width, to an adjacent public street or alley, and shall be no less than 20 by 20 in size.

(l) Accessory buildings shall not be located within any utility or drainage easement.

~~——(n) All accessory buildings over 120 sq. ft. in area shall require a building permit from the city.~~

(2) Accessory structures, non-residential uses. The following standards shall regulate the construction and maintenance of non-residential accessory structures:

(a) All accessory structures shall be subject to the same setback, height and exterior finish regulations as a principal structure for the district in which it is located.

(b) The height of an accessory structure shall not exceed the height of the principal structure.

(c) All multiple story and accessory structures over ~~200~~ 120 square feet in area shall require a building permit from the city.

(3) Home occupations. Home occupations are allowed in residential districts, subject to the following standards:

- (a) The home occupation shall be clearly incidental and subordinate to the residential use of the property. Exterior alterations or modifications that change the residential character or appearance of the dwelling, any accessory building or the property itself shall not be allowed.
- (b) Only persons residing on the premises and no more than one nonresident employee shall be engaged in the conduct of the home occupation on the premises at any given time.
- (c) There shall be no outside storage of products, materials or equipment used in conjunction with the home occupation.
- (d) The home occupation must be conducted within the principal residential structure and/or up to 30% of the floor area of an accessory building or attached garage.
- (e) The required off-street parking for the residential use shall not be reduced or made unusable by the home occupation.
- (f) The home occupation shall not generate excessive traffic or parking that is detrimental to the character of the neighborhood.
- (g) Shipment and delivery of products, merchandise or supplies shall be by single rear axle straight trucks or similar delivery trucks normally used to serve residential neighborhoods.
- (h) There shall be no indications of offensive noise, odor, smoke, heat, glare, vibration, or electrical interference at or beyond the property line of the home occupation.
- (i) Signage for the home occupation shall be limited to one non-illuminated sign, not exceeding two square feet in area and attached to the wall of the residential dwelling.
- (j) The home occupation shall meet all applicable fire and building codes, as well as any other applicable city, state or federal regulations.
- (k) The following home activities shall be prohibited as home occupations:
1. The operation of any wholesale or retail business unless it is conducted entirely by mail and does not involve the sale, shipment or delivery of merchandise on the premises. The sale of products incidental to the delivery of a service is allowed.
 2. Any manufacturing, welding, machine shop or similar use.
 3. Motor vehicle repair, either major or minor.
 4. The sale, lease, trade or transfer of firearms or ammunition.
 5. Headquarters or dispatch centers where persons come to the site and are dispatched to other locations.
- (l) All home occupations shall be subject to a one-time registration with the city, on a form as required by the Zoning Administrator and with a fee as determined by the City Council.
- (4) Private swimming pools and courts. All private swimming pools, tennis courts, ball courts and other private recreational facilities are subject to the following standards:
- (a) The facility is not operated as a business or private club.

(b) The facility is not located within any required front or side yard.

(c) The facility is set back at least five feet from any property line, including any walks, paved areas or related structures or equipment.

(d) For swimming pools, the pool itself, the rear yard, or the entire property shall be enclosed by a non-climbable wall, fence or combination thereof at least six feet in height, with a self-closing gate capable of being secured with a lock so as to prevent uncontrolled access by children. If the only access is through a principal or accessory structure, such point of access shall be lockable. In the case of above-ground pools, pool sides that are vertical may contribute to the required fencing, provided all points of access are controlled to prevent access by children, including the removal of all ladders or stairs whenever the pool is not in use.

(e) For in-ground pools, the pool is set back at least six feet from the principal structure.

(f) Hot tubs shall not be located within five feet of any side yard or rear lot line, or within any required front yard. Such pools may be equipped with a child-resistant, lockable cover in lieu of a six-foot tall fence. Hot tubs are permitted on attached or detached decks if it can be proven that the deck is engineered to be structurally sound enough to support the bearing load of the hot tub.

(g) Portable pools shall not be located within five feet of any side or rear lot line, or within any required front yard. Such pools may be equipped with a child resistant cover in lieu of a six-foot tall fence. Any ladder or other means of entry into a portable pool shall be detachable and placed so that no child can gain entry into the pool without the owner's consent. Portable pools shall not be in place longer than six months in a calendar year.

(h) Lighting shall be so oriented so as not to cast light on adjacent properties.

(i) The facility shall not be located within any drainage or utility easement.

(j) Any accessory mechanical apparatus shall be located at least 30 feet from any residential structure on an adjacent lot.

(k) All swimming pools containing more than 3,000 gallons or with a depth in excess of 42 inches (3.5 feet) shall require a building permit from the city.

(5) Trash handling equipment. For all uses other than one- and two-family dwellings, trash and/or recycling collection areas shall be enclosed on at least three sides by an opaque screening wall or fence no less than six feet in height. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.

(6) Mechanical equipment. Mechanical equipment, other than that accessory to one- and two-family dwellings, shall be placed and/or screened so as to minimize the visual impact on adjacent properties and from public streets. Screening may be accomplished through the use of walls or other design features that are architecturally compatible with the principal structure, screening vegetation, integrated parapet walls of sufficient height, or other means as approved by the Zoning Administrator.

(D) Dwellings.

(1) General requirements. The following standards shall apply to all dwelling units within the city:

(a) All single-family dwelling units shall be a minimum of 20 feet wide at the narrowest point.

(b) No ~~accessory building or~~ recreational vehicle shall be used at any time as a dwelling unit.

(c) No basement dwelling (basements without upper floors) shall be used at any time as a dwelling unit.

~~(d) No more than three unrelated adults shall be tenants in any single dwelling unit.~~

(2) Floor area requirements. The following floor area requirements shall apply to all dwelling units within the city:

(a) One-story dwellings shall have a minimum floor area of 1,020 square feet, plus 120 square feet for each additional bedroom over three. The floor area may be reduced to 960 square feet if the lot size is 6,500 square feet or less.

(b) One and one-half and two story dwellings shall have a minimum floor area of 550 square feet on the main floor, with a total above grade minimum finished floor area of 1,020 square feet.

(c) Split-level dwellings shall have a minimum floor area of 1,020 square feet, plus 120 square feet for each additional bedroom over three. The floor area may be reduced to 960 square feet if the lot is 6,500 square feet or less.

(d) Split entry dwellings shall have a minimum floor area of 1,020 square feet, plus 120 square feet for each additional bedroom over three. The floor area may be reduced to 960 square feet if the lot is 6,500 square feet or less.

(e) Two-family dwellings (duplexes) and town homes shall have a minimum floor area of 750 square feet per unit, plus 120 square feet for each additional bedroom over two.

(f) Efficiency apartments shall have a minimum floor area of 400 square feet per unit.

(g) One-bedroom apartments shall have a minimum floor area of 600 square feet per unit.

(h) Two-bedroom apartments shall have a minimum floor area of 720 square feet per unit.

(i) Apartments with more than two bedrooms shall have a minimum floor area of 720 square feet per unit, plus 120 square feet for each additional bedroom over two.

(3) Accessory Dwelling Units

(a) An accessory dwelling unit shall only be a permitted accessory use to any lot with a detached single-family dwelling.

(b) No accessory dwelling unit shall be permitted upon a lot on which more than one residential dwelling is located and no more than one accessory dwelling unit shall be permitted per lot.

(c) The accessory dwelling unit shall not be sold or conveyed independently of the principal residential dwelling and may not be on a separate tax parcel or subdivided through any means.

(d) Either the ADU or the principal dwelling shall be occupied by the property owner and a restriction shall be recorded against the property requiring owner occupancy for at least one of the units; a rental license for the non-owner-occupied unit is required.

- (e) Both the single-family dwelling and the accessory dwelling unit, together, shall provide adequate off-street parking on the lot; parking spaces may be garage spaces or paved outside parking spaces.
- (f) Accessory dwelling units must be a minimum of 250 square feet and a maximum of 50% of the total floor area of the principal dwelling up to 1,000 square feet.
- (g) ADUs in Minnesota must adhere to the Minnesota State Building Code, which includes fire separation for attached units, safe egress and entrances, and proper water and sewer connections.
- (h) Accessory dwelling units within or attached to the principal structure shall conform to Zoning Code standards for single family dwellings, including but not limited to setback, height, impervious surface, curb cut and driveway, and accessory structure standards if the unit is detached. The accessory dwelling unit is subject to current Building, Plumbing, Electrical, Mechanical, and Fire Code provisions including maintaining emergency access to both units.

(E) Fences.

(1) General requirements. The following standards shall apply to all fences:

- (a) Fences may be constructed, placed or maintained in any yard or adjacent to a lot line in accordance with the requirements of this section.
- (b) The owner of the property upon which the fence is located shall be responsible for locating all property lines prior to constructing said fence.
- (c) All fence posts and supporting members shall be placed within the property lines of the property on which they are located.
- (d) All fences shall be situated so that they can be maintained from within the property boundaries of the property on which they are located.
- (e) All fences shall be constructed so that the finished side or more attractive side of the fence faces the adjacent property or right-of-way.
- (f) Fences, freestanding walls, and retaining walls shall be constructed in a substantial and workmanlike manner to withstand conditions of soil, weather and use, and of substantial material reasonably suited for the purpose for which the fence, freestanding wall or retaining wall is proposed to be used. No previously used materials may be used in any fence. All fences shall be constructed of the following approved fencing materials:
 - 1. Galvanized or vinyl coated woven fabric - minimum 11 1/2 gauge, with two-inch minimum mesh, with knuckles up and cut edge down.
 - 2. Approved vinyl fencing materials.
 - 3. Treated wood or wood of natural materials resistant to decay.
- (g) Retaining walls or freestanding walls shall be constructed in the following manner:
 - 1. Retaining walls and cribbing shall be used to stabilize steep slopes or prevent erosion.

2. They shall be designed in accordance with sound engineering practice; including, but not limited to, a minimum four-inch concrete footing of appropriate width and drains of appropriate type, size and spacing.

3. Cribbed slopes shall be appropriately planted if open-faced cribbing is used.

4. The retaining wall or freestanding wall shall be constructed in a manner that presents a finished appearance to the adjoining property where applicable.

(h) All fences shall be maintained and kept in good condition.

(i) Fence height shall be measured from the average grade to the top of the fence. In situations where a grade separation exists at the property line, the height of the fence shall be based on the measurement from the average point between the highest and lowest grade.

(j) Barbed wire, razor wire and electric fences shall not be permitted in any zoning district. However, barbed wire may be permitted in industrially zoned districts and property used for public purposes through a Conditional Use Permit process.

(k) Fences exceeding six feet in height shall require a building permit from the city.

(2) Residential fences. The following standards shall apply to all fences constructed in any residential zoning district or directly adjacent to any residential zoning district:

(a) No fence shall exceed seven feet in height. Fences exceeding six feet in height shall be deemed structures and shall require a Conditional Use Permit.

(b) Fences along any rear property line that abut a public alley or street shall be located no closer than three feet from the alley or street right-of-way.

(c) It shall be the responsibility of property owners with fences within recorded city easements to remove such fence at any time when access to the recorded city easement would require the removal of the fence.

(d) A fence extending across or into the required front yard setback shall not exceed 42 inches (3.5 feet) in height; however, fences that are less than 50% opaque may be up to 48 inches (4 feet) in height.

(3) Non-residential fences. The following standards shall apply to all fences constructed in any commercial or industrial zoning district:

(a) No fence shall exceed eight feet in height. Fences exceeding seven feet in height shall be deemed structures and shall require a Conditional Use Permit.

(b) A fence extending across or into the required front yard setback shall not exceed four feet in height.

(c) A fence required to screen a commercial or industrial use from an adjacent residential use shall not exceed eight feet in height or be less six feet in height. In addition, said screening fence shall be no less than 80% opaque on a year round basis.

(4) Fencing of play areas. For parks and playgrounds, either public or private and located adjacent to a public right-of-way or railroad right-of-way, a landscaped yard area no less than 30 feet in width, or a fence no less than 4 feet in height, shall be installed between the facility and the right-of-way.

(F) Essential services.

(1) Purpose. The purpose of this section is to provide for the installation of essential services in a manner that does not adversely affect the public health, safety or welfare.

(2) Essential services allowed by permit. The following essential services, when installed in any location in the city and installed primarily for the use of city residents, shall only require a permit from the City Engineer:

(a) All communication lines.

(b) Underground electrical transmission lines, overhead utility lines and electrical transmission lines intended to serve properties within the city.

(c) Pipelines for distribution to individual properties within the city.

(d) Substations with less than 33 KV.

(e) Radio receivers and transmitters accessory to an essential service, when placed on an existing utility pole, tower or light standard.

(3) Essential services requiring conditional use permit. The following essential services, when installed in any location in the city and not primarily for the use of city residents, shall require a conditional use permit in accordance with the provisions of § 9.104:

(a) All overhead and underground transmission lines not required for the local distribution network.

(b) All transmission pipelines.

(c) Substations in excess of 33 KV.

(d) Any pole or tower used exclusively for the placement of radio receivers or transmitters accessory to an essential service.

(e) Any essential service of which 75% of the service provided or produced is not intended to serve properties within the city.

(f) Any essential service requiring a structure that exceeds the maximum height for the zoning district in which it is located.

(g) Any essential service requiring easements other than easements granted to the public.

(G) Temporary uses and structures. The following temporary uses and structures shall be permitted in all zoning districts unless specified otherwise, provided such use or structure complies with the regulations of the zoning district in which it is located and all other applicable provisions of this article:

(1) Garage sales. Residential garage sales shall be limited to no more than two garage sales per property per calendar year, with the duration of each garage sale not to exceed three consecutive days at any residential location.

(2) Construction sites. Storage of building materials and equipment or temporary building for construction purposes may be located on the site under construction for the duration of the construction.

(3) Amusement events. Temporary amusement events, including the placement of tents for such events, may be allowed as a temporary use for a maximum of 15 days per calendar year. In residential districts, such temporary amusements shall be located on public or semi-public property only.

(4) Promotional activities. Promotional activities involving the outdoor sale or display of merchandise may be allowed as a temporary use in non-residential districts for a maximum of 30 days per calendar year.

(5) Other temporary uses. In addition to the temporary uses and structures listed above, the Zoning Administrator may allow other temporary uses and structures for a maximum of 15 days per calendar year, provided the said use or structure is substantially similar to the uses and structures listed herein.

(H) Performance standards.

(1) Purpose. These performance standards are established to minimize conflict between land uses, to preserve the use and enjoyment of property, and to protect the public health, safety and welfare. These standards shall apply to all uses of land and structures, and are in addition to any requirements applying to specific zoning districts.

(2) In general. No use or structure shall be operated or occupied so as to constitute a dangerous, injurious or noxious condition because of noise, odors, glare, heat, vibration, air emissions, electromagnetic disturbance, fire, explosion or other hazard, water or soil pollution, liquid or solid waste disposal, or any other substance or condition. No use or structure shall unreasonably interfere with the use or enjoyment of property by any person of normal sensitivities. In addition, no use or structure shall be operated or occupied in a manner not in compliance with any performance standard contained in this article or any other applicable regulation.

(3) Noise. All uses shall comply with the standards governing noise as adopted and enforced by the Minnesota Pollution Control Agency.

(4) Odor emissions. All uses shall comply with the standards governing the odor emissions as adopted and enforced by the Minnesota Pollution Control Agency.

(5) Vibration. Uses producing vibration shall be conducted in such a manner as to make the vibration completely imperceptible from any point along the property line. In addition, all uses shall comply with the standards governing vibrations as adopted and enforced by the Minnesota Pollution Control Agency.

(6) Air emissions. All uses shall comply with the standards governing air emissions as adopted and enforced by the Minnesota Pollution Control Agency.

(7) Glare and heat. Uses producing glare or heat shall be conducted within a completely enclosed building in such a manner as to make such glare and heat completely imperceptible from any point along the property line. In addition, all uses shall comply with the standards governing glare and heat as adopted and enforced by the Minnesota Pollution Control Agency.

(8) Radiation and electrical emissions. All uses shall comply with the standards governing radiation and electrical emissions as adopted and enforced by the Minnesota Pollution Control Agency.

(9) Waste material. All uses shall comply with the standards governing waste disposal as adopted and enforced by the Minnesota Pollution Control Agency.

(10) Explosive and flammable materials. All uses involving the manufacture, storage or use of explosive or flammable materials shall comply with all applicable regulations, including, but not limited to, the Minnesota Building Code and the Uniform Fire Code, and shall meet the following requirements:

(a) All uses involving the manufacture, storage or use of explosive or flammable materials shall employ best management practices and the provision of adequate safety devices to guard against the hazards of fire and explosion, and adequate fire-fighting and fire-suppression devices standard in the industry.

(b) The manufacture or storage of any explosive or blasting agent, as defined in the Uniform Fire Code, shall be prohibited in all districts except the I-2, General Industrial District.

(c) The storage of any flammable liquid shall be subject to the requirements established by the Uniform Fire Code and shall be reviewed by the State Fire Marshal.

(11) Hazardous materials. All uses shall comply with the standards governing hazardous waste as adopted and enforced by the Minnesota Pollution Control Agency.

(l) Storm water management.

(1) Purpose. The purpose of this division is to promote, preserve and enhance the natural resources within the city and protect them from adverse effects occasioned by poorly sited development or incompatible activities by regulating land alterations or development activities that would have an adverse and potentially irreversible impact on water quality and unique and fragile environmentally sensitive land; by minimizing conflicts and encouraging compatibility between land alterations and development activities and water quality and environmentally sensitive lands; and by requiring detailed review standards and procedures for land alterations or development activities proposed for such areas, thereby achieving a balance between urban growth and development and protection of water quality and natural areas.

(2) Definitions. For the purposes of this section, the following terms, phrases, words, and their derivatives shall have the meaning stated below. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directive.

APPLICANT. Any person who wishes to obtain a building permit, preliminary plat approval or an excavation permit.

CONTROL MEASURE. A practice or combination of practices to control erosion and attendant pollution.

DETENTION FACILITY. A permanent natural or man-made structure, including wetlands, for the temporary storage of runoff which contains a permanent pool of water.

EXCAVATION ACTIVITIES. Any excavation or filling activity as regulated by § 9.106(J).

FLOOD FRINGE. The portion of the floodplain outside of the floodway.

FLOODPLAIN. The areas adjoining a watercourse or water basin that have been or may be covered by a regional flood.

FLOODWAY. The channel of the watercourse, the bed of water basins, and those portions of the adjoining floodplain that are reasonably required to carry and discharge floodwater and provide water storage during a regional flood.

HYDRIC SOILS. Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part.

HYDROPHYTIC VEGETATION. Macrophytic plantlife growing in water, soil or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content.

LAND ALTERATION. Any change of the land surface including, but not limited to, removing vegetative cover, excavating, filling, grading, and the construction of utilities, roadways, parking areas and structures.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). The program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Sections 301, 318, 402, and 405) and United States Code of Federal Regulations Title 33, Sections 1317, 1328, 1342, and 1345.

PERSON. Any individual, firm, corporation, partnership, franchisee, association or governmental entity.

PUBLIC WATERS. Waters of the state as defined in M.S. § 1036.005, subd. 15, as it may be amended from time to time.

REGIONAL FLOOD. A flood that is representative of large floods known to have occurred generally in the state and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of a 100-year recurrence interval.

RETENTION FACILITY. A permanent natural or man-made structure that provides for the storage of storm water runoff by means of a permanent pool of water.

SEDIMENT. Solid matter carried by water, sewage, or other liquids.

STRUCTURE. Any manufactured, constructed or erected building including portable structures and earthen structures.

SURFACE WATER MANAGEMENT DESIGN STANDARDS (SWMDS). Document stating the design criteria and specifications for the city's storm water management program.

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. For purposes of this definition, wetlands must have the following attributes:

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

(3) Scope and effect.

(a) Applicability. This section shall apply to any land alteration requiring any of the following permits or approvals:

1. A building permit for new multiple-family residential (three or more attached dwelling units), commercial, industrial, or institutional development;

2. A preliminary plat;
3. Land alteration permit as regulated by § 9.106 (J);
4. A building permit for a single-family or two-family residential dwelling except that only subdivisions (3) through (7) of this division shall apply; or
5. Public improvement projects.

6. No building permit, preliminary plat, excavation permit or public improvement project shall be approved until approval of a storm water management plan has been obtained in strict conformance with the provisions of this section.

7. All projects disturbing one acre or greater of land will require the submittal of a storm water management plan.

(b) Exemptions. The provisions of this section do not apply to:

1. Construction of a single-family or two-family dwelling or any structure or land alteration accessory thereto except that the provisions of subdivisions (3) through (7) of this division shall apply;
2. Any currently valid building permit, preliminary plat, excavation permit, or public improvement project approved prior to the effective date of this article;
3. Construction of agricultural structures or land alterations associated with agricultural uses unless an excavation permit is required by § 9.106(J);
4. Installation of a fence, sign, telephone, and electric poles and other kinds of posts or poles; or
5. Emergency work to protect life, limb, or property.

(4) Submission requirements—storm water management plan. A storm water management plan shall be submitted with all permit applications identified in § 9.106(I)(3). Storm water management plan submittal requirements are outlined in the city's SWMDS. No building or land disturbing activity will be approved unless it includes a storm water management plan, detailing how runoff and associated water quality impacts resulting from development will be controlled or managed.

(5) Plan review procedure.

(a) Process. Storm water management plans meeting the requirements of § 9.106(I) and the city's SWMDS shall be reviewed by the Engineering Division in accordance with the standards of § 9.106(I)(6) and the city's SWMDS. The Director of Public Works, or designee, shall approve, approve with conditions, or deny the storm water management plan.

(b) Duration. A storm water plan approved in accordance with this section shall become void if the corresponding building permit, excavation permit, preliminary plat, or public improvement project expires or becomes invalid.

(c) Conditions. A storm water management plan may be approved, subject to compliance with conditions reasonable and necessary to insure that the requirements contained in this article are met. Such conditions may, among other matters, limit the size, kind or character of the proposed development, require the construction of structures, drainage facilities, storage basins and other facilities, require replacement of vegetation, establish

required monitoring procedures, stage the work over time, require alteration of the site design to insure buffering, and require the conveyance, for storm water management purposes, to the city or other public entity of certain lands or interests therein.

(d) Letter of credit. Prior to approval of any storm water management plan, the applicant shall submit a letter of credit or cash escrow to cover the estimated cost of site restoration. The letter of credit or cash escrow amount shall be in the amount specified by the current city SWMDS.

(e) Amendment. A storm water management plan may be revised in the same manner as originally approved.

(6) Approval standards. No storm water management plan which fails to meet the standards contained in this section shall be approved by the city.

(a) General criteria for storm water management plans.

1. An applicant shall install or construct all storm water management facilities according the criteria outlined in the city's SWMDS.

2. The applicant shall give consideration to reducing the need for storm water management facilities by incorporating the use of natural topography and land cover, such as wetlands, ponds, natural swales and depressions, as they exist before development, to the degree that they can accommodate the additional flow of water without compromising the integrity or quality of the wetland or pond.

3. The following storm water management practices shall be investigated in developing a storm water management plan in the following descending order of preference:

- a. Infiltration of runoff on-site, if suitable soil conditions are available for use;
- b. Flow attenuation by use of open vegetated swales and natural depressions;
- c. Storm water retention facilities; and
- d. Storm water detention facilities.

4. A combination of successive practices may be used to achieve the applicable minimum control requirements specified in subdivision 3. above. Justification shall be provided by the applicant for the method selected.

(b) Specifications. At a minimum, applicants shall comply with all of the NPDES general construction storm water permit requirements.

(c) Wetlands. Existing wetlands may be used for storm water management purposes, provided the following criteria are met:

1. The wetland shall not be classified as a Group I or II water within the City Water Resource Management Plan.

2. A protective buffer strip of natural vegetation, at least ten feet in width, shall surround all wetlands.

3. A sediment trapping device or area that is designed to trap sediments 0.5 millimeters in size or greater, with a trap volume size based upon a prescribed maintenance schedule, shall be installed prior to discharge of storm water into the wetlands.

4. The natural outlet control elevation of the wetlands, if it is not a DNR public water, shall not be changed, except when either i) the outlet is intended to restore the wetland to its original elevation, ii) the wetland basin is landlocked and the artificial outlet control is placed no lower than 1.5 feet below the ordinary high water mark, iii) the proposed level control is identified in the City Water Resource Management Plan, or iv) the level change is approved by a technical evaluation panel convened pursuant to the state Wetland Conservation Act of 1991 (WCA).

5. The water fluctuation from storm water shall not be increased over what occurs naturally, except as provided in subdivision 4.c. above.

6. The wetland shall not be a protected fen.

7. Wetlands shall not be drained or filled, wholly or partially, unless replaced by restoring or creating wetland areas in accordance with the WCA. When wetland replacement is required, it shall be guided by the following principles in descending order of priority:

- a. Avoiding the direct or indirect impact of the activity that may destroy or diminish the wetland;
- b. Minimizing the impact by limiting the degree or magnitude of the wetland activity and its implementation;
- c. Rectifying the impact by repairing, rehabilitating, or restoring the affected wetland environment;
- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the activity; and
- e. Compensating for the impact by replacing or providing substitute wetland resources or environments.

8. If the wetland is a DNR public water, all necessary permits from the DNR shall be obtained.

(d) Models/methodologies/computations. Hydrologic models and design methodologies used for the determination of runoff and analysis of storm water management structures shall be approved by the Director of Public Works. Plans, specifications and computations for storm water management facilities submitted for review shall be sealed and signed by a registered professional engineer. All computations shall appear on the plans submitted for review, unless otherwise approved by the Director of Public Works.

(e) Watershed management plans/groundwater management plans. Storm water management plans shall be consistent with adopted watershed management plans and groundwater management plans prepared in accordance with M.S. §§ 103B.231 and 103B.255, respectively, as they may be amended from time to time, and as approved by the Minnesota Board of Water and Soil Resources in accordance with the state law.

(7) Storm water management fee.

(a) When required. In lieu of the storm water management facilities required in § 9.106(l), the city may allow an applicant to make a monetary contribution to the development and maintenance of community storm water management facilities, designed to serve multiple land disturbing and development activities, when consistent with the City's Water Resource Management Plan.

(b) Calculation of fee. The amount of monetary contribution shall be found in the SWMDS. For preliminary plats, an estimated impervious coverage per lot, subject to the approval of the Director of Public Works, shall be included in the total impervious surface area calculation.

(c) Payment of fee. Payment of a monetary contribution shall occur as follows:

1. Building permit—upon issuance of building permit.
2. Excavation permit—upon issuance of excavation permit.
3. Preliminary plat—upon approval of final plat or commencement of land alteration, whichever occurs first.

(8) Inspection and maintenance. All storm water management facilities shall be designed to minimize the need for maintenance, to provide access for maintenance purposes, and to be structurally sound. In addition, the following maintenance standards shall apply:

(a) All storm water detention periods shall be maintained to ensure continued effective removal of pollutants from storm water runoff. In addition, upon 50% of the pond's original design volume being filled with sediment, the sediment shall be removed and the pond restored to its original design.

(b) The Director of Public Works, or designated representative, shall inspect all storm water management facilities during construction, during the first year of operation, and at least once every five years thereafter.

(c) All permanent storm water management facilities must provide a maintenance agreement with the city that documents all responsibilities for operation and maintenance of long-term storm water management facilities. Such responsibilities shall be documented in a maintenance plan and executed through a maintenance agreement. All maintenance agreements must be approved by the city and recorded at the County Recorder's office prior to final plan approval. At a minimum, the maintenance agreement shall describe the inspection and maintenance obligations:

1. The responsible party who is permanently responsible for inspection and maintenance of the structural and nonstructural measures.
2. Pass responsibilities for such maintenance to successors in title.
3. Allow the city and its representatives the right of entry for the purposes of inspecting all permanent storm water management systems.
4. Allow the city the right to repair and maintain the facility, if necessary maintenance is not performed after proper and reasonable notice to the responsible party of the permanent storm water management system.
5. Include a maintenance plan that contains, but is not limited to, the following:
 - a. Identification of all structural permanent storm water management systems.
 - b. A schedule for regular inspections, monitoring, and maintenance for each practice. Monitoring shall verify whether the practice is functioning as designed and may include, but is not limited to, quality, temperature, and quantity of runoff.
 - c. Identification of the responsible party for conducting the inspection, monitoring and maintenance for each practice.
 - d. Include a schedule and format for reporting compliance with the maintenance agreement to the city.

e. Right of entry. The issuance of a permit constitutes a right of entry for the city or its contractor to enter upon the construction site. The applicant shall allow the city and its authorized representatives, upon presentation of credentials, to:

- i. Enter upon the permitted site for the purpose of obtaining information, examining records, conducting investigations or surveys.
- ii. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations.
- iii. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permit.
- iv. Inspect the storm water pollution control measures.
- v. Sample and monitor any items or activities pertaining to storm water pollution control measures.
- vi. Correct deficiencies in storm water, erosion and sediment control measures.

(d) Storm water management facilities serving a single-family residential area or subdivision, but more than one single-family lot, shall be maintained by the city. The cost incurred by the city for maintenance of said facilities shall be assessed, levied through a special storm water taxing district against the properties contributing storm water runoff to or through the facility, or by the city's storm water utility.

(e) Storm water management facilities serving a multiple-family residential building or development; a commercial, industrial or institutional building or development; or an individual parcel shall be maintained by the property owner on which the facility is located, unless it is determined by the Director of Public Works that it is in the best interests of the city for the city to maintain such facilities. If the city is to maintain the storm water management facilities, the cost incurred by the city for the maintenance may be assessed or levied as described in subsection (d) above.

(9) Penalty. Any person, firm or corporation violating any provision of this section shall be fined not less than deemed committed on each day during or on which a violation occurs or continues.

(10) Other controls. In the event of any conflict between the provisions of this section and the provisions of the city code, the more restrictive standard prevails.

(J) Land alterations.

(1) Purpose. The purpose of this section is to manage land alterations within the city and provide for the review and approval of proposed grades prior to land alteration activities.

(2) In general. No person, firm or corporation may engage in any excavation, grading or filling of any land in the city without first having secured a permit from the Public Works Director in accordance with this section.

(3) Exemption. The removal of material for the purpose of constructing a basement or placement of footings is exempt from the provisions of this section, provided a grading plan was submitted and approved as part of the review and approval process. Grading of new subdivisions or developments is also exempt from the provisions of this section, provided a grading plan was submitted and approved as part of the review and approval process.

(4) Land alteration permit required. A land alteration permit from the Public Works Director is required for any of the following activities:

(a) Placement, removal or grading of more than ten cubic yards of earthen material on steep slopes adjacent to a lake or wetland, or within the shore or bluff impact zone of a lake or wetland.

(b) Placement, removal or grading of more than 50 cubic yards of earthen material anywhere in the city.

(c) Placement, removal or grading of earthen material within ten feet of any property line, or when such activity alters the drainage patterns of adjacent property.

(d) Placement, removal or grading of any property for the purposes of installing artificial turf or other surface that may require additional review of permeability and potential for illicit discharge.

(5) Conditional use permit required. A conditional use permit is required for any of the following activities:

(a) Placement, removal or grading of more than 500 cubic yards of earthen material on developed property zoned R-1 or R-2.

(b) Placement, removal or grading of more than 1,000 cubic yards of earthen material on undeveloped property zoned R-1 or R-2.

(c) Placement, removal or grading of more than 1,500 cubic yards of earthen material on property zoned R-3, R-4 or LB.

(d) Placement, removal or grading of more than 2,000 cubic yards of earthen material on property zoned GB, CBD, I-1, I-2, or MXD.

(6) Submittal requirements. An application for a land alteration permit shall include the following:

(a) A legal description of the land to be altered.

(b) The nature of the proposed alteration and future use of the property.

(c) The starting date and completion date of the land alteration.

(d) The names and addresses of all the owners of all the land to be altered.

(e) Scaled plans, showing the existing and proposed topography with two-foot contour intervals, and signed by a registered surveyor or engineer in the State of Minnesota.

(f) A scaled plan, showing existing and proposed vegetation and ground cover.

(g) An erosion and sedimentation control plan.

(h) Product specification sheet showing permeability, materials used, and potential for illicit discharge.

(K) Exterior lighting.

(1) In general. No use shall be operated or occupied so as to create light or glare in such an amount or to such a degree of intensity as to constitute a hazardous condition or a public nuisance. Lighting shall not create a sense of brightness that is substantially greater than the ambient lighting conditions so as to cause annoyance, discomfort, decreased visibility or a hazard for vehicular or pedestrian traffic.

(2) Lighting fixtures. Lighting fixtures shall be of a downcast with flat lens, cut-off type that conceals the light source from view and prevents light from shining on adjacent property. At no time should a fixture be aimed and/or tilted above a horizontal plane in commercial or industrial districts, with the exception of architectural up-lighting or landscape lighting.

(3) Lighting intensity. Lighting shall not directly or indirectly cause illumination or glare in excess of one-half footcandle as measured at the closest residential property line and three footcandles as measured at the closest street curb line or non-residential property line. Lighting shall be maintained stationary and constant in intensity and color, and shall not be of a flashing, moving or intermittent type.

(4) Submission. Detailed plans showing fixture type, wattage, light source, location and elevation along with site point by point showing footcandles must be submitted.

(5) Lighting of buildings. Lighting of building facades or roofs shall be located, aimed and shielded so that the light is directed only onto the facade or roof.

(6) Exceptions. The following uses are exempt from the provisions of this section:

(a) Publicly controlled or maintained street lighting, warning lights, emergency lights, or traffic signals.

(b) Athletic fields and other outdoor recreational facilities serving or operated by an institutional or public use that is operated in accordance with all other applicable provisions of this article.

(L) Off-street parking and loading.

(1) Purpose. The purpose of off-street parking and loading requirements is to alleviate or prevent congestion of the public right-of-way, to provide for the parking and loading needs of specific uses, to minimize the incompatibility between parking and loading areas and adjacent uses, and to regulate the size, design, maintenance and location of required off street parking and loading areas.

(2) Change of use. If the use of a building or site is changed or intensified, parking and loading facilities shall be provided for the changed or intensified use in accordance with the provisions of this section.

(3) Existing facilities. Existing off-street parking and loading facilities shall not be reduced below the requirements for a similar new use or, if less than the requirements for a similar new use, shall not be reduced further.

(4) Use of facilities.

(a) Required parking and loading spaces and driveways providing access to such spaces shall not be used for storage, display, sales, rental or repair of motor vehicles or other goods, or for the storage of inoperable vehicles or snow.

(b) Off-street parking facilities accessory to residential uses shall be utilized solely for the parking of passenger automobiles and/or one truck not to exceed 9,000 pounds gross capacity for each dwelling unit. Under no circumstances, shall required parking facilities accessory to residential structures be used for the storage of commercial vehicles or for the parking of automobiles belonging to the employees, owners, tenants or customers of nearby business or manufacturing establishments.

(5) Location of facilities. Required off-street parking spaces in the R-1 and R-2 Zoning Districts shall be located on the same lot as the principal building. Required off-street parking and loading facilities in all other zoning districts shall be located on the same lot or development site as the use served, except as follows:

(a) Off-site parking for multiple-family and institutional uses shall be located no more than 200 feet from the main entrance of the use being served.

(b) Off-site parking for commercial or industrial uses shall be located no more than 400 feet from the main entrance of the use being served.

(c) Reasonable and improved access shall be provided from the off-site parking facility to the use being served.

(d) The site used for off-site parking shall be under the same ownership as the principal use being served or use of the off-site parking facility shall be protected by a recordable instrument acceptable to the city.

(6) Calculation of requirements. Calculating the number of parking or loading required shall be in accordance with the following:

(a) Gross floor area. The term "gross floor area" for the purpose of calculating the number of off-street parking spaces required shall be determined based on the exterior floor dimensions of the building, structure or use times the number of floors, minus 10%.

(b) Places of public assembly. In places of worship, stadiums, sports arenas and other places of public assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each three feet of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this section.

(c) Capacity. In cases where parking requirements are based on capacity of persons, the capacity shall be based on the maximum number of persons that may occupy a place, as determined under the building code and posted within the establishment.

(d) Employees. When parking requirements are based on employee counts, such calculations shall be based on the maximum number of employees on the premises at any one time.

(e) Calculating space. When calculating the number of off-street parking spaces required results in fraction, each fraction of one-half or more shall require another space.

(f) Garage or carport. A garage or carport shall be considered a parking space. However, a building permit shall not be granted to convert a garage or carport to living space unless other acceptable provisions are made to provide the required parking space.

(g) Joint parking. Except for shopping centers or where a shared parking arrangement has been approved by the city, the off-street parking requirements for each use in a multi-use structure or site shall be calculated separately in determining the total spaces required.

(h) Proof of parking. In cases where the future potential use of a building may generate additional parking demand, the city may require a proof of parking plan for the site that shows how the anticipated parking demand will be met.

(7) Design and maintenance of parking facilities. Off-street parking facilities are subject to the following design and maintenance requirements:

(a) Size of parking spaces. Each parking space shall be not less than 9 feet wide and 20 feet in length, exclusive of an adequately designed system of access drives. In the case where the parking space is abutting a curb at its narrowest dimension, the parking stall length may be reduced to 18 feet. In parking lots with more than 300 spaces, up to 40% of such spaces may be designated and clearly marked as compact car parking spaces with signage that is reasonably visible year round. A compact car parking space shall not be less than 8 feet wide and 18 feet in length, exclusive of the adequately designed system of access drives.

(b) Access and circulation. Except for parking accessory to one- and two-family dwellings, each required off-street parking space shall have direct access to an aisle or driveway no less than 24 feet in width and designed to provide safe and efficient means of vehicular access to and from the parking space without using public right-of-way for maneuvering.

(c) Surfacing. All off-street parking areas, all driveways leading to such parking areas and all other areas upon which motor vehicles may be located shall be surfaced with a dustless all-weather hard surface material. Acceptable materials include asphalt, concrete, brick, cement pavers or similar material installed and maintained per industry standards. Crushed rock shall not be considered an acceptable surfacing material.

(d) Drainage. Driveways shall not exceed a grade of 6% and all parking lots except those for less than four vehicles shall be graded according to a drainage plan that has been approved by the City Engineer. Catch basins, sumps and underground storm sewers may be required.

(e) Curbing. Except for one-, two-, three- and four-family residential uses, all off-street parking areas, all driveways leading to such parking areas, landscape islands, and other areas upon which motor vehicles may be located shall have six-inch non-surmountable poured in place concrete perimeter curbing. In cases where existing circumstances or area practices make such curbing impractical, the requirement may be waived subject to submittal and approval of a parking area drainage plan by the City Engineer.

(f) Lighting. Lighting used to illuminate an off-street parking area shall comply with the performance requirements of this section. The height of parking lot light poles or standards shall be no less than 12 feet and no more than the maximum height established for structures in the district in which the lights will be installed.

(g) Setbacks. Except for one-, two-, three- and four-family residential uses, parking lots and loading areas shall be subject to the same setbacks as a structure for the district in which such parking is located. One-, two-, three- and four-family residential uses are subject to the following setback requirements:

1. Residential lots platted prior to the effective date of this section and having a lot width of 60 feet or less, shall maintain a minimum side yard setback of one foot in all districts.

2. Residential lots platted after the effective date of this section or having a lot width greater than 60 feet shall maintain a minimum side yard setback of three feet in all districts.

3. The creation of a joint driveway use between adjoining property owners shall require a conditional use permit.

4. No more than 50% of the front yard setback shall be paved for parking purposes.

(h) Residential driveway locations. Driveways may only lead directly to, or be contiguous to driveways leading to, and attached or detached garage.

(i) Minimum driveway widths. In all zoning districts, driveways shall be no less than 12 feet in width.

(j) Parking lots and loading areas shall be subject to the same setbacks as a structure for the district in which such parking is located.

(k) Signs. No sign shall be located in any parking area except as necessary for the orderly operation of traffic movement or parking regulation.

(l) Screening. All off-street parking areas containing six or more parking spaces and located next to a residential use shall be screened with fencing or landscaping no less than six feet in height that is 80% opaque on a year round basis.

(m) Landscaping. All setback areas shall be landscaped with grass, vegetation or other landscape material. The front yard setback area of all off-street parking areas containing six or more parking spaces shall have a vegetative screen no less than 30 inches in height that is 80% opaque on a year round basis.

(n) Striping. All off-street parking areas containing six or more parking spaces shall have the parking spaces and aisles clearly painted on the pavement according to the plan approved by the city.

(o) Maintenance. Parking areas and driveways shall be kept free of dirt, dust and debris, and the pavement shall be maintained in good condition. In winter months, required parking areas for commercial businesses shall be cleared of snow. Landscaping, lighting, fencing or other features installed in conjunction with parking areas shall also be maintained and kept in good condition at all times.

(8) Off-street parking district.

(a) Should the city establish a public off-street parking district, those uses located within the district shall be exempt from providing off-street parking spaces as required herein.

(b) The CBD, Central Business District, is established as a public off-street parking district, so that nonresidential uses are exempt from providing off-street parking spaces as required herein. Residential uses, including those in mixed-use buildings, shall provide off-street parking as required herein.

(9) Shared parking. The City Council may approve the use of a required off-street parking area for more than one principal use on the same or an adjacent site if the following conditions are met:

(a) Location. The use for which application for shared parking is being made is located within 300 feet of the use providing the parking facilities.

(b) Nighttime uses. Up to 50% of the off-street parking facilities required for a bowling alley, nightclub, school auditorium, theater or similar nighttime use may be supplied by off-street parking facilities provided primarily for a daytime use.

(c) Sunday use. Up to 75% of the off-street parking facilities required for a place of worship or similar Sunday use may be supplied by off-street parking facilities provided primarily for a daytime use.

(d) Daytime use. For the purposes of this provision, the following uses are considered primarily daytime uses: financial institutions, offices, retail stores, personal service facilities and similar uses.

(e) Contract. A legally binding instrument for the shared use of off-street parking facilities shall be approved by the City Attorney and filed with the Anoka County Recorder’s Office within 60 days after approval of the shared parking use.

(10) *Off-street parking requirements.* Off-street parking shall be provided as specified in the following table, except as otherwise provided in this section.

Use	Minimum Spaces Required
Use	Minimum Spaces Required
<i>Residential Uses</i>	
Single-family	2 per unit, two must be enclosed (garage)
Two-family	2 per unit, two must be enclosed (garage)
Townhome/Twinhome	2 per unit, two must be enclosed (garage)
Multiple-family	
One-bedroom units	1 per unit, must be enclosed (garage)
Two-bedroom or larger units	2 per unit, two must be enclosed (garage)
Manufactured home park	2 per unit
Residential care facility (6 or fewer)	2 per unit, two must be enclosed (garage)
Residential care facility (7 or more)	1 per employee, 1 per every 6 residents
Convent/monastery	1 per every 3 beds
Rooming house/group living quarters	2 per every 3 residents
Nursing home	1 per every 2 beds
Senior housing/assisted living	1 per every 2 units
Transitional/emergency housing	1 per employee, plus 1 per every 6 residents
Bed and breakfast home	2 plus 1 per every room rented
<i>Public/Institutional Uses</i>	
Community center	Determined by staff-based on parking study
Drop-in facility	30% of building capacity
Golf course	5 per hole, plus 30% of capacity of club house
Government facility	Based on type of use
Religious facilities/places of worship	1 per every 3.5 seats, capacity of main assembly area
School–elementary/junior high	10 plus 1 per classroom
School–senior high	10 plus 1 per every 6 students
School–vocational or business	Determined by staff–based on parking study
School–performing/visual/martial arts	30% of building capacity
<i>Commercial Uses</i>	
Retail sales/services	1 per 300 sf, gross floor area
Retail sales, outdoor	1 per 1,000 sf of sales/display area
Auditorium/places of assembly	1 per 3.5 seats, based on design capacity
Automobile convenience facility	6 spaces, plus 1 per 300 sf, gross floor area

Automobile repair	1 per 300 sf, gross floor area, plus 2 per service bay
Automobile sales/rental	1 per 300 sf, gross floor area, plus 1 per 1,000 sf of outdoor sales/display area
Banquet hall	1 per 3.5 seats, based on design capacity
Billiards hall	30% of building capacity
Bowling alley	5 per lane, plus 30% of capacity for related uses
Car wash	2 spaces per bay, plus 4 stacking spaces per bay
Clinic, medical and dental	1 per 300 sf, gross floor area
Clinic, veterinary	6 per veterinarian
Club or lodge	30% of building capacity
Consignment/thrift store	1 per 300 sf, gross floor area
Currency exchange	1 per 300 sf, gross floor area
Day care center	1 per every employee, plus 1 drop off space for every 5 enrollees
Financial institution	1 per 300 sf, gross floor area, plus 6 stacking spaces for each drive-through lane
Food service, convenience	6 plus 1 per 40 sf of dining/service area, plus 6 stacking spaces for each drive-through lane
Food service, limited	30% of building capacity
Food service, full-service	30% of building capacity
Funeral home	1 per 5 seats, plus 1 per 300 sf of non-eating area
Greenhouse/garden center	1 per 300 sf, gross floor area, plus 1 per 1,000 sf of outside sales/display area
Health/fitness club	Determined by staff-based on parking study
Hospital	Determined by staff-based on parking study
Hotel/motel	1 per unit, plus 30% of capacity for meeting rooms
Laboratory, medical	1 per 300 sf, gross floor area
Liquor store, off-sale	1 per 300 sf, gross floor area
Museum/gallery	30% of building capacity
Office	1 per 300 sf, gross floor area
Pawnshop	1 per 300 sf, gross floor area
Personal services	1 per 300 sf, gross floor area or 2 per station, whichever is greater
Professional services	1 per 300 sf, gross floor area
Recreational facility, indoor	1 per 150 sf of rink, court, pool area, and the like
Recreational facility, outdoor	30% of facility capacity
Recreation vehicle sales	1 per 300 sf, gross floor area, plus 1 per 1,000 sf of outdoor sales/display area
Shopping center	1 per 300 sf, gross floor area
Studio, professional	1 per 300 sf, gross floor area
Studio, radio and television	Determined by staff-based on design capacity
Theater, live performance or movie	1 per 3.5 seat, based on design capacity
<i>Industrial Uses</i>	
Assembly/manufacturing/processing	2 per every 3 employees or 1 per 1,000 sf, gross floor area, whichever is greater
Concrete, asphalt or rock crushing	2 per every 3 employees
Freight terminal	1 per 3,000 sf, gross floor area of storage/warehousing, plus 1 per 300 sf, gross floor area of office area

Maintenance facility	1 per 3,000 sf, gross floor area, plus 1 per 300 sf, gross floor area of office
Office/showroom	1 per 300 sf, gross floor area of office/showroom, plus 1 per 3,000 sf, gross floor area of storage
Office/warehouse	1 per 300 sf, gross floor area of office, plus 1 per 3,000 sf, gross floor area of storage
Outdoor sales/display	1 per 1,000 sf of sales/display area
Outdoor storage	1 per 3,000 sf of storage area
Printing/publishing	2 per every 3 employees or 1 per 1,000 sf, gross floor area, whichever is greater
Salvage operation	2 per 3 employees
Self-service storage facility	1 per 3,000 sf, gross floor area of storage, plus 1 per 300 sf, gross floor area of office
Warehouse/distribution	1 per 3,000 sf, gross floor area of storage/warehousing, plus 1 per 300 sf, gross floor area of office/sales area

(11) Stacking requirements. Drive-up and drive-through facilities shall provide adequate stacking space for vehicles in accordance with the following table. Stacking spaces shall require a minimum pavement width of 12 feet, a length of 20 feet per vehicle, and shall be exclusive of any other required parking spaces or drive aisles.

Use	Minimum Stacking Spaces
Automobile washing facility—self-service	4 spaces per bay at entrance, 1 space per bay at exit
Automobile washing facility—automatic	4 spaces per bay at entrance, 1 space per bay at exit
Food service—fast food drive-through	4 spaces behind menu board, 4 space behind first window
Financial institution	4 spaces per teller window, 2 spaces per ATM kiosk
Other drive-up or drive-through uses	2 spaces per window

(12) Off-street loading requirements. Off-street loading space shall be provided for any non- residential use that receives or distributes materials or merchandise by trucks or similar vehicles and has a gross floor area of 5,000 square feet or more, in accordance with the following standards:

(a) Dimensions. Loading berths shall be no less than 12 feet in width, 50 feet in length and 14 feet in height, exclusive of aisle and maneuvering space.

(b) Location. Loading berths shall be located on the site and shall be separate from any required off-street parking. Loading berths shall not be located less than 50 feet from the property line of any residential property or residentially zoned property. Loading berths shall not be located within the front yard setback area.

(c) Access. Each loading berth shall be located with appropriate means of vehicular access to and from a public street or alley and shall not interfere with automobile or pedestrian traffic either on the site or adjacent to the site.

(d) Surfacing. All loading berths and access driveways shall be surfaced with a dustless all-weather material and constructed to control drainage according to a plan approved by the City Engineer.

(e) Use. Any space designated as a loading berth or access drive in accordance with the terms of this section shall not be used for the storage of goods, inoperable vehicles or required off-street parking.

(f) Number. For facilities with less than 20,000 square feet gross floor area, the off-street loading requirements may be met by providing a designated loading zone on site, as opposed to constructing a loading berth. For facilities with 20,000 square feet gross floor area or greater, one off-street loading berth shall be provided for every 30,000 square feet gross floor area or fraction thereof.

(M) *Tree Preservation and Planting Standards for Landscaping and Screening.*

- (1) *Purpose.* The City of Columbia Heights recognizes the great value trees, landscaping, and screening provide to all residents of the City. A healthy, resilient, and robust urban forest enhances the aesthetic, environmental, and economic well-being of the City. Tree preservation and planting standards, landscaping and screening requirements are established to buffer non-compatible land uses, screen unsightly views, reduce noise and glare, minimize storm water runoff, and generally enhance the quality and appearance of development within the community.
- a. Preserve and increase the tree canopy cover of Columbia Heights by protecting mature trees throughout the City.
 - b. Protect and enhance property values by conserving trees.
 - c. Improve quality of life for all stakeholders, including residents, visitors, and wildlife.
 - d. Preserve and increase the environmental services provided by the urban forest including sequestration of CO₂, erosion and stormwater mitigation, reduction of air pollutants, reduction of the urban heat island effect, and reduction of noise pollution.
 - e. Protect and maintain healthy trees in the development and building permit process. Protect and maintain healthy trees by ensuring best tree protection practices during construction and development.
- (2) Preservation, protection, and replacement of Protected Trees:
- a. This ordinance applies to all demolition, building permit applications, and land alteration permits, public or private, that require a survey.
 - b. Definitions:
 - i. Protected Tree: Any tree variety on the List of Protected Tree Varieties as maintained and published by City staff with a diameter of 6" or greater as measured at 4.5' above ground (DBH, Diameter at Breast Height). The List of Protected Tree Varieties may be amended from time to time.
 - ii. Removable Tree: Any tree not defined as a Protected Tree.
 - iii. City-Owned Tree: Any tree originating within the City right-of-way or originating from a City park or City-owned property.
 - c. Demolition and building permit applications must include a construction tree inventory plan indicating the location, species, and diameter of the trunk at 4.5' above the ground (DBH) for all Protected Trees on the property and City-Owned Trees on or adjacent to the construction site. The plan must also indicate any Protected Trees that are proposed to be removed, as well as their replacement tree(s) location, species, and size. Applications must also include a tree protection plan describing in detail how Protected Trees and City-Owned Trees will be preserved and protected during construction. The tree protection plan shall follow the standards as presented in the most recent version of the following publications:

- i. ANSI A300 Part 5- Management of Trees and Shrubs During Site Planning, Site Development, and Construction
 - ii. ISA Best Management Practices- Managing Trees During Construction
 - d. The construction tree inventory plan and tree protection plan must be reviewed and approved by the City Forester. Approved tree protection measures shall be fully installed and inspected by City staff prior to commencement of any construction activities or vehicular traffic on site.
 - e. During the demolition and building process, the permit holder shall not leave any Protected Tree or adjacent City-owned tree without sufficient guards and protections to prevent injury to the protected tree during construction. Tree protection shall follow the standards as presented in the publications listed above (3.b.). City Forestry Staff monitoring is required for all projects with affected Protected Trees and/or replacement trees. Replacement trees will be monitored for three (3) years to ensure proper establishment.
 - f. Protected Tree varieties that are less than 6" in caliper must be moved to another location on the property if possible. Exceptions must be granted in writing by the City Forester.
 - g. If a Protected Tree is removed, except as allowed for in paragraph 5 below, it is subject to a size-based replacement policy.
 - i. Protected trees with DBH 6"-15" are subject to a 2:1, "two for one" replacement requirement.
 - ii. Protected trees with DBH 15"-20" are subject to a 3:1, "three for one" replacement requirement.
 - iii. Protected trees with DBH 20"-25" are subject to a 4:1, "four for one" replacement requirement.
 - iv. Protected trees with DBH >25" are subject to a 5:1, "five for one" replacement requirement.
 - v. Replacement trees must be varied by species and are subject to approval by the City Forester.
 - vi. Replacement trees are subject to the size and diversity requirements as outlined below.
 - vii. A payment of \$400 for each tree may be made to the City in lieu of planting replacement trees where sufficient space does not exist on the property. Payments will support the planting of replacement trees by City staff on City property.
 - viii. Replacement trees shall be planted according to the standards set forth in the MN Department of Natural Resources publication "A Pocket Guide to Planting Trees". All replacement trees are subject to inspection by City staff for a period of 2 years beginning the day of planting. Any trees determined to be unhealthy or poorly established during this period shall be subject to replacement.
- (3) Removal of Protected and Removable Trees:
 - a. Protected Trees may be removed in the following areas:
 - i. Within the footprint of the building pad of a new or remodeled building, or within a 10' radius of the footprint.
 - ii. Within driveways and parking areas meeting all other City ordinance requirements.
 - b. Protected Trees removed in accordance with sections (i.) and (ii.) above are required to be replaced at a rate of 1:1, "one for one." Replacement trees are subject to all requirements listed in paragraph (3.) above.

- c. Removable Trees may be removed for any development or building permit without replacement.
 - d. If Protected Trees are dead, diseased, or hazardous their removal must be approved in writing by the City Forester before removal. Dead, diseased, or hazardous trees are not subject to replacement requirements.
- (4) Exemptions from Tree Preservation Ordinance: Tree removal on property with an existing building or structure that is not being modified is exempt from this ordinance.
- (5) Standards for Newly Planted Trees and Replacement Trees
- a. *Landscaping and screening.*
 - i. *Landscape plan required.* A landscape plan is required for all new commercial, industrial, institutional, and multi-family development. For development having an anticipated construction value in excess of \$750,000, the landscape plan must be prepared by a landscape architect registered in the State of Minnesota. Said landscape plan shall include the location, size, quantity, and species of all existing and proposed plant materials.
 - ii. *Design considerations.* The following design concepts and requirements should be considered when developing a landscape plan for submittal to the city:
 - 1. To the maximum extent possible, the landscape plan shall incorporate existing vegetative features on the site.
 - 2. The overall composition and location of landscaped areas should complement the scale of the development and its surroundings.
 - 3. The use of native species is preferred in all landscaping choices, and a minimum of 80% of all plants used shall be native to MN.
 - 4. The City of Columbia Heights is committed to enhancing the diversity and resiliency of its urban forest. A variety of trees and shrubs shall be used to provide visual interest year-round and meet diversity requirements. No more than 25% of the required number of trees or shrubs may be comprised of any one species or genus. No less than 50% of the required number of trees shall be over-story deciduous trees and no less than 10% shall be coniferous. New trees and replacement trees shall be planted according to the standards set forth in the MN Department of Natural Resources publication "A Pocket Guide to Planting Trees". All replacement trees are subject to inspection by City staff for a period of 3 years beginning the day of planting. Any trees determined to be unhealthy or poorly established during this period shall be subject to replacement.
 - 5. Final slopes greater than 3:1 will not be permitted without special treatment such as terracing, retaining walls or special ground covers.
 - 6. All plant materials shall meet the minimum size standards listed in Table 1; all planting locations shall meet the soil volume requirements for the plant material listed in Table 2. Soil volume requirements must be met by contiguous, uncompacted soil suitable for the plant type. Soil depth beyond 3 feet shall not be counted towards soil volume requirements. Landscaped areas should be of adequate size to allow proper plant growth, protect plantings from both pedestrian and vehicular traffic, and provide adequate area for plant maintenance. Definitions and rules for calculating soil volume provided in Appendix B. All exceptions to soil volume

requirements must be approved by the City Forester in writing.

Table 1: Plant Size Requirements

Plant Type	Minimum Size at Planting
Trees	
Evergreen-over-story	6 feet in height
Evergreen-ornamental	6 feet in height
Deciduous-over-story	2.5 inches diameter, measured 2 feet from base
Deciduous-ornamental	2 inches diameter, measured 2 feet from base
Shrubs	
Evergreen	2 feet in height
Deciduous	2 feet in height
Screening shrubs-either	3 feet in height

Table 2: Soil Volume

Requirements

Expected Tree Size at Maturity	Minimum Soil Volume Requirement (ft ³)
Small trees: 10-25 ft crown spread, 8-12" mature DBH	300
Medium trees: 25-35 ft crown spread, 12-18" mature DBH	700
Large trees: 35+ ft crown spread, 18"+ mature DBH	1100

Appendix A: List of Protected Tree Varieties

Common Name	Botanical Name
Birch	<i>Betula spp.</i>
Buckeye, Ohio	<i>Aesculus glabra</i>
Catalpa, Northern	<i>Catalpa speciosa</i>
Cedar, Eastern Red	<i>Juniperus virginiana</i>
Cedar, Northern White	<i>Thuja occidentalis</i>
Elm (except Siberian/Asian elms)	<i>Ulmus spp. (Except U. pumila)</i>
Fir, White	<i>Abies concolor</i>
Hackberry	<i>Celtis occidentalis</i>
Hemlock, Eastern	<i>Tsuga canadensis</i>
Hickory	<i>Carya spp.</i>
Honey locust	<i>Gleditsia triacanthos</i>
Ironwood	<i>Ostrya virginiana</i>

Kentucky coffee	<i>Gymnocladus dioica</i>
Linden	<i>Tilia spp.</i>
Maple, Black	<i>Acer nigrum</i>
Maple, Red	<i>Acer rubrum</i>
Maple, Sugar	<i>Acer saccharum</i>
Mountain ash	<i>Sorbus spp.</i>
Oak	<i>Quercus spp.</i>
Pine, Red	<i>Pinus resinosa</i>
Pine, White	<i>Pinus strobus</i>
Spruce, Norway	<i>Picea abies</i>
Spruce, White	<i>Picea glauca</i>
Walnut, Black	<i>Juglans nigra</i>

Appendix B: Definitions and Rules for Calculating Soil Volume

The following definitions apply to soil media for newly planted trees in the City of Columbia Heights:

Open soil. Exclusively refers to either uncompacted native soils (no greater than 80% Proctor), or amended soils meeting the Minnesota Department of Transportation standards for approved topsoil, that are not covered by hardscape or paved surfaces.

Available open soil. The uncovered length by width of a planting bed, multiplied by depth of preparation up to 36 inches deep. Most unprepared urban subgrade is highly compacted and does not qualify as available.

Covered soil. Soil volume provided below hardscape or paved surfaces in the form of suspended soil cells or structural soil. Only 25% of the volume of structural soils may be counted towards soil volume requirements. All covered soil used in cell-type systems or suspended pavement systems shall be loam.

Shared soil. Soil media shared by more than one tree in a planting bed sharing open soil, or an individual tree in a planting bed that is connected to other open soils via Soil Cells or Structural Soil. Areas of shared soil must have a continuous root path that does not restrict to less than 4 feet wide or 2 feet deep. Trees in shared soil spaces received a 30% credit towards total soil volume requirements.

Isolated soil. Soil media in a tree well or small enclosed planting bed that is not connected to other prepared soil volumes and is totally isolated by hardscape such as driveways, sidewalks, or vaults.

Connected soil. Two or more areas of open soil that are connected below hardscape with either soil cells or structural soil. These connected beds can now qualify as shared soil.

The following standards and exceptions apply to calculating soil volumes:

- 1) The total soil volume provided for a tree shall be calculated in cubic feet by adding the available open soil volume to the available covered soil volume within a 50-foot radius of the tree.

- 2) When total soil volume consists of more than one planter bed or open soil area, those areas must be connected by continuous root paths at least 4 feet wide and 2 feet deep.
 - 3) Soil volumes for covered soil shall be calculated by using only the space available to roots and may not include the components providing structure. 90% of the volume of cell-type hardscape suspension systems may be counted towards total soil volume; 25% of the volume of structural soils may be counted towards total soil volume. A maximum depth of 36" may be used when calculating total soil volume; depths beyond 36" may not be counted towards soil volume requirements. Trees in shared soil spaces receive a 30% credit towards total soil volume requirements.
- (6) *Landscaping requirements.* Landscaping shall be provided in accordance with the following requirements:
- a. All required setbacks shall be landscaped with turf grass, native grasses, trees, shrubs, vines, perennial flowering plants, or other pervious ground cover. **Artificial turf shall not be considered a pervious ground cover unless a land disturbance permit is issued and approved by the Public Work Director.**
 - b. A minimum of one tree shall be planted for every 50 feet of street frontage or fraction thereof. The trees shall be planted within the front yard and may be arranged in a cluster or placed at regular intervals to best complement existing landscape design patterns in the area.
 - c. A minimum of four trees shall be planted for every one acre of lot area covered by buildings, parking areas, loading areas, exterior storage areas and other impervious surfaces.
 - d. Parking areas shall have a minimum of 100 square feet of landscape area and one over-story tree for each 20 spaces or, fraction thereof. The remainder of the landscape area shall be covered with turf grass, native grasses, trees, shrubs, vines, perennial flowering plants, or other pervious ground cover.
- (7) *Screening requirements.* Screening shall be provided in accordance with the following requirements:
- a. All off-street parking areas containing six or more parking spaces and located adjacent to a residential or residentially zoned property, the parking area shall be screened along the boundary with the residential use. Where any commercial or industrial use is located adjacent to or across a public alley from a residential or a residentially zoned property, the commercial or industrial use shall be screened along the boundary with the residential use.
 - b. Exterior storage of materials or equipment, except for allowed retail sales and temporary placement of equipment, shall be screened from all adjacent non-industrial uses and from the public right-of-way.
 - c. Required screening shall consist of a fence, wall, earthen berming and/or vegetation no less than six feet in height and no less than 80% opaque on a year round basis. Said screening shall be located as close to the property line as practicable and no closer than 15 feet from the edge of a public right-of-way.
- (8) *Installation and maintenance.* The following regulations shall govern the installation and maintenance of landscaping and screening materials.
- a. All landscaping materials and screening materials shall be installed in conjunction with site development and prior to issuance of a final certificate of occupancy.

- b. A letter of credit or other security as acceptable to the city shall be deposited with the Zoning Administrator, in an amount equal to 100% of the estimated cost of landscaping and/or screening. The letter of credit or other security as acceptable to the city, or portions thereof, shall be forfeited to maintain and/or replace materials for a period of time to include at least two growing seasons. A portion of the letter of credit or other security as acceptable to the city may be released after one growing season as determined by the Zoning Administrator. The property owner shall be responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section. Plant materials that show signs of disease or damage shall be promptly removed and replaced within the next planting season.
 - c. The property owner shall be responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section. Plant materials that show signs of disease or damage shall be promptly removed and replaced within the next planting season.
- (9) *Screening of parking areas from adjacent properties.* All parking and loading areas (including drive-through facilities, pump island service areas and stacking spaces) abutting a public street or sidewalk shall provide:
- a. A landscaped frontage strip at least five feet wide along the public street or sidewalk. If a parking area contains over 100 spaces, the minimum required landscaped frontage strip shall be increased to eight feet in width.
 - b. Screening consisting of either a masonry wall, fence, berm or hedge or combination that forms a screen a minimum of three feet in height, a maximum of four and one half feet in height, and not less than 50% opaque on a year-round basis. For reasons of personal safety and security, parking lot screening should allow clear visibility of pedestrians above the three-foot high viewing range.
 - c. Trees shall be planted at regular intervals of no greater than 50 feet within the frontage strip.

(N) Building design standards.

(1) Purpose. The purpose of this section is to promote quality development throughout the community that is attractive and visually compatible with adjacent development.

(2) Design review required. Approval of building elevations is required for all new commercial, industrial, institutional and multi-family development. Building design approval is also required for any remodeling or expansion activity that increases the overall size of the building by 10% or more.

(3) Building materials and design. The following material and design standards shall be adhered to:

(a) Building materials for all projects shall be durable, require low maintenance and be of the same or better quality than that used on surrounding properties; and shall consist of any of the following materials: Brick; natural stone; stone treated concrete panels; glass curtain wall panels; wood, provided surfaces are finished for exterior use and only woods of proven exterior durability are used such as cedar, redwood, and cypress; factory fabricated and finished metal frame paneling; or other materials of high architectural quality as approved by staff.

(b) Building elevations and facades should include a variety of architectural features and building materials to provide visual interest and give each project a distinct character. Building facades shall contain windows at the ground level or first floor in order to increase security of adjacent outdoor spaces by maximizing natural

surveillance and visibility. Special care should be given to building elevations that face a public right-of-way or a residential area. Doors, window frames, screening walls, and other architectural features should be finished to complement the color and material of the principal building. At least 20% of the first floor facade that faces a public street, sidewalk or parking lot shall be windows or doors for residential uses. At least 20% of the first floor facade that faces a public street, sidewalk or parking lot shall be windows or doors of clear or lightly tinted glass that allows views into and out of the building at eye level for non-residential uses. Windows shall be distributed in a more or less even manner. Minimum window area shall be measured between the height of two feet and ten feet above the finished level of the first floor.

(c) All additions, exterior alterations or accessory buildings constructed after the original buildings shall be of the same material and design as the original structure. However, this provision shall not prohibit the upgrading of the quality of materials used in a remodeling or expansion activity, provided said upgraded material complements the original.

(d) All structures over 120 square feet shall have full perimeter footings.

(e) Steel frame structures with metal siding and roof are allowed in commercial and industrial districts provided 50% or more of the front of the structure is masonry type veneer and windows, and the side walls shall be at least four feet from grade with the same type of masonry veneer.

(4) Application of master plan district provisions. Properties located within the district boundaries of master plan area shall also be subject to the district provisions of the master plan.

(5) Design guidelines. The City Council may adopt by resolution design guidelines that shall apply to designated areas or districts of the city with greater specificity than the standards in this section. Where there is a conflict between the design guidelines and the standards in this section, the guidelines shall apply. **The design guidelines shall not prohibit public art. Public art shall be allowed to be incorporated into building design and may include but is not limited to; painted block, landscaping and tree plantings, and ornamental structures, etc. Public art shall be encouraged as an alternative to traditional design guideline requirements.**

(O) Telecommunication towers/antennae.

(1) Purpose.

(a) The purpose of this division is to provide a uniform and comprehensive set of standards for the development and installation of wireless communications towers, antennas and related facilities. The regulations and requirements contained herein are intended to: (i) regulate the placement, construction and modification of wireless communications towers and related wireless communications facilities in order to protect the health, safety, and welfare of the public and the aesthetic quality of the city; and (ii) encourage managed development of wireless communications infrastructure, while at the same time not unreasonably interfering with the development of the competitive wireless communications marketplace in the City of Columbia Heights.

(b) It is intended that the city shall apply these regulations to accomplish the following:

1. Minimize the total number of towers throughout the community through siting standards;
2. Encourage the location of towers in non-residential areas and with compatible uses;

3. Provide for the appropriate location and development of wireless communications towers, antennas and related facilities within the city, to the extent possible, to minimize potential adverse impacts on the community;

4. Minimize adverse visual impacts of wireless communications towers and related facilities through careful design, siting, landscape screening, and innovative camouflaging techniques utilizing current and future technologies;
5. Promote and encourage shared use/co-location of towers and antenna support structures;
6. Maintain and preserve the existing residential character of the City of Columbia Heights and its neighborhoods and to promote the creation of a convenient, attractive and harmonious community;
7. Promote the public safety and avoid the risk of damage to adjacent properties by ensuring that wireless communications towers and related wireless communications facilities are properly designed, constructed, modified, maintained and removed;
8. Ensure that wireless communications towers and related wireless communications facilities are compatible with surrounding land uses;
9. Encourage the use of alternative support structures, co-location of new antennas on existing wireless communications towers, camouflaged towers, and construction of towers with the ability to locate three or more providers;
10. Maintain and ensure that a non-discriminatory, competitive and broad range of wireless communications services and high-quality wireless communications infrastructure consistent with federal law are provided to serve the community; and
11. Ensure that wireless communications facilities comply with radio frequency emissions standards as promulgated by the Federal Communications Commission.

(c) This section is not intended to regulate satellite dishes, satellite earth station antennas, residential television antennas in private use, multichannel multipoint distribution service antennas, or amateur radio antennas.

(2) Definitions. For the purposes of this division the following terms and phrases shall have the meaning ascribed to them herein:

ACCESSORY STRUCTURE. Means a structure or portion of a structure subordinate to and serving the principal structure on the same lot.

ACCESSORY USE. Shall have the meaning set forth in the Chapter 9.

ANTENNA. Means a device fabricated of fiberglass, metal or other material designed for use in transmitting and/or receiving communications signals and usually attached to a wireless communications tower or antenna support structure.

ANTENNA SUPPORT STRUCTURE. Any building or structure, excluding towers, used or useable for one or more wireless communications facilities.

BUFFER or BUFFERING. A natural or landscaped area or screening device intended to separate and/or partially obstruct the view of adjacent land uses or properties from one another so as to lessen the impact and adverse relationship between dissimilar, unrelated or incompatible land uses.

CITY. The City of Columbia Heights, Minnesota, and any and all departments, agencies and divisions thereof.

CITY CODE. The Columbia Heights City Code, as amended from time to time.

CITY COUNCIL or COUNCIL. The Columbia Heights City Council or its designee.

CITY MANAGER. The City Manager of the City of Columbia Heights, Minnesota or the City Manager's designee.

CO-LOCATION. The use of a single wireless communications tower, antenna support structure and/or site by more than one provider.

CONDITIONAL USE. Those uses that are generally compatible with other uses permitted in a zoning district, but that require individual review of their location, design, configuration, intensity and structures, and may require the imposition of conditions pertinent thereto in order to ensure the appropriateness of the use at a particular location. This definition shall only apply to this specific division and shall not apply to other sections or provisions of the land use and development regulations.

CONDITIONAL USE PERMIT. A permit specially and individually granted by the Council after a public hearing thereon by the Planning Commission for any conditional use so permitted in any zoning district. In approving a conditional use permit, the Council may impose reasonable conditions to accomplish the objectives of this division with respect to use, screening, lighting, hours of operation, noise control, maintenance, operation or other requirements.

EQUIPMENT CABINET or SHELTER. A structure located near a wireless communications facility that contains electronics, back-up power generators and/or other on-site supporting equipment necessary for the operation of the facility.

EXISTING TOWER. Any tower designated as an existing tower by division (O)(6) for which a permit has been properly issued prior to the effective date of this division, including permitted towers that have not yet been constructed so long as such approval is current and not expired. After the effective date of this division, any tower approved and constructed pursuant to the provisions of this division shall thereafter be treated as an existing tower for purposes of regulation pursuant to this division and the land use and development regulations.

GUYED TOWER. A wireless communications tower that is supported, in whole or in part, by guy wires and ground anchors or other means of support besides the superstructure of the tower itself.

LAND USE AND DEVELOPMENT REGULATIONS. Chapter 9 of the Columbia Heights Code, as it may be amended from time to time.

MICROWAVE DISH ANTENNA. A dish-like antenna used to transmit and/or receive wireless communications signals between terminal locations.

MONOPOLE TOWER. A wireless communications tower consisting of a single pole or spire supported by a permanent foundation, constructed without guy wires and ground anchors.

NONCONFORMITY. Shall have the meaning given in M.S. § 394.22, subd. 8, or successor statutes, and shall be governed by the provisions of the land use and development regulations (nonconformities).

PANEL ANTENNA. An array of antennas designed to direct, transmit or receive radio signals from a particular direction.

PICO CELL. A low-power cell whose coverage area extends 300 to 500 yards.

PLANNING COMMISSION. The Columbia Heights Planning and Zoning Commission.

PROVIDER. (When used with reference to a system) means a person or entity that provides wireless communications service over a wireless communications facility, whether or not the provider owns the facility. A person that leases a portion of a wireless communications facility shall be treated as a provider for purposes of this division.

SATELLITE DISH. An antenna device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia-shaped and is used to transmit and/or receive electromagnetic signals. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, TVROs and satellite microwave antennas.

SELF-SUPPORT/LATTICE TOWER. A tower structure requiring no guy wires for support.

STEALTH or CAMOUFLAGED TOWER, EQUIPMENT CABINET or FACILITY. Any wireless communications tower, equipment cabinet or facility designed to hide, obscure or conceal the presence of the tower, antenna, equipment cabinet or other related facility. The stealth technology used must incorporate the wireless communications tower, equipment cabinet and facility into and be compatible with the existing or proposed uses of the site. Examples of stealth facilities include, but are not limited to: architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and wireless communications towers designed to look like light poles, power poles, trees, flag poles, clocks, steeples or bell towers.

UTILITY POLE-MOUNTED FACILITY. A wireless communications facility attached, without regard to mounting, to or upon an electric transmission or distribution pole, street light, traffic signal, athletic field light, utility support structure or other similar facility located within a public right-of-way or utility easement approved by the Planning Commission. The facility shall include any associated equipment shelters regardless of where they are located with respect to the mount.

WHIP ANTENNA. An omni-directional antenna used to transmit and/or receive radio signals.

WIRELESS COMMUNICATIONS FACILITY. A facility that is used to provide one or more wireless communications services, including, without limitation, arrays, antennas and associated facilities used to transmit and/or receive wireless communications signals. This term does not include wireless communications towers, over-the-air reception devices that deliver or receive broadcast signals, satellite dishes regulated by 47 C.F.R. § 25.104, devices that provide direct-to home satellite services (“DBS”) or devices that provide multichannel multi-point distribution services (“MMDS”) as defined and regulated by 47 C.F.R. § 1.4000, as amended.

WIRELESS COMMUNICATIONS SERVICES. Those services specified in 47 U.S.C. §§ 332(c)(7)(C) and 332(d)(1)-(2), and any amendments thereto.

WIRELESS COMMUNICATIONS TOWER. A guyed, monopole or self-support/lattice tower, or extension thereto, constructed as a freestanding structure, supporting one or more wireless communications facilities used in the provision of wireless communications services.

ZONING ADMINISTRATOR. The person appointed by the City Manager as provided in the land use and development regulations.

(3) Applicability. The requirements of this division apply to the extent provided herein to all new, existing, replacement, re-located or expanded and/or modified wireless communications towers and wireless communications facilities. The requirements of this division apply throughout the city. It is the express intent of the

city to impose, to the extent permitted by applicable law, all requirements of this division to all land within the city, whether publicly or privately held, including, without limitation, private property, city property, church property, utility property and school property.

(a) Non-essential services. Wireless communications towers and wireless communications facilities will be regulated and permitted pursuant to this division and not regulated or permitted as essential services, public utilities or private utilities.

(b) Attempt to locate on existing tower or antenna support structure. Every owner/operator seeking to locate a wireless communications facility within the city must attempt to locate on an existing wireless communications tower or antenna support structure as required by division (O)(7) and (8).

(4) Exempt from city review. The following activities shall be permitted without city approvals:

(a) Amateur radio. The installation of any antenna and its supporting tower, pole or mast to the extent city regulation is preempted by state or federal law.

(b) Residential television antennas. The installation of residential television antennas in private use to the extent preempted by state and federal law.

(c) Satellite dishes. The installation of satellite dishes to the extent preempted by state or federal law.

(d) Mobile news. The use of mobile services equipment providing public information coverage of news events of a temporary or emergency nature.

(5) Permitted locations. The following applies to all wireless communications towers, including re-located or expanded and/or modified towers, but not to existing towers:

(a) Wireless communications towers less than 120 feet in height shall be a permitted use in the I-1 and I-2 zoning districts.

(b) Wireless communications towers greater than or equal to 120 feet in height shall be a conditional use in the I-1 and I-2 zoning districts.

(c) Wireless communications towers less than 80 feet in height shall be a permitted use in the RB, CBD and GB zoning districts.

(d) Wireless communications towers greater than or equal to 80 feet in height shall be a conditional use in the RB, CBD and GB zoning districts.

(e) Wireless communications towers less than 80 feet in height shall only be allowed as a conditional use in the R-1, R-2, R-3, R-4 and LB zoning districts.

(f) Wireless communications towers greater than or equal to 80 feet in height shall not be a permitted use in the R-1, R-2, R-3, R-4 and LB zoning districts.

(g) Except where superseded by the requirements of county, state or federal regulatory agencies possessing jurisdiction over wireless communications towers, equipment cabinets and wireless communications facilities, such towers, equipment cabinets and facilities shall be stealth towers, stealth equipment cabinets and stealth facilities camouflaged to blend into the surrounding environment using stealth technology in a manner pre-approved by the city on a case-by-case basis.

(h) Utility pole-mounted facilities shall be permitted as accessory uses in all zoning districts. Applications for such facilities shall be subject to the conditions set forth in this division.

(6) Existing towers.

(a) Except where otherwise noted, existing towers shall not be rendered nonconforming uses by this division. The city encourages the use of these existing towers for purposes of co-locating additional wireless communications facilities. Any and all towers erected and in use or approved on or before the effective date of this division shall be treated as existing towers. These towers shall be considered conforming uses with respect to this division and the city shall allow co-location on these towers subject to the requirements of division (O)(7) so long as the providers utilize the most visually unobtrusive equipment that is technologically feasible.

(b) Owners of existing towers shall be required to comply with the requirements and procedures set forth in division (O)(13) and (14) to replace an existing tower.

(c) Owners of existing towers shall be required to comply with the applicable requirements and procedures set forth in division (O)(6), (7), (8) and (13) to modify or relocate an existing tower or to co-locate a wireless communications facility on an existing tower.

(d) Increases in height of an existing wireless communications tower, modification of an existing wireless communications tower or conversion of an existing wireless communications tower to a stealth or camouflage structure shall be treated as a new tower and subject to all the applicable requirements of this division.

(e) Owners of existing wireless communications towers shall be required to comply with the requirements set forth in division (O)(15) and (16).

(7) Co-location use, modification and relocation of existing towers.

(a) Any owner of an existing tower or antenna support structure containing additional capacity suitable for installation or co-location of wireless communications facilities shall permit providers to install or co-locate said facilities on such towers or antenna support structures; provided that no existing tower or antenna support structure shall be used to support wireless communications facilities for more than three separate providers. Any co-location of wireless communications facilities shall be subject to mutually agreeable terms and conditions negotiated between the parties.

(b) Any existing tower may be modified or relocated to accommodate co-location of additional wireless communications facilities as follows:

1. An application for a wireless communications permit to modify or relocate a wireless communications tower shall be made to the Zoning Administrator. The application shall contain the information required by division (O)(14)(b) and (c). The Zoning Administrator shall have the authority to issue a wireless communications permit without further approval by the Council or the Planning Commission, except as provided in this division. Any denial of an application for a wireless communications permit to modify or relocate a wireless communications tower for purposes of co-location shall be made in accordance with division (O)(14)(e).

2. The total height of the modified tower and wireless communications facilities attached thereto shall not exceed the maximum height allowed for a permitted wireless communications tower in the zoning district in which the tower is located, unless a conditional use permit is granted by the city.

3. Permission to exceed the existing height shall not require an additional distance separation from designated areas as set forth in this division. The tower's pre-modification height shall be used to calculate such distance separations.

4. A tower which is being rebuilt to accommodate the co-location of additional wireless communications facilities may be moved on the same parcel subject to compliance with the requirements of this division.

5. A tower that is relocated on the same parcel shall continue to be measured from the original tower location for the purpose of calculating the separation distances between towers as provided herein.

(8) Application to locate wireless communications facility on existing tower.

(a) An application for a wireless communications permit to locate or re-locate a wireless communications facility on an existing tower must be submitted to the Zoning Administrator on the designated form and shall, at a minimum, contain the following:

1. Name, address and telephone number of the applicant;
2. Location of the existing tower, along with the tower owner's name and telephone number;
3. Number of applicant's wireless communications facilities to be located on the subject tower;
4. A sworn and certified statement in writing by a qualified engineer that the wireless communications facility will conform to any and all other construction standards set forth by the city code, and federal and state law;
5. An application fee in the amount set by the Council for each wireless communications facility listed on the application;
6. A copy of all licenses and/or franchises required by federal, state or local law for the construction and/or operation of a wireless communications system in the city;
7. A scaled site plan clearly indicating the location, type and height of the proposed wireless communications facility, on-site land uses and zoning, elevation and stealth design drawings of the proposed wireless communications facility and the supporting tower, topography, and any other information deemed by the city to be necessary to assess compliance with this division and the land use and development regulations;
8. An inventory of the applicant's existing towers and wireless communications facilities, if any, that are either within the jurisdiction of the city or within one mile of the city limits, including specific information about the location, height, and design of each wireless communications facility or tower;
9. A certification that the applicant will comply with all applicable federal, state or local laws including all the provisions of the land use and development regulations; and
10. A certification that the site described in the application is located on an existing tower and the owner/operator agrees to the co-location of the subject wireless communications facility.

(b) An application for a wireless communications permit to locate or re-locate a wireless communications facility that proposes to co-locate said facility on an existing tower and that satisfies the requirements set forth in this division, shall receive expedited treatment in the review process.

(c) So as to further expedite the permitting process and to promote the efficient use of existing sites, the city encourages the users of existing towers to submit a single application for approval of multiple users on a single existing site. Applications for approval at multiple user sites shall be given priority in the review process. The fee to be submitted with a multiple user application shall be the fee specified in this subsection multiplied by the number of users listed in such application.

(d) A petitioner shall submit any additional information requested by the city for purposes of evaluating the permit request.

(e) In granting or denying a wireless communications permit to locate or re-locate a wireless communications facility on an existing tower, the Zoning Administrator shall prepare a written record of decision including findings of fact.

(9) Wireless communications facilities on antenna support structures.

(a) All wireless communications facilities to be located on antenna support structures shall be subject to the following minimum standards:

1. Wireless communications facilities shall only be permitted on buildings which are at least 35 feet tall.

2. Wireless communications facilities shall be permitted on the city's water tower; provided that the city may impose reasonable conditions which ensure that such facilities do not interfere with access to or maintenance of the tower.

3. If an equipment cabinet associated with a wireless communications facility is located on the roof of a building, the area of the equipment cabinet shall not exceed 10 feet in height, 400 square feet in area nor occupy more than 10% of the roof area. All equipment cabinets shall be constructed out of nonreflective materials and shall be designed to blend with existing architecture and located or designed to minimize their visibility.

(b) Antenna dimensions.

1. Unless a conditional use permit is obtained from the city, whip antennas and their supports must not exceed 25 feet in height and 12 inches in diameter and must be constructed of a material or color which matches the exterior of the antenna support structure.

2. Unless a conditional use permit is obtained from the city, panel antennas and their supports must not exceed 8 feet in height or 2.5 feet in width and must be constructed of a material or color which matches the exterior of the building or structure, so as to achieve maximum compatibility and minimum visibility.

3. Unless a conditional use permit is obtained from the city, microwave dish antennas located below 65 feet above the ground may not exceed 6 feet in diameter. Microwave dish antennas located 65 feet and higher above the ground may not exceed 8 feet in diameter.

(c) Notwithstanding anything to the contrary, wireless communications facilities and related equipment shall not be installed on antenna support structures in residential zoning districts, unless a conditional use permit is obtained from the city.

(d) Wireless communications facilities located on antenna support structures, and their related equipment cabinets, shall be located or screened to minimize the visual impact of such facilities and equipment cabinets upon adjacent properties. Any such screening shall be of a material and color that matches the exterior of the building or

structure upon which it is situated. Wireless communications facilities and related equipment cabinets shall be of a stealth design, and shall have an exterior finish and/or design as approved by the city.

(10) Application to locate wireless communications facility on antenna support structure.

(a) An application for a wireless communications permit to locate or re-locate a wireless communications facility on an antenna support structure must be submitted to the Zoning Administrator on the designated form and shall, at a minimum, contain the following:

1. Name, address and telephone number of the applicant;
2. Location of the antenna support structure, along with the property owner's name and telephone number;
3. Number of applicant's wireless communications facilities to be located on the subject property;
4. A sworn and certified statement in writing by a qualified engineer that the wireless communications facility will conform to any and all requirements and standards set forth in the city code, and federal and state law;
5. An application fee in an amount set by the Council for each wireless communications facility listed on the application;
6. A copy of all licenses and/or franchises required by federal, state or local law for the construction and/or operation of a wireless communications system in the city;
7. A scaled site plan clearly indicating the location, type and height of the proposed wireless communications facility, on-site land uses and zoning, elevation and stealth design drawings of the proposed wireless communications facility and the rooftop and building, topography, a current survey, landscape plans, and any other information deemed by the city to be necessary to assess compliance with this division and the land use and development regulations;
8. An inventory of the applicant's existing towers and wireless communications facilities, if any, that are either within the jurisdiction of the city or within one mile of the city limits, including specific information about the location, height, and design of each wireless communications facility or tower;
9. A certification that the applicant will comply with all applicable federal, state or local laws including all the provisions of this division and the land use and development regulations; and
10. A certification that the site described in the application is located on an existing antenna support structure and the owner/operator agrees to the location or co-location of the subject wireless communications facility.

(b) An application for a wireless communications permit to locate or re-locate a wireless communications facility that proposes to co-locate said facility on an antenna support structure and that satisfies the requirements set forth in this division, shall receive expedited treatment in the review process.

(c) So as to further expedite the permitting process and to promote the efficient use of existing sites, the city encourages the users of antenna support structures to submit a single application for approval of multiple users on a single existing site. Applications for approval at multiple user sites shall be given priority in the review process. The fee to be submitted with a multiple user application shall be the fee described in this division multiplied by the number of users listed in such application.

(d) An applicant must submit a proposed stealth design for camouflaging its wireless communications facility, unless this requirement is preempted by the operation of applicable laws or regulations.

(e) A petitioner shall submit any additional information requested by the city for purposes of evaluating the permit request.

(f) In granting or denying a wireless communications permit to locate or re-locate a wireless communications facility on an antenna support structure, the Zoning Administrator shall prepare a written record of decision including findings of fact.

(11) Utility pole-mounted wireless communications facilities.

(a) Utility pole-mounted wireless communications facilities may be permitted as accessory uses in all zoning districts if the provider uses pico cell equipment. Such facilities shall only be permitted in public rights-of-way that are at least 100 feet in width. To the greatest practical extent, utility pole-mounted wireless communications facilities shall be sited where they are concealed from public view by other objects such as trees or buildings. When it is necessary to site such a facility in public view, to the greatest practical extent it shall be designed to limit visual impact on surrounding land uses, which design must be approved by the city.

(b) The height of a utility pole-mounted facility shall not exceed two feet above the pole structure.

(c) Equipment cabinets associated with utility pole-mounted wireless communications facilities which are located within the public right-of-way shall be of a scale and design that make them no more visually obtrusive than other types of utility equipment boxes normally located within the right-of-way and shall be located in a manner and location approved by the city. To the greatest practical extent, equipment cabinets associated with utility pole-mounted facilities which are located outside of the public right-of-way shall be concealed from public view or shall be architecturally designed using stealth technology or buffered to be compatible with surrounding land uses, except that such shelters located in residential zoning districts must be screened from the view of residents and pedestrians.

(d) Equipment cabinets associated with utility pole-mounted wireless communications facilities which are located outside the public right-of-way shall meet the setback requirements for accessory buildings and structures for the zoning district in which the equipment cabinet is located.

(e) Generators associated with equipment shelters must meet with the requirements of the city code.

(12) Application for utility pole-mounted wireless communications facility.

(a) An application for a wireless communications permit to locate or re-locate a utility pole-mounted wireless communications facility must be submitted to the Zoning Administrator on the designated form and shall, at a minimum, contain the following:

1. Name, address and telephone number of the applicant;
2. Location of the utility pole-mount, along with the property owner's name and telephone number;
3. Number of applicant's wireless communications facilities to be located on the subject property;
4. A sworn and certified statement in writing by a qualified engineer that the wireless communications facility will conform to any and all requirements and standards set forth in the city code, and federal and state law;

5. An application fee in the amount set by the Council for each wireless communications facility listed on the application;
 6. A copy of all licenses and/or franchises required by federal, state or local law for the construction and/or operation of a wireless communications system in the city;
 7. A scaled site plan clearly indicating the location, type and height of the proposed wireless communications facility, on-site land uses and zoning, elevation and stealth design drawings of the proposed wireless communications facility and utility pole-mount, topography, a current survey, landscape plans, and any other information deemed by the city to be necessary to assess compliance with this division and the land use and development regulations;
 8. An inventory of the applicant's existing towers and wireless communications facilities, if any, that are either within the jurisdiction of the city or within one mile of the city limits, including specific information about the location, height, and design of each wireless communications facility or tower;
 9. A certification that the applicant will comply with all applicable federal, state or local laws including all the provisions of this division and the land use and development regulations; and
 10. A certification that the site described in the application is located on a utility pole-mount and the owner/operator agrees to the location of the wireless communications facility.
- (b) An application for a wireless communications permit to locate or re-locate a wireless communications facility that proposes to co-locate said facility on an already existing utility pole-mount and that satisfies the requirements set forth in this division, shall receive expedited treatment in the review process.
- (c) A petitioner shall submit any additional information requested by the city for purposes of evaluating the permit request.
- (d) In granting or denying a wireless communications permit to locate or re-locate a utility pole-mounted wireless communications facility, the Zoning Administrator shall prepare a written record of decision including findings of fact.
- (13) Construction of new towers.
- (a) Conditions of approval for wireless communications towers.
1. Setback.
 - a. The distance between the base of any proposed wireless communications tower, measured from the center of a tower, and the nearest lot line shall be at least equal to the height of the tower, provided that this distance may be reduced to a specified amount if an applicant provides a certification from the tower manufacturer or a qualified engineer stating that the tower is designed and constructed in such a way as to crumple, bend, collapse or otherwise fall within the specified distance.
 - b. In no event shall the distance between the base of a proposed wireless communications tower, measured from the center of the tower, and the nearest lot line be less than 20% of the tower height.
 2. Structural requirements. All wireless communications tower designs must be certified by a qualified engineer specializing in tower structures and licensed to practice in the State of Minnesota. The certification must state the tower design is structurally sound and, at a minimum, in conformance with the city's building code, the

State Building Code, and any other standards outlined in the land use and development regulations, as amended from time to time.

3. Height. The height of permitted wireless communications towers shall be as specified in division (O)(5).

(b) Requirements for separation between towers.

1. Except for wireless communications facilities located on roof-tops or utility pole-mounted facilities, the minimum wireless communications tower separation distance shall be calculated and applied irrespective of jurisdictional boundaries.

2. Measurement of wireless communications tower separation distances for the purpose of compliance with this division shall be measured from the base of a wireless communications tower to the base of the existing or approved wireless communications tower.

3. Proposed towers must meet the following minimum separation requirements from existing towers or towers previously approved but not yet constructed at the time a development permit is granted pursuant to this division:

MINIMUM TOWER SEPARATION DISTANCE		
Height of Existing Tower	Height of Proposed Tower	Minimum Separation
MINIMUM TOWER SEPARATION DISTANCE		
Height of Existing Tower	Height of Proposed Tower	Minimum Separation
Less than 50 feet	Less than 50 feet	100 feet
	50-100 feet	200 feet
	101-150 feet	400 feet
	151-200 feet	800 feet
50-100 feet	Less than 50 feet	100 feet
	50-100 feet	400 feet
	101-150 feet	600 feet
	151-200 feet	800 feet
101-150 feet	Less than 50 feet	100 feet
	50-100 feet	400 feet
	101-150 feet	600 feet
	151-200 feet	800 feet
151-200 feet	Less than 50 feet	100 feet
	50-100 feet	600 feet
	101-150 feet	800 feet
	151-200 feet	1,000 feet

4. For the purpose of this subsection, the separation distances shall be measured by drawing or following a straight line between the center of the base of the existing or approved structure and the center of the proposed base, pursuant to a site plan of the proposed wireless communications tower.

(c) Standards for co-location. This subsection is designed to foster shared use of wireless communications towers.

1. Construction of excess capacity. Any owner of a wireless communications tower shall permit other providers to install or co-locate antennae or wireless communications facilities on such towers, if available space and structural capacity exists; provided, however, that no wireless communications tower shall be used to support wireless communications facilities for more than three separate providers. Any co-location of wireless communications facilities shall be subject to mutually agreeable terms and conditions negotiated between the parties. All new wireless communications towers shall be constructed with excess capacity for co-location as follows:

Less than 80 feet in height	One additional user
80 feet to 119 feet in height	Two or more additional users (up to a maximum of three users)
120 feet in height or greater	Three additional users

2. Notwithstanding anything to the contrary, all new monopole towers over 80 feet in height and existing monopole towers that are extended to a height over 80 feet shall be designed and built to accommodate at least two providers, and up to a maximum of three providers if technically possible.

3. Notwithstanding anything to the contrary, all new guyed towers, and existing guyed towers that are replaced or modified shall be designed and built to accommodate three providers.

4. Site area. The site or leased footprint shall contain sufficient square footage to accommodate the equipment/mechanical facilities for all proposed providers based upon the structural capacity of the tower.

5. Setbacks. If it is determined that a proposed wireless communications tower cannot meet setback requirements due to increases in tower height to accommodate the co-location of at least one additional wireless communications service provider, minimum setback requirements may be reduced by a maximum of 15 feet, unless such a reduction would decrease the distance between the base of the tower and the nearest lot line to less than 20% of the tower height, in which case set-back requirements may be reduced to a distance that is equal to or greater than 20% of the tower height.

(d) Tower design and type.

1. All proposed wireless communications towers shall be monopole towers or stealth towers. Self-supporting towers or guyed lattice towers shall only be permitted as a replacement of like structures.

2. Utility pole-mounted facilities or extensions on utility poles to accommodate the mounting of wireless communications facilities shall be of the monopole type.

3. Antennas shall be of the uni-cell variety whenever feasible or mounted internal to the wireless communications tower structure.

4. Stealth wireless communications towers, equipment cabinets and related facilities shall be required in all zoning districts.

(e) Landscaping minimum requirements. Wireless communications towers shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from surrounding property. The standard buffer shall consist of a landscaped strip at least 10 feet wide outside the perimeter of the compound. Existing mature growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as wireless communications towers sited on large, wooded lots, natural growth around the property perimeter may be a sufficient buffer. All areas disturbed during project construction shall be replanted with vegetation. The owner of a wireless communications tower is responsible for all landscaping obligations and costs. A landscaping plan for the purpose of screening the base of the tower from view shall be submitted to the Zoning Administrator for approval prior to the issuance of a building permit for the tower. The city may waive the enforcement of this condition if it is deemed unnecessary.

(f) Visual impact standards. To assess the compatibility with and impact on adjacent properties of a proposed wireless communications tower site, an applicant seeking to construct, relocate or modify a wireless communications tower may be required to submit a visual impact analysis. The requirements of this subsection shall be required for any application to construct a tower greater than 80 feet in height. The applicant may request a review of a proposed wireless communications tower location, prior to submission of an application, to determine whether or not a visual impact analysis will be required. The applicant shall be advised of the requirement to submit a visual impact analysis by the city within ten working days following the city's receipt of the applicant's application for construction of a new wireless communication tower or the relocation or modification of an existing tower.

1. Whenever a visual impact analysis is required, an applicant shall utilize digital imaging technology to prepare the analysis in a manner acceptable to the city. At a minimum, a visual impact analysis must provide the following information:

a. The location of the proposed wireless communications tower illustrated upon an aerial photograph at a scale of not more than one inch equals 300 feet (1 inch = 300 feet). All adjacent zoning districts within a 3,000-foot radius from all property lines of the proposed wireless communications tower site shall be indicated; and

b. A line of site analysis which shall include the following information:

i. Certification that the proposed wireless communications tower meets or exceeds standards contained in this division;

ii. Identification of all significant existing natural and manmade features adjacent to the proposed wireless communications tower site and identification of features which may provide buffering and screening for adjacent properties and public rights-of-way;

iii. Identification of at least three specific points within a 2,000-foot radius of the proposed wireless communications tower location, subject to approval by the Zoning Administrator, for conducting the visual impact analysis;

iv. Copies of all calculations and a description of the methodology used in selecting the points of view and collection of data submitted in the analysis;

v. Graphic illustration of the visual impact of the proposed wireless communications tower, at a scale that does not exceed five degrees of horizontal distance, presented from the specific identified points;

vi. Identification of all screening and buffering materials under the permanent control of the applicant (only screening and buffering materials located within the boundaries of the proposed site shall be considered for the visual impact analysis); and

vii. Identification of all screening and buffering materials that are not under the permanent control of the applicant but are considered of a permanent nature due to ownership or use patterns, such as a public park, vegetation preserve, required development buffer, and the like.

2. Screening and buffering materials considered in the visual impact analysis shall not be removed by future development on the site. However, screening and buffering materials considered in the visual impact analysis shall be replaced if they die.

3. An applicant shall provide any additional information that may be required by the Zoning Administrator to fully review and evaluate the potential impact of the proposed wireless communications tower.

(14) Application process for new towers.

(a) The use of existing structures to locate wireless communications facilities shall be preferred to the construction of new wireless communications towers. To be eligible to construct a new wireless communications tower within city limits, an applicant must establish to the satisfaction of the city that the applicant is unable to provide the service sought by the applicant from available sites, including co-locations within the city and in neighboring jurisdictions; and the applicant must demonstrate to the reasonable satisfaction of the city that no other suitable existing tower or antenna support structure is available, including utility poles; and that no reasonable alternative technology exists that can accommodate the applicant's wireless communications facility due to one or more of the following factors:

1. The structure provides insufficient height to allow the applicant's facility to function reasonably in parity with similar facilities;

2. The structure provides insufficient structural strength to support the applicant's wireless communications facility;

3. The structure provides insufficient space to allow the applicant's wireless communications facility to function effectively and reasonably in parity with similar equipment;

4. Use of the existing structure would result in electromagnetic interference that cannot reasonably be corrected;

5. The existing structure is unavailable for lease under a reasonable leasing agreement;

6. Use of the structure would create a greater visual impact on surrounding land uses than the proposed alternative or otherwise would be less in keeping with the goals, objectives, intent, preferences, purposes, criteria or standards of this division, the land use and development regulations and land development regulations; and/or

7. Other limiting factors.

(b) An applicant must submit any technical information requested by the city or its designated engineering consultant as part of the review and evaluation process.

(c) An application for a wireless communications permit to construct a wireless communications tower must be submitted to the Zoning Administrator on the designated form and shall contain, at a minimum, the following information:

1. Name, address and telephone number of the applicant;
2. Proposed location of the wireless communications tower, along with all studies, maps and other information required by division (O)(13) and (14) (applicant shall submit information for only one proposed tower per application);
3. Number of applicant's wireless communications facilities to be located on the subject tower and the number of spaces available for co-location;
4. A sworn and certified statement in writing by a qualified engineer that the wireless communications tower will conform to all requirements set forth in the city code, and federal and state law;
5. An application fee in the amount set by the Council;
6. A copy of all licenses and/or franchises required by federal, state or local law for the construction and/or operation of a wireless communications system in the city;
7. A scaled site plan clearly indicating the location, type and height of the proposed wireless communications tower, on-site land uses and zoning, elevation and stealth design drawings of the proposed tower, topography, and any other information deemed by the Zoning Administrator to be necessary to assess compliance with this division and the land use and development regulations;
8. An inventory of the applicant's existing towers and wireless communications facilities, if any, that are either within the jurisdiction of the city or within one mile of the city limits, including specific information about the location, height, and design of each wireless communications facility or tower;
9. The names, addresses and telephone numbers of all owners of existing towers or antenna support structures within an area equal to 100% of the search ring for the wireless communications facility proposed to be located on the proposed new tower;
10. Written documentation in the form of an affidavit that the applicant made diligent, but unsuccessful efforts for permission to install or co-locate the proposed wireless communications facility on all existing towers or antenna support structures located within an area equal to 100% of the search ring for the proposed site of the wireless communications facility;
11. Written, technical evidence from a qualified engineer that the proposed wireless communications facility cannot be installed or co-located on an existing tower or antenna support structure located within the city and must be located at the proposed site in order to meet the coverage requirements of the proposed wireless communications service, together with a composite propagation study which illustrates graphically existing and proposed coverage in industry-accepted median received signal ranges;
12. A written statement from a qualified engineer that the construction and placement of the proposed wireless communications tower will comply with Federal Communications Commission radiation standards for interference and safety and will produce no significant signal interference with public safety communications and the usual and customary transmission or reception of radio, television, or other communications services enjoyed by adjacent residential and non-residential properties; and

13. A certification that the applicant will comply with all applicable federal, state or local laws including all the provisions of this division and the land use and development regulations.

(d) A proposed wireless communications tower that exceeds the height limitations for a permitted tower in the GB, RB, CBD, I-1 or I-2 zoning districts, or any proposed wireless communications tower under 80 feet in the R-1, R-2, R-3, R-4, or LB districts, shall only be allowed upon approval of a conditional use permit. The City Council may establish any reasonable conditions for approval that are deemed necessary to mitigate adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve the objectives of this division and the land use and development regulations. Such a conditional use permit shall be required in addition to a wireless communications permit.

(e) In granting or denying a wireless communications permit to construct a wireless communications tower, the Zoning Administrator shall prepare a written record of decision including findings of fact. Proposed wireless communication towers that meet the standards and requirements contained herein, including location and height limitations, may be approved administratively by the Zoning Administrator. Proposed wireless communication towers that do not meet the standards and requirements contained herein, including location and height limitations, may be denied administratively by the Zoning Administrator, provided that the written record of decision including findings of fact is accepted by the Council.

(15) Annual registration requirement.

(a) Wireless communications facilities.

1. To enable the city to keep accurate, up-to-date records of the location of wireless communications facilities within city limits, on an annual basis, no later than February 1 of each year, or upon change in ownership of wireless communications facilities, the owner/operator of such facilities shall submit documentation to the Zoning Administrator providing:

a. Certification in writing that the wireless communications facility conforms to the requirements, in effect at the time of construction of the facility, of the State Building Code and all other requirements and standards set forth in the city code, and federal and state law by filing a sworn and certified statement by a qualified engineer to that effect. A wireless communications facility owner/operator may be required by the city to submit more frequent certification should there be reason to believe that the structural and/or electrical integrity of the wireless communications facility is jeopardized. The city reserves the right upon reasonable notice to the owner/operator of the wireless communications facility to conduct inspections for the purpose of determining whether the wireless communications facility complies with the State Building Code and all requirements and standards set forth in local, state or federal laws; and

b. The name, address and telephone number of any new owner, if there has been a change of ownership of the wireless communications facility.

2. Annual payment of a registration fee, as set by the Council, for each wireless communications facility located within the city shall be submitted to the city at the time of submission of the documentation required above.

(b) Wireless communications towers.

1. To enable the city to keep accurate, up-to-date records of the location and continued use of wireless communications towers within city limits, on an annual basis, no later than February 1 of each year, or upon change

in ownership of a wireless communications tower, the owner/operator of each tower shall submit documentation to the Zoning Administrator providing:

a. Certification in writing that the wireless communications tower is structurally sound and conforms to the requirements, in effect at the time of construction of the tower, of the State Building Code and all applicable standards and requirements set forth in the city code, and federal and state law, by filing a sworn and certified statement by a qualified engineer to that effect. The tower owner may be required by city to submit more frequent certifications should there be reason to believe that the structural and/or electrical integrity of the tower is jeopardized;

b. The number of providers located on the tower and their names, addresses and telephone numbers;

c. The type and use of any wireless communications facilities located on the tower; and

d. The name, address and telephone number of any new owner of the tower, if there has been a change of ownership of the tower.

2. An annual payment of a registration fee, as set by the Council, for each tower located within the city shall be submitted to the city at the time of submission of the documentation required above.

(16) General requirements. The following conditions apply to all wireless communications towers and wireless communications facilities in the city:

(a) Duration of permits. If substantial construction or installation has not taken place within one year after city approval of a wireless communications permit, the approval shall be considered void unless a petition for time extension has been granted by the City Council. Such a petition shall be submitted in writing at least 30 days prior to the expiration of the approval and shall state facts showing a good faith effort to complete the work permitted under the original permit.

(b) Assignment and subleasing. No wireless communications facility, tower or antenna support structure or wireless communications permit may be sold, transferred or assigned without prior notification to the city. No sublease shall be entered into by any provider until the sublessee has obtained a permit for the subject wireless communications facility or tower or antenna support structure. No potential provider shall be allowed to argue that a permit should be issued for an assigned or subleased wireless communications facility or tower or antenna support structure on the basis of any expense incurred in relation to the facility or site.

(c) Aesthetics. Wireless communications towers and wireless communications facilities shall meet the following requirements:

1. Signs. No commercial signs or advertising shall be allowed on a wireless communications tower or a wireless communications facility.

2. Lighting. No signals, lights, or illumination shall be permitted on a wireless communications tower or a wireless communications facility, unless required by the Federal Aviation Administration or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least obtrusiveness to the surrounding community. However, an applicant shall obtain approval from the city if the Federal Aviation Administration requires the addition of standard obstruction marking and lighting (i.e., red lighting and orange and white striping) to the tower. An applicant shall notify the Zoning Administrator prior to making any changes to the original finish of the tower.

3. Graffiti. Any graffiti or other unauthorized inscribed materials shall be removed promptly or otherwise covered in a manner substantially similar to, and consistent, with the original exterior finish. The city may provide a wireless communications tower or equipment cabinet owner and/or operator written notice to remove or cover graffiti within a specific period of time or as required by other appropriate sections of the city code as presently existing or as may be periodically amended. In the event the graffiti has not been removed or painted over by the owner and/or operator within the specified time period, the city shall have the right to remove or paint over the graffiti or other inscribed materials. In the event the city has to remove or paint over the graffiti, then the owner and/or operator of the wireless communications tower or equipment cabinet or structure on which the graffiti existed, shall be responsible for all costs incurred.

(d) Federal and state requirements. All wireless communications towers and wireless communications facilities must meet or exceed the standards and regulations of the Federal Aviation Administration, the Federal Communications Commission, and any other agency of the state or federal government with the authority to regulate wireless communications towers and facilities. If such standards and regulations change, then the owners of the wireless communications towers and wireless communications facilities subject to such standards and regulations must bring such towers and facilities into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to maintain or bring wireless communications towers and wireless communications facilities into compliance with such revised standards and regulations shall constitute a violation of this division and shall be subject to enforcement under the city code. Penalties for violation may include fines and removal of the tower or wireless communications facility at the owner's expense.

(e) Licenses or franchise. An owner of a wireless communications tower or wireless communications facility must notify the city in writing within 48 hours of any revocation or failure to renew any necessary license or franchise.

(f) Discontinued use. In the event the use of a wireless communications tower or wireless communications facility is discontinued, the owner and/or operator shall provide written notice to the city of its intent to discontinue use and the date when the use shall be discontinued.

(g) Abandoned tower or antenna. The city may require removal of any abandoned or unused wireless communications tower or wireless communications facility by the tower or facility owner within 30 days after notice from the city of abandonment. A wireless communications tower or wireless communications facility shall be considered abandoned if use has been discontinued for 180 consecutive days.

1. Removal by city. Where a wireless communications tower or wireless communications facility is abandoned but not removed within the specified time frame, the city may remove the facility or remove or demolish the tower and place a lien on the property following the procedures (but not the criteria) for demolition of an unsafe building/structure of the city's housing code.

2. Towers utilized for other purposes. Where a wireless communications tower is utilized for other purposes, including but not limited to light standards and power poles, it shall not be considered abandoned; provided, however, that the height of the tower may be reduced by the city so that the tower is no higher than necessary to accommodate previously established uses.

3. Restoration of area. Where a wireless communications tower or facility is removed by an owner, said owner, at no expense to the city, shall restore the area to as good a condition as prior to the placement of the tower or facility, unless otherwise instructed by the city.

4. Surety or letter of credit for removal. Prior to the issuance of a building permit, a surety or letter of credit shall be submitted by the property owners or tower operators to ensure the removal of abandoned wireless communications towers. The surety or letter of credit shall be utilized to cover the cost of removal and disposal of abandoned towers and shall consist of the following:

a. Submission of an estimate from a certified structural engineer indicating the cost to remove and dispose of the tower; and

b. Either a surety or a letter of credit, equivalent to 100% of the estimated cost to remove and dispose of the tower. The form of the surety or the letter of credit shall be subject to approval by the Zoning Administrator and the City Attorney.

(h) FCC emissions standards. At all times, owners and/or operators of wireless communications facilities shall comply with the radio frequency emissions standards of the Federal Communications Commission.

1. Testing required. All existing and future wireless communications facilities shall be tested in accordance with applicable laws and regulations. Such testing, to the extent it is required, shall comply with standards and procedures prescribed by the Federal Communications Commission.

2. Inspections. The city reserves the right to conduct random radio frequency emissions inspections. The cost for such random inspections shall be paid from the wireless communications annual registration fees, unless an owner and/or operator is found to be in noncompliance with Federal Communications Commission RF emissions standards, whereupon the noncompliant owner and/or operator shall reimburse the city in full for the cost of the inspection.

(i) Maintenance. All wireless communications facilities, wireless communications towers and antenna support structures shall at all times be kept and maintained in good condition, order, and repair, and, maintained in stealth condition (if stealth or camouflage is a permit requirement). The same shall not menace or endanger the life or property of any person, and shall retain original characteristics. All maintenance or construction on a wireless communications tower, wireless communications facility or antenna support structure shall be performed by licensed maintenance and construction personnel. The city shall notify a provider in writing regarding any specific maintenance required under this division. A provider shall make all necessary repairs within 30 days of such notification. Failure to effect noticed repairs within 30 days may result in revocation of a tower owner's or provider's permit and/or removal of the tower, wireless communications facility or antenna support structure.

(j) Emergency. The city reserves the right to enter upon and disconnect, dismantle or otherwise remove any wireless communications tower or wireless communications facility should the same become an immediate hazard to the safety of persons or property due to emergency circumstances, as determined by the Zoning Administrator or his designee, such as natural or manmade disasters or accidents, when the owner of any such tower or facility is not available to immediately remedy the hazard. The city shall notify any said owner of any such action within 24 hours. The owner and/or operator shall reimburse the city for the costs incurred by the city for action taken pursuant to this subsection.

(k) Equipment cabinets. Equipment cabinets located on the ground shall be constructed out of non-reflective materials and shall be screened from sight by mature landscaping and located or designed to minimize their visibility. All equipment cabinets shall be no taller than ten feet in height, measured from the original grade at the base of the facility to the top of the structure, and occupy no more than 400 square feet in area, unless a waiver is granted by the city upon written request from a provider.

(l) Equipment on site. No mobile or immobile equipment or materials of any nature shall be stored or parked on the site of a wireless communications tower or wireless communications facility, unless used in direct support of a wireless communications tower or wireless communications facility or for repairs to the wireless communications tower or wireless communications facility currently underway.

(m) Inspections. The city reserves the right upon reasonable notice to the owner/operator of a wireless communications tower or antenna support structure, including utility poles and rooftops, to conduct inspections for the purpose of determining whether the tower or other support structure and/or related equipment cabinet complies with the State Building Code and all applicable requirements and standards set forth in local, state or federal law and to conduct radiation measurements to determine whether all antenna and transmitting equipment are operating within Federal Communications Commission requirements.

(n) Security.

1. An owner/operator of a wireless communications tower shall provide a security fence or equally effective barrier around the tower base or along the perimeter of the wireless communications tower compound.

2. If high voltage is necessary for the operation of the wireless communications tower or antenna support structure, "HIGH VOLTAGE - DANGER" warnings signs shall be permanently attached to the fence or barrier and shall be spaced no more than 20 feet apart, or on each fence or barrier frontage.

3. "NO TRESPASSING" warning signs shall be permanently attached to the fence or barrier and shall be spaced no more than 20 feet apart.

4. The letters for the "HIGH VOLTAGE - DANGER" and "NO TRESPASSING" warning signs shall be at least six inches in height. The two warning signs may be combined into one sign. The warning signs shall be installed at least 4.5 feet above the finished grade of the fence or barrier.

(o) Advances in technology. All providers shall use and apply any readily available advances in technology that lessen the negative aesthetic effects of wireless communications facilities and wireless communications towers to the residential communities within the city. Every five years, the city may review existing structures and compare the visual impact with available technologies in the industry for the purpose of removal, relocation or alteration of these structures in keeping with the general intent of this division. Such removal, relocation or alteration may be required by the city pursuant to its zoning power and authority.

(17) Review of applications. The city shall process all applications for wireless communications towers and wireless communications facilities in a timely manner and in accordance with established procedures. The reason for the denial of any application filed in accordance with this provision shall be set forth in writing, and shall be supported by substantial evidence in a written record.

(18) Appeals. At any time within 30 days after a written order, requirement, determination or final decision has been made by the Zoning Administrator or other official in interpreting or applying this division, except for actions taken in connection with prosecutions for violations thereof, the applicant or any other person affected by such action may appeal the decision in accordance with the provisions of the land use and development regulations.

(19) Revocation. A material breach of any terms and conditions of a permit issued for a wireless communications tower or wireless communications facility under this division and the land use and development regulations may result in the revocation by the city of the right to operate, utilize or maintain the particular tower or wireless communications facility within the city following written notification of the violation to the owner or operator, and after failure to cure or otherwise correct said violation within 30 days. A violation of this div

be subject to enforcement in accordance with the land use and development regulations. Penalties for a violation of a permit or this division may include fines and removal of the wireless communications tower or wireless communications facility at the owner's expense.

(Ord. 1424, passed 12-11-00)

(P) Sign regulations.

(1) Purpose. The purpose of this division is to allow effective signage appropriate to the character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse impacts on nearby property and protect the public health, safety and general welfare.

(2) Application. The sign regulations set forth in this division shall apply to all structures and all land uses, except as otherwise prohibited by this article. All signs allowed by this division shall be limited to on-premise signs.

(3) Permits.

(a) Permit required. It shall be unlawful for any person to erect, build, construct, attach, hang, place, suspend, affix, structurally alter, or relocate any sign within the city without having first obtained a permit from the city unless herein excluded.

(b) Application for sign permit. An application for a sign permit shall be filed with the Zoning Administrator on the approved form and shall be accompanied by such information as may be required to ensure compliance with the provisions of this division, including but not limited to, the following:

1. A drawing showing the proposed location of the sign for which the permit is being requested and the location of all existing signage on the premises.

2. A drawing indicating the size, color, content and materials of the sign, as well as the method of construction and attachment to the building or to the ground.

3. Engineering data showing the structure is designed to accommodate dead load and wind pressure, in any direction, in the amount required within this division, when specifically requested by the Zoning Administrator.

(c) Application fee. Fees for all sign permits shall be established by resolution of the City Council.

(d) Issuance of permit. Upon the filing of a completed application for a sign permit, the Zoning Administrator shall examine all accompanying drawing and supplemental data to determine compliance with the requirements of this division. Upon approval, the sign permit shall remain valid for a period of one year. If no work has commenced within such time period, a new permit shall be required even if no changes have been made to the original site plan.

(e) Exemptions. The following changes shall not require a sign permit. These exceptions shall not be construed as relieving the owner of the sign from the responsibility for its proper erection and maintenance and its compliance with the provisions of this article or any other law or ordinance regulating the same.

1. The changing of the advertising copy or message of a painted or printed sign. Except for theater marquees and changeable copy signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exception.

2. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy or message thereon, unless a structural change is made.

(4) General sign standards.

(a) Construction requirements. All signs shall be constructed and maintained in such a manner so as to present a professional appearance and maintained in accordance with the applicable provisions of the Uniform Building and Electrical Codes. The site on which the sign is constructed shall utilize existing finished grade, and shall not be raised, bermed, or otherwise elevated above surrounding grade to achieve a greater height than allowed by this article.

(b) Maintenance. All signs, including temporary signs, together with all of their supports, braces, guys, and anchors, shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

(c) Inspection. All signs for which a permit is required shall be subject to inspection by the Zoning Administrator. The Zoning Administrator, or any other official of the municipality who may be appointed by him is hereby authorized to enter upon any property or premises to ascertain whether the provisions of this division are being obeyed.

(5) Exempt signs. In all districts, the provisions of this section shall not apply to the following signs:

(a) Signs of any governmental unit designed for regulatory and safety purposes;

(b) Memorial plaques, cornerstones and historical tablets;

(c) Political signs regulated per state statute;

(d) Direction signs not more than two in number identifying the location and nature of a building, structure, or use which is not readily visible from the street, serving such building, structure, or use on lands forming part of the site of such buildings, structure, or uses, provided that each such sign is not more than ten square feet in total area;

(e) Signs not exceeding nine square feet in area located upon private property and directed toward the prevention of trespassing;

(f) Window signage that does not exceed 25% of the total area of the window on or in which it is displayed;

(g) Temporary signs pertaining to drives or events of charitable, educational or religious organizations, and governmental signs used for the promotion of citywide functions and/or events, provided that such signs shall not be erected or posted for a period of more than 14 days prior to the date of the event and shall be removed within three days thereafter;

(h) Flags or emblems of political, civic, philanthropic, educational or religious organizations;

(i) In residential districts, one temporary on-site, freestanding real estate sign advertising the sale, lease, or rental of the lot or premises upon which such sign is situated, provided the sign does not exceed six feet in height and 15 square feet in area. On corner lots, a second such sign may be located on the property if said sign abuts a

second street right-of-way. No such temporary on-site sign shall remain seven days past the date of termination of such offering.

(j) In commercial or industrial districts, one temporary on-site, freestanding real estate sign advertising the sale, lease, or rental of the lot or premises upon which such sign is situated, provided the sign does not exceed six feet in height and 32 square feet in area. On corner lots, a second such sign may be located on the property if said sign abuts a second street right-of-way. No such temporary on-site sign shall remain seven days past the date of termination of such offering.

(k) One on-site temporary sign advertising a group of lots for sale within a subdivision or a group of homes for sale within a project along each street frontage which bounds such subdivision or project, provided that the total area of such sign shall not exceed the greater of 64 square feet with no single dimension in excess of 16 feet or eight square feet per lot or house for sale. No such on-site temporary sign shall remain past the date of sale of the last lot within the subdivision or the last house within the housing project.

(l) Temporary on-site signs indicating the name and nature of a construction or demolition project, plus the names of the contractors, subcontractors and professional advisors, provided the combined area of such signs fronting upon each street which bounds such project shall not exceed a ratio of two square feet of sign area for each 1,000 square feet of lot area. In no case shall the combined area of such signs fronting upon each street exceed the greater of 64 square feet with no single dimension in excess of 16 or eight square feet per house or lot on which such construction or demolition is located. The display of such sign shall be limited to a period not to exceed the duration of the said construction or demolition project, at which time such signs shall be removed.

(m) One wall sign per dwelling for permitted home occupations not to exceed two square feet per surface and limited to one surface.

(n) Time and temperature signs not to exceed 20 square feet per sign and one sign per side of building.

(o) In commercial or industrial districts, one temporary on-site banner or pennant advertising the sale of the lot or premises on which such a banner or pennant is situated, or one temporary on-site banner or pennant advertising the lease or rental of a tenant space, provided that the banner or pennant shall not exceed 48 square feet in area when advertising the sale of the lot or premises, and 32 square feet in area when advertising the lease or rental of a tenant space. No such banner or pennant shall remain past the date of the offering.

(p) Public art shall not count towards any signage regulations and only the portion of the artwork displaying the name of the business shall count towards the overall signage area.

(6) Prohibited signs. Signs that are not specifically permitted in this division are hereby prohibited in all districts unless criteria is presented to allow the Planning Commission to deem that the sign design preserves and maintains the community's unique historical and cultural elements. Without restricting or limiting the generality of the provisions of the foregoing, the following signs are specifically prohibited:

(a) A balcony sign and a sign mounted or supported on a balcony.

(b) Any sign that obstructs any part of a doorway or fire escape.

(c) Any sign which, because of its position, movement, shape, illumination or color constitutes a traffic hazard because it obstructs free and clear vision, or interrupts, confuses or misleads traffic.

(d) A private sign containing words or symbols, which might reasonably be construed as traffic controls.

(e) An animated or rotating sign, except barber poles and signs displaying time and temperature information only in the animated or rotating portion thereof.

(f) A flashing sign, including indoor flashing, electrical signs visible from the public right-of-way, other than time and temperature signs limited to such time and temperature information.

~~(g) A sign or graphics painted directly on any exterior surface of a building or structure. However, sign letters and symbols may be attached directly to an exterior surface by adhesive or mechanical means.~~

(g) Any roof sign, unless attached to mansard roof or similar decorative style roof that is vertical in nature.

(h) A projecting sign which either extends more than 18 inches from the building or structure to which it is attached, or which is larger than three feet in vertical height, other than canopy or marquee signs.

(i) Any sign that does not display the name of the manufacturer or maker permanently attached to, or painted or printed on, the exterior or structural supports of the sign.

(j) Any sign that is erected, placed or maintained by any person on a rock, fence, or trees.

(k) Any sign that interferes with any electric light, or power, telephone, telecommunications, or telegraph wires, or the supports thereof.

(l) Any sign containing electrical wiring which does not conform to the Electrical Code or the components thereof do not bear the label of an approved testing agency.

(m) Any window sign or signs which exceed 25% of the total area of the window on or in which it is displayed.

(n) Portable signage, excluding sandwich board signs.

(o) Temporary signage stuck into the ground, excluding political signs regulated per state statute, professional real estate signs, garage sale signs, and any listed in division (P)(5).

(p) Variable electronic message signs.

(7) Temporary signs. The following standards shall apply to temporary signs in all zoning districts:

(a) Each temporary sign, with the exception of sandwich board signs, shall require a sign permit from the City of Columbia Heights.

(b) No more than four temporary sign permits may be issued per business per calendar year.

(c) No more than two temporary signs shall be displayed per business at any given time. When two temporary signs are displayed, each sign shall require a permit and each sign will count toward the allotment of temporary signage permitted per business per calendar year. If the business is located within a shopping center, nor more than four temporary signs may be displayed throughout the shopping center at any given time.

(d) Any sign not considered permanent shall be considered temporary.

(e) Temporary signage may not be used as permanent wall signage for the business.

(f) Temporary signs or pennants shall not exceed 32 square feet in area for businesses located in the CBD, Central Business District, and shall not exceed 48 square feet in area throughout the remainder of the city and shall be directly and fully attached to the wall of the building.

(g) Each temporary sign shall be limited to a 30-day display period per permit.

(h) Grand opening signs.

1. Each new business is permitted one grand opening sign, at the time when the new business is established in the city.

2. Grand opening signs do not require a permit.

3. The signs do not count against the total number of temporary signs allowed per property per calendar year.

4. Grand opening signs are allowed for no more than 60 consecutive days.

5. Grand opening signs must display a message consistent with the promotion of the grand opening on the new business.

6. Grand opening signs shall be no greater than 50 square feet in area.

7. The signs must meet all other applicable regulations for temporary signage in the city pertaining to placement on the property, maintenance, and the like.

(i) No temporary sign shall extend over or into any street, alley, sidewalk or other public thoroughfare, and may not cover more than 25% of window area such that 75% of the total window area is kept clear at all times.

(j) No temporary sign shall be erected so as to prevent free ingress to or egress from any door, window or fire escape, nor shall such sign be attached to any standpipe or fire escape.

(k) Unauthorized use of temporary signage shall be subject to the other sanctions as provided herein.

(l) Sandwich board signs.

1. Permitted in the LB, Limited Business, GB, General Business, and CBD, Central Business District only.

2. One sandwich board sign is permitted per business.

3. Sandwich board signs are limited to eight square feet in area per side.

4. Sandwich board signs are limited to five feet in height.

5. The sign shall be professionally painted and maintained in a neat and readable manner.

6. Signs shall be placed on private property only, and shall be set back at least five feet from all property lines.

7. Signs shall not obstruct vehicular or pedestrian traffic or visibility and shall not create a safety hazard.

8. Signs shall not be lighted and shall not utilize noise amplifiers.

9. In the CBD, Central Business District only, sandwich board signs may be placed on public sidewalks, directly in front of the business being advertised.

(8) Dynamic LED signage.

(a) Regulations. Dynamic LED signage is allowed as a conditional use in those zoning districts specified in this code. All dynamic LED signage is subject to the following conditions:

1. Dynamic LED signs are allowed only on monument signs for conditionally permitted uses in all zoning districts, with the exception of the PO, Public District, in which LED signage may be utilized in existing pylon signs. Motor fuel stations may display dynamic LED signs as part of the pylon sign to promote motor fuel prices only. Such motor fuel price signs do not require a conditional use permit. All dynamic LED signs may occupy no more than 60% of the actual copy and graphic area. The remainder of the sign must not have the capability to have dynamic LED signs, even if not used. Only one, contiguous dynamic display area is allowed on a sign face.

2. A dynamic LED sign may not change or move more often than once every ten seconds for commercial, industrial uses, or public uses, and no more than once every ten minutes for religious and/or educational institution uses, except one for which changes are necessary to correct hour-and-minute, date, or temperature information.

3. A display of time, date or temperature information may change as frequently as once every five seconds, however information displayed not relating to the date, time or temperature must not change or move more often than once every ten seconds for commercial, industrial uses, or public uses, and no more than once every ten minutes for religious and/or educational institution uses.

4. The images and messages displayed must be static, and the transition from one state display to another must be instantaneous without any special effects. Motion, animation and video images are prohibited on dynamic LED sign displays.

5. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.

6. Dynamic LED signs must be designed and equipped to freeze the device in one position if a malfunction shall occur. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this section.

7. Dynamic LED signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness. Dynamic LED signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one-half hour before sunset and one half-hour after sunrise.

8. Dynamic LED signs existing on the effective date of Ordinance 1593, passed April 25, 2011, must comply with the operational standards listed above. An existing dynamic LED sign that does not meet the structural requirements may continue as a non-conforming sign subject to § 9.105(E).

(9) Signs in Residential Districts R-1, R-2A and R-2B.

(a) Permitted signs. In the R-1, Single-Family Residential District, and the R-2, Two-Family Residential District, the following signs shall be permitted:

1. One identification sign per dwelling unit not to exceed two square foot per surface, and limited to one surface attached directly to the structure.

2. One wall or ground sign for each conditional use other than the residential use, not to exceed 16 square feet per surface, and limited to two surfaces.

3. One institutional sign not to exceed 40 square feet per surface, limited to two surfaces, and set back a minimum of ten feet from any property line.

4. In case of multiple structures on one parcel, a second institutional sign may be installed provided there is a minimum distance of 75 feet between the two sign structures.

(b) Restrictions on permitted signs. Permitted signs in the R-1, Single-Family Residential, and R-2A and R-2B, Two-Family Residential Districts are subject to the following restrictions:

1. The maximum height of a sign, including its structures, shall not exceed eight feet above the grade at street level or at the base of the sign, whichever is greater.

2. No animated sign shall be permitted.

3. All illuminated signs shall be shielded in such a way as to protect the rights of adjacent property owners from nuisance.

4. The sign number and area permitted by this division are considered maximums. These maximums, or any portions thereof which are not utilized by the owner, occupant or user of property are non-transferable to any other property owned by such persons, or to any other owner, occupant or user of property in the same or other districts.

(c) Conditional use signs. In the R-1, R-2A and R-2B Districts, the following signs shall require a conditional use permit:

1. A dynamic LED sign used in conjunction with a religious institution.

2. A dynamic LED sign used in conjunction with an educational institution.

(d) Restrictions on conditional use signs. Signs requiring a conditional use permit in the R-1, Single-Family Residential, and R-2A and R-2B, Two-Family Residential Districts are subject to the following restrictions:

1. All signage must be approved through the conditional use permit process as outlined in § 9.104(H) above.

2. All signage must meet the requirements for dynamic LED signs as outlined in division (P)(8) above.

3. A dynamic LED sign may change its message with a frequency of no less than one message for each ten minutes of display time.

(10) Signs in Residential Districts R-3 and R-4.

(a) Permitted signs. In the R-3, Limited Multiple-Family Residential District, and the R-4, Multiple-Family Residential District, the following signs shall be permitted:

1. One identification sign per dwelling unit not to exceed two square feet per surface, limited to one surface, and attached directly to the structure for each single- and two-family residence.

2. One area identification sign per lot line facing a public street not to exceed 16 square feet per surface and limited to two surfaces, for each multiple dwelling.

3. One institutional sign not to exceed 40 square feet per surface, limited to two surfaces, and set back a minimum of ten feet from any property line.

4. In case of multiple structures on one parcel, a second institutional sign may be installed provided there is a minimum distance of 75 feet between the two sign structures.

(b) Restrictions on permitted signs. Permitted signs in the R-3, Limited Multiple-Family Residential, and R-4, Multiple-Family Residential Districts are subject to the following restrictions:

1. The maximum height of a sign, including its structures, shall not exceed eight feet above the grade at street level or at the base of the sign, whichever is greater.

2. No animated signs shall be permitted.

3. All illuminated signs shall be shielded in such a way as to protect the rights of adjacent property owners from nuisance.

4. The sign number and area permitted by this division are considered maximums. These maximums, or any portions thereof which are not utilized by the owner, occupant or user of property are non-transferable to any other property owned, occupied or used by such persons, or to any other persons, or to any other owners, occupant or user of property in the same or other districts.

(c) Conditional use signs. In the R-3 and R-4 Districts, the following signs shall require a conditional use permit:

1. A dynamic LED sign used in conjunction with a religious institution.

2. A dynamic LED sign used in conjunction with an educational institution.

(d) Restrictions on conditional use signs. Signs requiring a conditional use permit in the R-3, Limited Multiple-Family Residential, and R-4, Multiple-Family Residential Districts are subject to the following restrictions:

1. All signage must be approved through the conditional use permit process as outlined in § 9.104(H) above.

2. All signage must meet the requirements for dynamic LED signs as outlined in division (P)(8) above.

3. Dynamic LED signs may change its message with a frequency of no less than one message for each ten minutes of display time.

(11) Signs in LB, Limited Business District.

(a) Permitted signs. In the LB, Limited Business District, the following signs shall be permitted:

1. Any number of wall signs on any side of a building not to exceed 50 square feet of total surface area for all sign surfaces and limited to one surface per sign. Provided, however, that if a parcel of land on which a building is located directly abuts residentially zoned land, no wall sign may be located on the side of the building that faces the abutting residential parcel.

2. One freestanding pylon sign only if the building or structure is located adjacent to a state trunk highway and located 20 feet or more from the front lot line, not to exceed 40 square feet per surface, and limited to two surfaces.

3. If not located adjacent to a state trunk highway and/or where the 20-foot setback cannot be met, one monument sign not to exceed 40 square feet in size, limited to two sides, not to exceed 8 feet in height, and set a minimum of 5 feet from any property line.

4. Any pylon or monument sign must be a minimum of five feet from any building or structure on the same lot.

5. One wall sign on each side of the building which faces a public alley, not to exceed four square feet per surface and limited to one surface per sign.

6. One area identification sign for each shopping center not to exceed 50 square feet per surface, and limited to four surfaces, in addition to one wall sign for each primary use business not to exceed 50 square feet per surface, limited to one surface.

7. One identification sign for each use other than primary use not to exceed two square, feet per surface, and limited to one surface.

8. One wall sign per building with an area of the lesser of 20 square feet or 1/2 square foot for each front foot of a building or structure provided that the said sign is located on the same side of the building as an entrance approved by the City Building Official as a public entrance and provided that the said public entrance and sign faces a parking facility designated by the city as approved public parking.

(b) Restrictions on permitted signs. Permitted signs in the LB, Limited Business District, are subject to the following restrictions:

1. Total sign area shall not exceed two square feet for each front foot of the building or structure. In the case of multiple occupancy, the wall surface for each tenant, user or owner shall include only the surface area on the exterior facade of the premises occupied by such tenant, user or owner.

2. The maximum height of a pylon sign including its structure shall not exceed 20 feet above grade at street level or at the base of the sign, whichever is greater. The maximum height of a monument sign including its structure shall not exceed 8 feet above grade at street level or at the base of the sign, whichever is greater.

3. The sign number and area permitted by this section are considered maximums. These maximums, or any portion thereof, which are not utilized by the owner, occupant or user of property are non-transferable to any other property owned, occupied or used by such persons, or to any other owner, occupant or user of property in the same or other districts.

(c) Conditional use signs. In the LB District, the following signs shall require a conditional use permit:

1. A dynamic LED sign used in conjunction with a commercial business.

2. A dynamic LED sign used in conjunction with a religious institution.

3. A dynamic LED sign used in conjunction with an educational institution.

(d) Restrictions on conditional use signs. Signs requiring a conditional use permit in the LB, Limited Business District, are subject to the following restrictions:

1. All signage must be approved through the conditional use permit process as outlined in § 9.104(H) above.

2. All signage must meet the requirements for dynamic LED signs as outlined in division (P)(8) above.
3. Dynamic LED signs may change its message with a frequency of no less than one message for each 10 seconds of display time for commercial businesses.
4. Dynamic LED signs may change its message with a frequency of no less than one message for each ten minutes of display time for religious or educational institutions.

(12) Signs in CBD, Central Business District.

(a) Permitted signs. In the CBD, Central Business District, the following signs shall be permitted:

1. Any number of wall signs on any side of a building not to exceed 100 square feet of total surface area for all wall sign surfaces and limited to one surface per sign. Provided, however, that if a parcel of land on which a building is located directly abuts residentially zoned land, no wall sign may be located on the side of the building that faces abutting residential parcel.
2. One monument sign not to exceed 50 square feet in size, limited to two sides, not to exceed ten feet in height, and set a minimum of five feet from any property line.
3. Any monument sign must be a minimum of five feet from any building or structure on the same lot.
4. One wall sign on each side of the building that faces a public alley, not to exceed four square feet per surface and limited to one surface per sign.
5. One area identification sign for each shopping center not to exceed 100 square feet per surface, and limited to four surfaces; one wall sign for each primary use business, not to exceed 100 square feet per surface and limited to one surface.
6. One identification sign for each user other than the primary use, not to exceed two square feet per surface, and limited to one surface.
7. One wall sign per building with an area of the lesser of 20 square feet or one-half square foot for each front foot of a building or structure provided that the said sign is located on the same side of the building as an entrance approved by the City Building Official as a public entrance and provided that the said public entrance and sign faces a parking facility designated by the city as approved public parking.

(b) Restrictions on permitted signs. Permitted signs in the CBD, Central Business District, are subject to the following restrictions:

1. Total sign area shall not exceed two square feet for each front foot of building or structure. In the case of multiple occupancy, the wall surface for each tenant, user or owner shall include only the surface area on the exterior facade of the premises occupied by such tenant, user or owner.
2. The maximum height of a monument sign, including its structures, shall not exceed eight feet above grade at street level or at the base of the sign, whichever is greater.
3. The sign number and area permitted by this division are considered maximums. These maximums, or any portion thereof, which are not utilized by the owner, occupant or user of property are non-transferable to any other property owned, occupied or used by such persons or any other owner, occupant or user of property in the same or other districts.

(c) Conditional use signs. In the CBD District, the following signs shall require a conditional use permit: dynamic LED signage.

(d) Restrictions on conditional use signs. Signs requiring a conditional use permit in the CBD, Central Business District, are subject to the following restrictions:

1. All signage must be approved through the conditional use permit process as outlined in § 9.104(H) above.
2. All signage must meet the requirements for dynamic LED signs as outlined in division (P)(8) above.
3. Dynamic LED signs may change its message with a frequency of no less than one message for each ten seconds of display time.

(13) Signs in the GB, General Business District.

(a) Permitted signs. In the GB, General Business District, the following signs shall be permitted:

1. Any number of wall signs on any side of a building not to exceed 200 square feet of total surface area for all wall sign surfaces and limited to one surface per sign. Provided, however, that if a parcel of land on which a building is located directly abuts residentially zoned land, no wall sign may be located on the side of the building that faces the abutting residential parcel.

2. One freestanding pylon sign only if the building or structure is located adjacent to a state trunk highway and located 20 feet or more from the front lot line, not to exceed 75 square feet per surface and limited to two surfaces. Provided, however, that:

a. If the building contains more than 80,000 square feet of gross floor area or the site on which the building is located contains more than 90,000 square feet of surface area;

b. If the street frontage of the site on which the building or structure is located exceeds 150 feet in length; and

c. If the building is located 20 feet or more from the front lot line and is located adjacent to a state trunk highway, a second freestanding sign not to exceed 75 square feet and limited to two surfaces shall be permitted at a location at least 50 feet distant from any other freestanding sign and at least 25 feet distant from the lot line of any adjoining parcel of and other than a street or alley.

3. If not located adjacent to a state trunk highway where the 20-foot building setback cannot be met, one monument sign not to exceed 50 square feet in size, limited to two sides, not to exceed ten feet in height, and setback a minimum of five feet from any property line.

4. Any pylon or monument sign must be a minimum of five feet from any building or structure on the same lot.

5. One wall sign on each side of the building that faces a public alley, not to exceed four square feet per surface and limited to one surface per sign.

6. One area identification sign for each shopping center, not to exceed 100 square feet per surface, limited to four surfaces, in addition to one wall sign for each primary use business, not to exceed 100 square feet per surface, limited to one surface.

7. One identification sign for each use other than primary use, not to exceed two square feet per surface, and limited to one surface.

8. One wall sign per building with an area of the lesser of 20 square feet or 1/2 square foot for each front foot of a building or structure provided that the said sign is located on the same side of the building as an entrance approved by the City Building Official as a public entrance and provided that the said public entrance and sign faces a parking facility designated by the city as approved public parking.

(b) Restrictions on permitted signs. Permitted signs in the GB, General Business District, are subject to the following restrictions:

1. Total signage shall not exceed two square feet for each front foot of building or structure. In the case of multiple occupancy, the wall surface for each tenant, user or owner shall include only the surface area on the exterior facade of the premises occupied by such tenant, user or owner.

2. The maximum height of a sign, including its structures, shall include only the surface area on the exterior façade of the premises occupied by such tenant, user or owner.

3. The maximum height of a pylon sign, including its structures, shall not exceed 25 feet above the grade at street level or at the base of the sign, whichever is greater. The maximum height of a monument sign, including its structures, shall not exceed eight feet above grade at street level or at the base of the sign, whichever is greater, unless the monument sign is located in the Design Overlay Highway District. In this case, the maximum height may be increased to ten feet above grade at street level or at the base of the sign, whichever is greater, if the principal structure is greater than or equal to 22 feet in height.

4. The sign number and area permitted by this section are considered maximum. These maximums, or any portion thereof, which have not been utilized by the owner, occupant or user of property are non-transferable to any other property owned, occupied or used by such persons or to any other owner, occupant or user of property in the same or other districts.

(c) Conditional use permits. In the GB District, the following signs shall require a conditional use permit: dynamic LED signage.

(d) Restrictions on conditional use signs. Signs requiring a conditional use permit in the GB, General Business District, are subject to the following restrictions:

1. All signage must be approved through the conditional use permit process as outlined in § 9.104(H) above.

2. All signage must meet the requirements for dynamic LED signs as outlined in division (P)(8) above.

3. Dynamic LED signs may change its message with a frequency of no less than one message for each ten seconds of display time.

(14) Signs in I-1 and I-2 Industrial Districts.

(a) Permitted signs. In the I-1, Light Industrial District, and the I-2, General Industrial District, the following signs shall be permitted:

1. Any number of wall signs on any side of a building to exceed 100 square feet of total surface area for all wall sign surfaces and limited to one surface per sign. Provided, however, that if a parcel of land on which a building

is located directly abuts residentially zoned land, no wall sign may be located on the side of building that faces abutting residential parcels.

2. One freestanding pylon sign only if the building or structure is located 20 feet or more from the front lot line, not to exceed 100 square feet per surface, and limited to two surfaces. Where the 20-foot setback cannot be met, one monument sign not exceed 50 square feet in size, limited to two sides, not to exceed 10 feet in height, and set a minimum of 5 feet from any building or structure on the same lot.

3. Any pylon or monument sign must be a minimum of five feet from any building or structure on the same lot.

4. One identification sign for each use other than primary use, not to exceed two square feet per surface and limited to one sign.

5. Billboards located adjacent to public streets with speed limits of 45 miles per hour or more, placed at a minimum of 1,500-foot intervals, not to exceed 100 square feet per surface and limited to two surfaces.

(b) Restrictions on permitted signs. Permitted signs in the I-1, Light Industrial District, and the I-2, General Industrial District, are subject to the following restrictions:

1. Total sign area shall not exceed two square feet for each front foot of building or structure. In the case of multiple occupancy, the wall surface for each tenant, user or owner shall include only the surface area on the exterior facade of the premises occupied by such tenant, user or owner.

2. The maximum height of a sign including its structures shall not exceed 25 feet above the grade at street level or at the base of the sign, whichever is greater. The maximum height of a monument sign, including its structures, shall not exceed 10 feet above grade at street level or at the base of the sign, whichever is greater.

3. The sign number and area permitted by this division are considered maximums. These maximums, or any portion thereof, which are not utilized by the owner, occupant or user of property are non-transferable to any other property owned, occupied or used by such person or to any other owner, occupant or user of property located in the same or other districts.

(c) Conditional use signs. In the I-1 and I-2 Industrial Districts, the following signs shall require a conditional use permit: dynamic LED signage.

(d) Restrictions on conditional use signs. Signs requiring a conditional use permit in the I-1, Light Industrial District, and the I-2, General Industrial District, are subject to the following restrictions:

1. All signage must be approved through the conditional use permit process as outlined in § 9.104(H) above.
2. All signage must meet the requirements for dynamic LED signs as outlined in division (P)(8) above.
3. Dynamic LED signs may change its message with a frequency of no less than one message for each ten seconds of display time.

(15) Signs in the PO, Public and Open Space District.

(a) Permitted signs. In the PO, Public and Open Space District, the following signs shall be permitted:

1. Any number of wall signs on any side of a building not to exceed 200 square feet of total surface area for all wall sign surfaces and limited to one surface per sign. Provided, however, that if a parcel of land on which a

building is located directly abuts a residentially zoned land, no wall sign may be located on the side of the building that faces the abutting residential parcel.

2. One monument sign per street frontage for those public facility parcels that include governmental offices. Such signs shall not exceed 50 square feet in area, and shall be located no closer than five feet from any property line.

3. Any number of freestanding identification signage used to promote the name of a public city, regional or state park. Such signs shall be no greater than 40 square feet in area, shall not exceed ten feet in height, and shall be located no closer than five feet from any property line.

(b) Restrictions on permitted signs. Permitted signs in the PO, Public and Open Space District are subject to the following restrictions:

1. Total signage shall not exceed two square feet for each front foot of building or structure.
2. The maximum height of a monument sign shall not exceed ten feet in height.

3. The sign number and area permitted by this section are considered maximum. These maximums, or any portion thereof, which are not utilized by the owner or user of the property are non-transferable to any other property owned, occupied or used by such persons or to any other owner or user of property located in the same or other districts.

(c) Conditional use signs. In the PO District, the followings signs shall require a conditional use permit: a dynamic LED sign used in conjunction with a governmental facility.

(d) Restrictions on conditional use signs. Signs requiring a conditional use permit in the PO, Public and Open Space District, are subject to the following restrictions:

1. All signage must be approved through the conditional use permit process as outlined in § 9.104(H) above.
2. All signage must meet the requirements for dynamic LED signs as outlined in division (P)(8) above.
3. Dynamic LED signs may change its message with a frequency of no less than one message for each ten minutes of display time.

(16) Signs for nonconforming residential uses. Sign number and area for residential uses in commercial, business or industrial zones are limited to the maximum number and area for the actual use of the subject property.

(17) Minimum yard requirements—freestanding signs. The minimum front, side and rear yard requirements for freestanding signs shall be ten feet from any property line or as otherwise stated in this article. When the bottom edge of the freestanding pylon sign is eight feet or more above grade, the leading edge of the sign may extend within one foot of the property line. Provided, however, no freestanding sign shall invade the area required for traffic visibility by this division.

(Q) Erosion and sediment control.

(1) Purpose.

(a) During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes.

(b) As a result, the purpose of this local regulation is to safeguard persons, protect property, and prevent damage to the environment in the city. This division will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land in the city. This division is to be used in supplement to the City Zoning Code, § 9.106 and to any other regulations as required by state agencies.

(2) Definitions. For the purpose of this division, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AS-BUILT PLANS. Record drawings of approved and as-constructed improvements.

BEST MANAGEMENT PRACTICES (BMPs). Erosion and sediment control and water quality management practices that are the most effective and practicable means of controlling, preventing, and minimizing degradation of surface water, including avoidance of impacts, construction phasing, minimizing the length of time soil areas are exposed, prohibitions, and other management practices published by state or designated area-wide planning agencies.

CLEARING. Any activity that removes the vegetative surface cover.

CONSERVATION EASEMENT. Legal land preservation agreement between a landowner and a municipality or a qualified land protection organization. The easement confers the transfer of usage rights from one party to another.

CONSTRUCTION ACTIVITY. A disturbance to the land that results in a change in the topography, or the existing soil cover (both vegetative and non-vegetative). Examples of construction activity may include clearing, grading, filling and excavating.

CONTRACTOR. The party who signs the construction contract. Where the construction project involves more than one contractor, the general contractor shall be the contractor that is responsible pursuant to the obligations set forth in this division.

DEVELOPER. The party who signs the development agreement with the city to construct a project.

DEWATERING. The removal of water for construction activity. It can be a discharge of appropriated surface or groundwater to dry and/or solidify a construction site. Minnesota Department of Natural Resources permits are required to be appropriated, and if contaminated, may require other MPCA permits to be discharged.

EROSION. The wearing away of the ground surface as a result of movement of wind, water, ice and/or land disturbance activities.

EROSION CONTROL. A measure that prevents erosion, including, but not limited to: soil stabilization practices, limited grading, mulch, temporary or permanent cover, and construction phasing.

EROSION CONTROL INSPECTOR. A designated agent given authority by the city to inspect and maintain erosion and sediment control practices.

FINAL GRADE. Excavation or fill of material to final plan elevation. Final grade completed as part of individual site development.

FINAL STABILIZATION. All soil disturbing activities at the site have been completed and a uniform (evenly distributed, without large bare areas) perennial vegetative cover, with a density of 70% of approved vegetative cover, for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures have been employed.

GRADING. Excavation or fill of material, including the resulting conditions thereof.

GRADING, DRAINAGE AND EROSION CONTROL PERMIT. A permit issued by the municipality for the construction or alteration of the ground and for the improvements and structures for the control of erosion, runoff, and grading. Hereinafter referred to as GRADING PERMIT.

GRADING, DRAINAGE AND EROSION CONTROL PLANS. A set of plans prepared by or under the direction of a licensed professional engineer. Plans are required to indicate the specific measures and sequencing to be used to control grading, sediment and erosion on a development site during and after construction as detailed in the "Zoning Ordinance" and City SWPPP.

IMPERVIOUS SURFACE. A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads.

LAND DISTURBING ACTIVITY. Any land change that may result in soil erosion from water or wind and the movement of sediments into or upon waters or lands within the city's jurisdiction, including, but not limited to, clearing, grubbing, grading, excavating, transporting and filling.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). The program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Sections 301, 318, 402, and 405) and United States Code of Federal Regulations Title 33, Sections 1317, 1328, 1342, and 1345.

PERIMETER SEDIMENT CONTROL. A barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

PERMANENT COVER. Final site stabilization. Examples include turf, gravel, asphalt, and concrete.

PHASING. Clearing a parcel of land in distinct phases, with the stabilization of each phase completed before the clearing of the next.

PUBLIC WATERWAY. Any body of water, including, but not limited to, lakes, ponds, rivers, streams, and bodies of water delineated by the city or other state or federal agency.

PUBLIC WORKS DIRECTOR. A registered professional engineer with the State of Minnesota who has received training and is given authority by the city to review, authorize, approve, inspect, and maintain erosion and sediment control plans and practices.

ROUGH GRADE. Excavation or fill of material to a condition suitable for general maintenance.

SEDIMENT. The product of an erosion process; solid material, both mineral and organic, that is in suspension, is being transported, or has been moved by water, air, or ice, and has come to rest on the earth's surface, either above or below water level.

SEDIMENT CONTROL. Measures and methods employed to prevent sediment from leaving the site. Sediment control practices may include, but are not limited to, silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins.

SITE. A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation.

STABILIZED. The exposed ground surface has been covered by appropriate materials such as mulch, staked sod, riprap, wood fiber blanket, or other material that prevents erosion from occurring. Grass seeding is not stabilization.

STANDARD PLATES. General drawings having or showing similar characteristics or qualities that are representative of a construction practice or activity.

START OF CONSTRUCTION. The first land-disturbing activity associated with a development, including land preparation such as clearing, grading, excavation and filling.

STORM WATER. Defined under Minn. Rules, part 7077.0105, subp. 41(b), and includes precipitation runoff, storm water runoff, snow melt runoff, and any other surface runoff and drainage.

STORM WATER POLLUTION PREVENTION PROGRAM (SWPPP). A program for managing and reducing storm water discharge that includes erosion prevention measures and sediment controls that, when implemented, will decrease soil erosion on a parcel of land and decrease off-site nonpoint pollution.

SURFACE WATER or WATERS. All streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems, whether natural or artificial, public or private.

TEMPORARY EROSION CONTROL. Methods employed to prevent erosion. Examples of temporary cover include: straw, wood fiber blanket, wood chips, and erosion netting.

WATERWAY. A channel that directs surface runoff to a watercourse or to the public storm drain.

WATER CONVEYANCE SYSTEM. Any channel that conveys surface runoff throughout the site.

WETLAND or WETLANDS. Defined in Minn. Rules, part 7050.0130, subp. F, and includes those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state.

ZONING ORDINANCE. City code detailing city specifications for all plan requirements.

(3) Permits.

(a) Approval. No person shall be granted a grading permit for land-disturbing activity that would require the uncovering or distributing of material in excess of any of the following measurements without the approval of a Grading, Erosion and Sediment Control, and Storm Water Management Plan by the city.

1. Ten thousand square feet.
2. Five hundred cubic yards undeveloped land, or 50 cubic yards developed land.
3. Within 1,000 feet of a waterway.

(b) Exception. No grading permit is required for land disturbances under the amounts specified above, or for the following activities:

1. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
2. General establishment of new construction lawns, or the addition of four or fewer inches of topsoil.
3. Existing nursery and agricultural operations conducted as a permitted main or accessory use.

(c) Application requirements.

1. Each application shall bear the name(s) and address(es) of the owner or developer of the site, and of any consulting firm retained by the applicant, together with the name of the applicant's principal contact at such firm.
2. A filing fee and security as outlined by the city's Zoning Ordinance and subdivision (d) below.
3. A Grading, Erosion and Sediment Control, and Storm Water Management Plan meeting the requirements of this division. Each application shall include the required number of plans and other required materials as specified on the application form.
4. The application form shall include a statement by the applicant that any land clearing, construction, or development involving the movement of earth shall be in accordance with the approved Grading, Erosion and Sediment Control, and Storm Water Management Plan.

(d) Security.

1. The permittee will be required to file with the city an irrevocable, automatically renewing letter of credit, or other improvement security in the amount specified by the current city SWMDS for fee schedule.

a. The security shall cover all costs of engineering and inspection, site improvements, street sweeping, repairs to erosion control measures, and maintenance of improvements for such period as specified by the city. Such deposit shall be provided prior to the release of the grading permit.

b. Deposit shall be released after final stabilization is complete, erosion control measures have been removed, and their removal area inspected.

2. Individual lot developers shall be required to provide a bond with a building permit application.

a. The security shall cover city costs for street sweeping, installation, maintenance and repairs to erosion control measures. The bond will be in an amount as specified by the current city SWMDS for fee schedule.

b. The security shall be released after turf is established as specified in the City Zoning Ordinance.

(e) Procedure. The city will review each application for grading permit to determine its conformance with the provisions of this regulation and other applicable requirements. The city requires complete application no less than 15 working days in advance of the desired grading permit date. Upon complete application, the city shall, in writing:

1. Approve the permit application;
 2. Approve the permit application, subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
 3. Disapprove the permit application, indicating the reason(s) and procedure for submitting a revised application and/or submission;
 4. Appeals of denial of permit shall be processed in accordance with appeal to the City Zoning Ordinance.
- (4) Grading, Erosion and Sediment Control, and Storm Water Management Plan requirements.

(a) Plan requirements. Grading, erosion control practices, sediment control practices, storm water management practices, and waterway crossings shall meet the design criteria set forth in the Grading, Erosion and Sediment Control, and Storm Water Management Plan, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the city. No land shall be disturbed until the plan is approved by the Public Works Director, and conforms to the standards set forth herein.

(b) The Grading, Erosion and Sediment Control, and Storm Water Management Plan shall comply with all of the NPDES general construction storm water permit requirements and the city's SWMDS for temporary erosion and sediment control, waste control, final stabilization and permanent water quality.

(5) Construction requirements. Construction specifications, waterway and watercourse protections requirements, and pollution prevention management measures shall comply, at a minimum, with all of the NPDES general construction storm water permit requirements, in addition to the city's SWMDS.

(6) Inspection. Notification, procedures, material requirements, permittee inspection, authorization, and record keeping shall comply, at a minimum, with all of the NPDES general construction storm water permit requirements, in addition to the city's SWMDS.

(7) Site maintenance. Responsibilities, maintenance requirements, and lapses regarding site maintenance shall comply, at a minimum, with all of the NPDES general construction storm water permit requirements, in addition to the city's SWMDS.

(8) Final stabilization requirements. Final stabilization is not complete until the criteria laid out in the NPDES general construction storm water permit and the city's SWMDS are met.

(9) Post-construction storm water management. All post-construction storm water management plans must be submitted to the Public Works Director prior to the start of construction activity. Standards for post-construction storm water management shall be as follows:

(a) Specifications. At a minimum, applicants shall comply with all of the NPDES general construction storm water permit requirements.

(b) Design criteria. Permanent storm water management systems shall meet the design criteria as provided in the city's SWMDS.

(c) Maintenance agreement. The applicant shall enter into a maintenance agreement with the city that documents all responsibilities for operation and maintenance of long-term storm water treatment BMPs. Such responsibilities shall be documented in a maintenance plan and executed through a maintenance agreement. All maintenance agreements must be approved by the city and recorded at the County Recorder's office prior to final plan approval. At a minimum, the maintenance agreement shall describe the following inspection and maintenance obligations:

1. The responsible party who is permanently responsible for inspection and maintenance of the structural and nonstructural measures.
2. Pass responsibilities for such maintenance to successors in title.
3. Allow the city and its representatives the right of entry for the purposes of inspecting all permanent storm water management systems.
4. Allow the city the right to repair and maintain the facility, if necessary maintenance is not performed, after proper and reasonable notice to the responsible party of the permanent storm water management system.
5. Include a maintenance plan that contains, but is not limited to, the following:
 - a. Identification of all structural permanent storm water management systems.
 - b. A schedule for regular inspections, monitoring, and maintenance for each practice. Monitoring shall verify whether the practice is functioning as designed and may include, but is not limited to, quality, temperature, and quantity of runoff.
 - c. Identification of the responsible party for conducting the inspection, monitoring, and maintenance for each practice.
 - d. Include a schedule and format for reporting to the city compliance with the maintenance agreement.
6. The issuance of a permit constitutes a right of entry for the city or its contractor to enter upon the construction site. The applicant shall allow the city and its authorized representatives, upon presentation of credentials, to:
 - a. Enter upon the permitted site for the purpose of obtaining information, examining records, conducting investigations or surveys.
 - b. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations.
 - c. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permit.
 - d. Inspect the storm water pollution control measures.
 - e. Sample and monitor any items or activities pertaining to storm water pollution control measures.
 - f. Correct deficiencies in storm water and erosion and sediment control measures.

(10) Certification.

(a) Approved Grading, Erosion and Sediment Control, and Storm Water Management Plan. Plans for grading, stripping, excavating, and filling work, bearing the approval of the Public Works Director, shall be maintained at the site during the progress of the work.

(b) Procedure. The city will withhold issuance of building permits until the approved certified Grading Plan and Site Development Plan are on file with the city, all securities as required by this division are received, conservation posts are installed, and all erosion control measures are in place as determined by the Public Works Director.

(c) As-built Grading Plan and Development Plan. Within 60 days after completion of site development, as per the approved Grading, Erosion and Sediment, and Storm Water Management Plan, the developer shall provide the city with an As-built Grading Plan and Development Plan as defined in the City Zoning Ordinance.

(d) Removal of erosion control measures. The above-specified requirements will be authorized for removal upon the sodding of the rear yards, completion of punch list items involving ponds and slopes, final stabilization, completion of proper turf establishment, and placement of the proper conservation easement posts and signs as specified. Inspection is required after the removal of erosion control measures to verify proper restoration. Please refer to City Zoning Ordinance for specifications.

(11) Enforcement.

(a) Notice of violation.

1. In the event that any work on the site does not conform to the approved erosion and sediment control plan, or any of the requirements listed in the provisions of this article, the Public Works Director, or his or her designee, shall issue a written notice of violation to the applicant, detailing the corrective actions necessary for compliance.

2. The applicant shall conduct the corrective actions within the time period determined by the city and stated in the notice.

3. If an imminent hazard exists, the city may require that the corrective work begin immediately.

(b) Stop work order/revocation of site development permit.

1. In the event that any person holding a site development permit pursuant to this article violates the terms of the permit or implements site development in such a manner as to materially adversely affect the health, welfare, environment, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the city may suspend or revoke the site development permit through the issuance of a stop work order, or the revocation of the site development or building permit.

2. The city may draw down on the grading permit security, with 30 days written notice to developer, for any violation of the terms of this contract related to landscaping, if the violation is not cured within such 30-day period, or if the security is allowed to lapse prior to the end of the required term. If the security is drawn down, the proceeds shall be used to cure the default.

3. No development, utility or street construction will be allowed and no building permits will be issued unless the development is in full compliance with the requirements of this subdivision.

(c) Violation and penalties.

1. No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this division. Any person violating any of the provisions of this division shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this division is committed, continued, or permitted, shall constitute a separate offense.

2. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine as specified by the city ordinance for fee schedule for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this division shall be required to bear the expense of such restoration.

(R) Small wireless facilities.

(1) Purpose.

(a) The purpose of this division is to establish specific requirements for obtaining a small wireless facility permit for the installation, mounting, modification, operation, and replacement of small wireless facilities and installation or replacement of wireless support structures by commercial wireless providers on public and private property, including in the public right-of-way.

(b) This division does not apply to any wireline facilities, including wireline backhaul facilities. A wireless provider must obtain a small cell pole attachment permit pursuant to or other applicable authorization for use of the public right-of-way to construct, install, replace, or modify any wireline backhaul facility, such as fiber optic cable. The granting of a small wireless facility permit pursuant to this division is not a grant of such authorization.

(2) Definitions. In this division, the following terms shall have the meaning ascribed to them below:

APPLICABLE LAW. All applicable federal, state, and local laws, codes, rules, regulations, orders, and ordinances, as the same be amended or adopted from time to time.

APPLICANT. Any person submitting a small wireless facility permit application under this division.

CITY. The City of Columbia Heights, Minnesota.

COLLOCATE or COLLOCATION. To install, mount, maintain, modify, operate, or replace a small wireless facility on, under, within, or adjacent to an existing wireless support structure that is owned privately or by the city.

DAYS. Counted in calendar days unless otherwise specified. When the day, or the last day, for taking any action or paying any fee falls on Saturday, Sunday, or a federal holiday, the action may be taken, or the fee paid, on the next succeeding secular or business day.

DECORATIVE POLE. A utility pole owned, managed, or operated by or on behalf of the city or any other governmental entity that:

1. Is specifically designed and placed for an aesthetic purpose; and
2. a. On which a nondiscriminatory rule or code prohibits an appurtenance or attachment, other than:
 - i. A small wireless facility;
 - ii. A specialty designed informational or directional sign; or

- iii. A temporary holiday or special event attachment; or
- b. On which no appurtenance or attachment has been placed, other than:
 - i. A small wireless facility;
 - ii. A specialty designed informational or directional sign; or
 - iii. A temporary holiday or special event attachment.

DEPARTMENT. The Department of Public Works of the city.

DESIGN DISTRICT. Any district within the city within which architectural design elements are required.

DIRECTOR. The Director of the department.

EXCAVATE. To dig into or in any way remove, physically disturb, or penetrate a part of a public right-of-way.

FCC and COMMISSION. The Federal Communications Commission.

HISTORIC DISTRICT. A geographically definable area, urban or rural, that possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically during the period of significance but linked by association or function.

MICRO WIRELESS FACILITY. A small wireless facility that is no larger than 24 inches long, 15 inches wide, and 12 inches high, and whose exterior antenna, if any, is no longer than 11 inches.

OBSTRUCT. To place a tangible object in a public right-of-way so as to hinder free and open passage over that or any part of the public right-of-way.

PERMITTEE. A person that has been granted a small wireless facility permit by the department.

PERSON. Any individual, group, company, partnership, association, joint stock company, trust, corporation, society, syndicate, club, business, or governmental entity. PERSON shall not include the city.

PUBLIC RIGHT-OF-WAY. The area on, below, or above a public roadway, highway, street, cartway, bicycle lane, and public sidewalk in which the city has an interest, including other dedicated rights-of-way for travel purposes and utility easement of the city.

SMALL WIRELESS FACILITY.

1. A wireless facility that meets both of the following qualifications:
 - a. Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all its exposed elements could fit within an enclosure of no more than six cubic feet; and
 - b. All other wireless equipment associated with the small wireless facility, excluding electric meters, concealment elements, telecommunications demarcation boxes, battery backup power systems, grounding equipment, power transfer switches, cutoff switches, cable, conduit, vertical cable runs for the connection of power and other services, and any equipment concealed from public view within or behind an existing structure or concealment, is in aggregate no more than 28 cubic feet in volume; or

2. A micro wireless facility.

SMALL WIRELESS FACILITY PERMIT. A permit issued by the department authorizing the installation, mounting, maintenance, modification, operation, or replacement of a small wireless facility or installation or replacement of a wireless support structure in addition to collocation of a small wireless facility on the wireless support structure.

UTILITY POLE. A pole that is used in whole or in part to facilitate telecommunications or electric service. It does not include a traffic signal pole.

WIRELINE BACKHAUL FACILITY. A facility used to transport communications data by wire from a wireless facility to a communications network.

WIRELESS FACILITY.

1. Equipment at a fixed location that enables the provision of wireless service between user equipment and a wireless service network, including:

- a. Equipment associated with wireless service;
- b. A radio transceiver, antenna, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration; and
- c. A small wireless facility.

2. WIRELESS FACILITY does not include:

- a. Wireless support structures;
- b. Wireline backhaul facilities; or
- c. Coaxial or fiber-optic cables between utility poles or wireless support structures, or that are not otherwise immediately adjacent to or directly associated with a specific antenna.

WIRELESS PROVIDER. A provider of wireless service, including, but not limited to, radio communication service carried on between mobile stations or receivers and land stations, and by mobile stations communicating among themselves and which permits a user generally to receive a call that originates and/or terminates on the public switched network or its functional equivalent, regardless of the radio frequencies used.

WIRELESS SERVICE. Any service using licensed or unlicensed wireless spectrum, including the use of wi-fi, whether at a fixed location or by means of a mobile device, that is provided using wireless facilities. WIRELESS SERVICE does not include services regulated under Title VI of the Communications Act of 1934, as amended, including a cable service under United States Code, Title 47, Section 522, Clause (6).

WIRELESS SUPPORT STRUCTURE. A new or existing structure in a public right-of-way designed to support or capable of supporting small wireless facilities, including, but not limited to, a utility pole or a building, as reasonably determined by the department.

(3) Small wireless facility permit applications.

(a) Application form. The Director shall develop and make publicly available a form application. To the extent possible, the Director shall allow for applications to be consolidated pursuant to this division. A complete application must be submitted for each small wireless facility permit desired.

(b) Consolidated applications. A wireless provider may apply for up to 15 small wireless facility permits in a consolidated application, provided all small wireless facilities in the consolidated application are located within a two-mile radius, consist of substantially similar equipment, and are to be collocated on similar types of wireless support structures. The department shall review a consolidated application as allowed by this division. If necessary, the applied-for small wireless facility permits in a consolidated application may be approved or denied individually, but the department may not use the denial of one or more permits as a basis to deny all small wireless facility permits in a consolidated application. Any small wireless facility permits denied in a consolidated application shall be subject to a single appeal.

(c) Information not required. The department shall not require an applicant to provide any information that:

1. Has previously been provided to the department by the applicant in a small wireless facility permit application, if the applicant provides specific reference to the previous application containing the information sought by the department and the previous information remains unchanged; and

2. Is not reasonably necessary to review a small wireless facility permit application for compliance with generally applicable and reasonable health, safety, and welfare regulations, and to demonstrate compliance with applicable Federal Communications Commission regulations governing audio frequency exposure, or other information required by this division.

(4) Establishment of general standards.

(a) General standards. The Director shall establish and maintain a set of standards for the installation, mounting, maintenance, modification, operation, or replacement of small wireless facilities and placing new or replacement wireless support structures in the public right-of-way applicable to all permittees under this division. The general standards shall include, but not be limited to, information to be required in a small wireless facility permit application, design standards, construction standards, aesthetic standards, a form application, permitting conditions, insurance and security requirements, and rates and fees.

(b) Design standards. Any design standards established by the Director shall be:

1. Reasonable and nondiscriminatory; and

2. Include additional installation and construction details that do not conflict with this division, including, but not limited to, a requirement that:

a. An industry standard pole load analysis be completed and submitted to the city, indicating that the wireless support structure to which the small wireless facility is to be attached will safely support the load; and

b. Small wireless facility equipment on new and existing wireless support structures be placed higher than 15 feet above ground level.

3. The Director shall additionally include the following in any design standards established under this division.

a. Any wireless support structure installed in the public right-of-way after May 31, 2017, may not exceed 50 feet above ground level, unless the city agrees to a greater height, subject to local zoning regulations, and may be subject to separation requirements in relation to other wireless support structures;

b. Any wireless support structure replacing an existing wireless support structure that is more than 50 feet above ground level may be placed at the height of the existing wireless support structure, unless the city agrees to a greater height, subject to zoning regulations;

c. Wireless facilities constructed in the public right-of-way after May 31, 2017, may not extend more than ten feet above an existing wireless support structure in place as of May 31, 2017;

d. If necessary to collocate a small wireless facility, a wireless provider may replace a decorative pole if the replacement pole reasonably conforms to the design and aesthetic qualities of the displaced decorative pole, subject to the approval of the Director of Public Works;

e. A wireless provider shall comply with the city's requirements to install facilities underground, including, without limitation, in compliance with § 6.301 of the City Code; and

f. All small wireless facilities collocated or wireless support structures installed in a Design District or Historic District shall comply with any design or concealment or other measures required by the city.

(c) Construction standards. Any construction standards established by the Director shall include at least the following terms and conditions:

1. Compliance with applicable law. To the extent this requirement is not preempted or otherwise legally unenforceable, a permittee shall comply with all applicable law and applicable industry standards.

2. Prevent interference. A permittee shall collocate, install, and continuously operate any authorized small wireless facilities and wireless support structures in a manner that prevents interference with other wireless facilities and other facilities in the right-of-way and the operation thereof. With appropriate permissions from the department, a permittee shall, as is necessary for the safe and reliable operation, use, and maintenance of an authorized small wireless facility or wireless support structure, maintain trees as prescribed by standards promulgated by the department.

3. Other rights not affected. A permittee shall not construe a contract, permit, correspondence, or other communication from the city as affecting a right, privilege, or duty previously conferred or imposed by the department to or on another person.

4. Restoration. A permittee, after any excavation of a public right-of-way, shall provide for restoration of the affected public right-of-way and surrounding areas, including the pavement and its foundation, to the same condition that existed before the excavation. If a permittee fails to adequately restore the public right-of-way within a specified date, the department may:

a. Itself restore the public right-of-way and recover from the permittee the reasonable costs of the surface restoration; or

b. Recover from the permittee a reasonable degradation fee associated with a decrease in the useful life of the public right-of-way caused by the excavation.

5. A permittee that disturbs uncultivated sod in the excavation or obstruction of the public right-of-way shall plant grasses that are native to Minnesota and, wherever practicable, that are of the local eco-type, as part of the restoration required under this division, unless the owner of the real property over which the public right-of-way traverses objects. In restoring the public right-of-way, the permittee shall consult with the Department of Wildlife Conservation regarding the species of native grasses that conform to the requirements of this division.

6. Permittee's liability. A permittee is solely responsible for the risk and expense of the collocation of the permittee's small wireless facility and installing or replacing the permittee's wireless support structure. The city neither warrants nor represents that any area within the public right-of-way is suitable for such collocation or installation or replacement. A permittee shall accept the public right-of-way as is and where is and assumes all risks related to any use. The city is not liable for damage to small wireless facilities due to an event of damage to a wireless support structure in the public right-of-way.

(5) Small wireless facility application review process.

(a) Eligibility for review. An application shall be eligible for review if the application conforms to the general standards adopted by the Director.

(b) Authorization. A small wireless facility permit issued pursuant to any application processed hereunder shall authorize:

1. The installation, mounting, modification, operation, and replacement of a small wireless facility in the public right-of-way or city-owned property; or
2. Construction of a new, or replacement of an existing, wireless support structure, and collocation of a small wireless facility on the wireless support structure.

(c) Review process. An application submitted pursuant to this section shall be reviewed as follows:

1. Submission of application. Applicant shall submit a complete application accompanied by the appropriate application fee as set forth in § 9.106(R)(15) to the department. Prior to submitting a small wireless facility permit application, an applicant shall inspect any wireless support structure on which it proposes to collocate a small wireless facility and determine, based on a structural engineering analysis by a Minnesota registered professional engineer, the suitability of the wireless support structure for the proposed collocation. The structural engineering analysis shall be submitted to the department with the application, and shall certify that the wireless support structure is capable of safely supporting the proposed small wireless facility considering conditions at the proposed location, including the condition of the public right-of-way, hazards from traffic, exposure to wind, snow and/or ice, and other conditions affecting the proposed small wireless facility that may be reasonably anticipated.

2. Application review period. The department shall, within 60 days after the date a complete application for the collocation is submitted to the department, issue or deny a small wireless facility permit pursuant to the application. The department shall, within 90 days after the date a complete application for a new or replacement wireless support structure in addition to the collocation of a small wireless facility is submitted to the department, issue or deny a small wireless facility permit pursuant to the application. If the department receives applications within a single seven-day period from one or more applicants seeking approval of small wireless facility permits for more than 30 small wireless facilities or ten wireless support structures, the department may extend the 90-day review period of this division by an additional 30 days. If the department elects to invoke this extension, it must inform in writing any applicant to whom the extension will be applied.

3. Completeness determination. The department shall review a small wireless facility permit application for completeness following submittal. The department shall provide a written notice of incompleteness to the applicant within ten days of receipt of the application, clearly and specifically delineating all missing documents or information. Information delineated in the notice is limited to documents or information publicly required as of the date of application and reasonably related to the department's determination of whether the proposed equipment falls within the definition of a small wireless facility and whether the proposed deployment satisfies all health,

safety, and welfare regulations applicable to the small wireless facility permit request and complies with this division and applicable standards promulgated by the department. If an applicant fails to respond to the department's notice of incompleteness within 90 days, the application shall be deemed expired and no small wireless facility permit shall be issued. Upon an applicant's submittal of additional documents or information in response to a notice of incompleteness, the department shall within ten days of submission notify the applicant in writing of any information requested in the initial notice of incompleteness that is still missing. Second or subsequent notices of incompleteness may not specify documents or information that were not delineated in the original notice of incompleteness.

4. Reset and tolling of review period. In the event that a small wireless facility permit application is incomplete, and the department has provided a timely and complete written notice of incompleteness, then the applicable review period shall be reset, pending the time between when a notice is mailed and the submittal of information in compliance with the notice. Subsequent notices shall toll the applicable review period. An applicant and the department can mutually agree in writing to toll the applicable review period at any time.

5. Moratorium prohibited. Notwithstanding any applicable law to the contrary, including, but not limited to, M.S. §§ 394.34 and 462.355, the department shall not establish any moratorium with respect to the filing, receiving, or processing of applications for small wireless facility permits, or issuing or approving small wireless facility permits.

6. Nondiscriminatory processing of applications. The department shall ensure that any application processed under this division is performed on a nondiscriminatory basis.

7. Permit not required. A permittee shall provide 30 days advance written notice to the department, but shall not be required to obtain a small wireless facility permit, or pay an additional small wireless facility permit fee for:

- a. Routine maintenance;
- b. The replacement of a small wireless facility with a small wireless facility that is substantially similar to or smaller in size; or
- c. The installation, placement, maintenance, operation, or replacement of a micro wireless facility that is strung on a cable between existing utility poles, in compliance with the National Electrical Safety Code.

(6) Small wireless facility permit conditions.

(a) General conditions of approval. In processing and approving a small wireless facility permit, the department shall condition its approval on compliance with:

1. Generally applicable and reasonable health, safety, and welfare regulations consistent with the city's public right-of-way management;
2. Reasonable accommodations for a decorative pole;
3. Any reasonable restocking, replacement, or relocation requirements when a new wireless support structure is placed in the public right-of-way;
4. Construction of the proposed small wireless facility within six months from the date the small wireless facility permit is issued;

5. Obtaining additional authorization for use of the public right-of-way for the construction of wireline backhaul facilities or any other wired facilities;

6. Compliance with the city's general standards; and

7. Compliance with all applicable law.

(b) Generally applicable and reasonable health, safety, and welfare regulations. Generally applicable and reasonable health, safety, and welfare regulations for the purposes of this division include, without limitation, the following:

1. A structural engineering analysis by a Minnesota registered professional engineer certifying that a wireless support structure can reasonably support a proposed small wireless facility considering the conditions of the street, the anticipated hazards from traffic to be encountered at the proposed location, and any wind, snow, ice, or other conditions that may be reasonably anticipated at the proposed location;

2. A determination by the department that, based upon reasonable engineering judgment, a proposed small wireless facility is of excessive size or weight or would otherwise subject a wireless support structure to an unacceptable level of stress;

3. A determination by the department that, based upon reasonable engineering judgment, a proposed small wireless facility would cause undue harm to the reliability or integrity of the city's electrical infrastructure or would likely violate generally applicable electrical or engineering principles;

4. A determination by the department that a proposed small wireless facility presents an unreasonable safety hazard as specifically and reasonably identified by the department;

5. A determination by the department that a proposed small wireless facility impairs the city's ability to operate or maintain the public right-of-way;

6. A determination by the department that a proposed small wireless facility cannot be placed due to insufficient capacity and the infrastructure cannot be modified or enlarged consistent with the requirements of this division and the department's general standards; or

7. A determination by the department that a proposed small wireless facility is in violation of the National Electric Safety Code or applicable law.

(c) Authorized use. An approval of a small wireless facility permit under this division authorizes the collocation of a small wireless facility on an existing wireless support structure to provide wireless services, or the installation or replacement of a wireless support structure and collocation of a small wireless facility, and shall not be construed to confer authorization to:

1. Provide any service other than wireless service;

2. Construct, install, maintain, or operate any small wireless facility or wireless support structure in a right-of-way other than the approved small wireless facility or wireless support structure; or

3. Install, place, maintain, or operate a wireline backhaul facility in the right-of-way.

(d) Other permits required. Any person desiring to obstruct or perform excavation in a public right-of-way within the city for purposes of collocating a small wireless facility or installing or replacing a wireless support

structure shall, consistent with § 6.301 of City Code, obtain the necessary permit from the city prior to conducting any such activities.

(e) Exclusive arrangements prohibited. The city shall not enter into an exclusive arrangement with any person for use of a public right-of-way for the collocation of a small wireless facility or for the installation or operation of a wireless support structure.

(f) Unauthorized small wireless facility. No person shall install, mount, modify, operate, or replace a small wireless facility in the public right-of-way or on city-owned property, or install or replace a wireless support structure without first obtaining a small wireless facility permit from the city.

1. If an unauthorized small wireless facility or wireless support structure is discovered, the department shall provide written notice to the owner of the unauthorized small wireless facility within five days of discovery of the unauthorized small wireless facility. If an owner of an unauthorized small wireless facility or wireless support structure cannot be reasonably identified, the department need not provide any written notice.

2. If the owner of an unauthorized small wireless facility or wireless support structure can be reasonably identified, the department may remove the unauthorized small wireless facility or wireless support structure without incurring liability to the owner of the small wireless facility or wireless support structure and at the owner's sole expense no sooner than five days after providing notice of the department's discovery of the unauthorized small wireless facility or wireless support structure to the owner.

3. If the owner of an unauthorized small wireless facility or wireless support structure cannot be reasonably identified, the department may remove the unauthorized small wireless facility or wireless support structure without incurring liability to the owner of the small wireless facility or wireless support structure and at the owner's sole expense.

(g) Relocation. The department may require a permittee to relocate or modify a small wireless facility or wireless support structure in a public right-of-way or on city-owned property in a timely manner and at the permittee's cost if the department determines that such relocation or modification is required to protect public health, safety and welfare, or to prevent interference with other facilities authorized pursuant to this division, or to prevent interference with public works projects of the department.

(h) Security required. Each permittee shall submit and maintain with the department a bond, cash deposit, or other security acceptable to the department, in a form and amount determined by the department in accordance with the general standards, securing the faithful performance of the obligations of the permittee and its agents under any and all small wireless facility permits issued to the permittee under this division. If, in accordance with this division, the department deducts any amounts from such security, the permittee must restore the full amount of the security prior to the department's issuance of any subsequent small wireless facility permit. The department shall return or cancel the security should the permittee cease to operate any small wireless facilities in the right-of-way.

(i) Payment of fees required. A small wireless facility permit shall not be issued prior to the complete payment of all applicable fees.

(j) Notice of assignment required. A permittee upon or within ten calendar days after transfer, assignment, conveyance, or sublet of an attachment that changes the permit and/or billing entity or ownership responsibilities shall provide written notification to the department.

(7) Small wireless facility permit term. A small wireless facility permit for a small wireless facility in the public right-of-way shall have a term equal to the length of time that the small wireless facility is in use, unless the small wireless facility permit is revoked under this division or is otherwise allowed to be limited by applicable law. The term for all other small wireless facility permits shall be for a period of up to ten years.

(8) Denial or revocation of a small wireless facility permit.

(a) Permit denial. The department may deny any small wireless facility permit if the applicant does not comply with all provisions of this division, or if the department determines that the denial is necessary to protect public health, safety, and welfare, or when necessary to protect the public right-of-way and its current use.

(b) Permit revocation. The department may revoke a small wireless facility permit, with or without refund, in the event of a substantial breach of the terms and conditions of any statute, ordinance, rule, or regulation, or any material condition of the small wireless facility permit. A substantial breach includes, but is not limited to, the following:

1. A material violation by act or omission of a provision of a small wireless facility permit;
2. An evasion or attempt to evade any material provision of a small wireless facility permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the city or its citizens;
3. A material misrepresentation of fact in a small wireless facility permit application;
4. A failure to correct, in a timely manner, collocation of a small wireless facility or installation or replacement of a wireless support structure that does not conform to applicable standards, conditions, or codes, upon inspection and notification by the department of the faulty condition;
5. A permittee fails to make timely payments of any fees due, and does not correct such failure within 20 days after receipt of written notice by the city of such failure;
6. A permittee becomes insolvent, unable or unwilling to pay its debts, is adjudged bankrupt, or all or part of its small wireless facilities or wireless support structures are sold under an instrument to secure a debt and is not redeemed by the permittee within 60 days; or
7. A failure to complete collocation of a small wireless facility or installation, modification, or replacement of a wireless support structure within 270 days of the date a small wireless facility permit authorizing such activity is granted, unless the department and the permittee agree to extend the 270 day period or there is a lack of commercial power or communications transport infrastructure to the installation site.

(c) Written notice required. Any denial or revocation of a small wireless facility permit shall be made in writing and shall document the basis for the denial or revocation. The department shall notify the applicant or permittee in writing within three days of a decision to deny or revoke a small wireless facility permit. If a small wireless facility permit application is denied, the applicant may cure the deficiencies identified by the department and submit its application. If the applicant resubmits the application within 30 days of receiving written notice of the denial, it may not be charged an additional filing or processing fee. The department must approve or deny the revised application within 30 days after the revised application is submitted. If small wireless facility permit or wireless support structure permit is revoked, the small wireless facility or wireless support structure shall be subject to removal in accordance with § 9.106(R)(11).

(9) City inspection of a small wireless facility or wireless support structure.

(a) Inspection permitted. The department may inspect, at any time, a permittee's collocation of a small wireless facility or installation or replacement of a wireless support structure. The department shall determine during an inspection whether the permittee's small wireless facility or wireless support structure is in accordance with the requirements of the permittee's applicable small wireless facility permit and other applicable law.

(b) Suspension of activities. During an inspection, if the department determines that a permittee has violated any material term of the permittee's small wireless facility permit or this division, the department may suspend the permittee's small wireless facility permit. The department shall provide prompt written notice of any suspension to a permittee, including the violations giving rise to the suspension. A suspension under this division is effective until a permittee corrects the alleged violation(s), at the permittee's sole expense. If the violation(s) are not corrected within 30 days after the date of such notice, the small wireless facility or wireless support structure shall be subject to removal in accordance with § 9.106(R)(11). A permittee may appeal any suspension issued under this division to the department as provided in § 9.106(R)(12).

(10) Abandoned small wireless facilities and wireless support structures. Where a small wireless facility or wireless support structure is not properly maintained or has not been used for the primary purpose of providing wireless services for 12 consecutive months, the department may designate the small wireless facility or wireless support structure as abandoned. The department shall provide written notice to a permittee within ten days of the permittee's small wireless facility or wireless support structure being designated as abandoned.

(11) Removal of a small wireless facility or wireless support structure.

(a) Removal permitted. The department may remove, at permittee's expense, or require a permittee to remove, any small wireless facility or wireless support structure if:

1. The small wireless facility permit or wireless support structure permit is revoked under this division or expires without renewal; or

2. The small wireless facility or wireless support structure is designated by the department as abandoned under § 9.106(R)(10).

(b) Notice to permittee; time to remove. The department shall provide written notice to the permittee that it must remove a small wireless facility or wireless support structure under this division, including the reasons therefor. If the permittee does not remove the small wireless facility or wireless support structure within 30 days after the date of such notice, the department may remove it at the permittee's expense without further notice to the permittee.

(12) Appeals. An applicant or permittee may have the denial or revocation of a small wireless facility permit, or fees and costs required by this division reviewed, upon written request, by the City Council or its designee. The City Council or its designee shall act on a timely written request at its next regularly scheduled meeting. A decision by the City Council or its designee affirming a denial, revocation, or fee shall be in writing and supported by written findings establishing the reasonableness of the decision.

(13) Insurance.

(a) Minimum coverage. The department shall require that each permittee maintain in full force and effect, throughout the term of a small wireless facility permit, an insurance policy or policies issued by an insurance company or companies satisfactory to the city's Risk Manager. Such policy or policies shall, at a minimum, afford

insurance covering all of the permittee's operations, vehicles, employees, agents, subcontractors, successors, and assigns as follows:

1. Workers' compensation, in statutory amounts, with employers' liability limits not less than \$1,000,000 each accident, injury, or illness;
 2. Commercial general liability insurance with limits not less than \$2,000,000 each occurrence combined single limit for bodily injury and property damage, including contractual liability, personal injury, products and completed operations;
 3. Commercial automobile liability insurance with limits not less than \$2,000,000 each occurrence combined single limit for bodily injury and property damage, including owned, non-owned and hired auto coverage, as applicable; and
- (b) Insurance requirements. Each permittee's insurance policy or policies are subject to the following:
1. Said policy or policies shall include the city and its officers and employees jointly and severally as additional insureds, shall apply as primary insurance, shall stipulate that no other insurance effected by the city will be called on to contribute to a loss covered thereunder, and shall provide for severability of interests.
 2. Said policy or policies shall provide that an act or omission of one insured, which would void or otherwise reduce coverage, shall not reduce or void the coverage as to any other insured. Said policy or policies shall afford full coverage for any claims based on acts, omissions, injury, or damage which occurred or arose, or the onset of which occurred or arose, in whole or in part, during the policy period.
 3. Said policy or policies shall be endorsed to provide 30 calendar days advance written notice of cancellation or any material change to the department.
 4. Should any of the required insurance be provided under a claims-made form, a permittee shall maintain such coverage continuously throughout the term of a small wireless facility permit, and, without lapse, for a period of three years beyond the expiration or termination of the small wireless facility permit, to the effect that, should occurrences during the term of the small wireless facility permit give rise to claims made after expiration or termination of the small wireless facility permit, such claims shall be covered by such claims-made policies.
 5. Should any of the required insurance be provided under a form of coverage that includes a general annual aggregate limit or provides that claims investigation or legal defense costs be included in such general annual aggregate limit, such general aggregate limit shall be double the occurrence or claims limits specified herein.
- (c) Indemnity obligation. Such insurance shall in no way relieve or decrease a permittee's or its agent's obligation to indemnify the city pursuant to this division.
- (d) Proof of insurance. Before the department will issue a small wireless facility permit, an applicant shall furnish to the department certificates of insurance and additional insured policy endorsements with insurers that are authorized to do business in the State of Minnesota and that are satisfactory to the department evidencing all coverages set forth herein.
- (14) Indemnification and defense of city.

(a) Indemnification of city. As a condition of issuance of a small wireless facility permit, each permittee agrees on its behalf and on behalf of its agents, successors, or assigns to indemnify, defend, protect, and hold harmless the city from and against any and all claims of any kind arising against the city as a result of the issuance of the

wireless facility permit including, but not limited to, a claim allegedly arising directly or indirectly from the following:

1. Any act, omission, or negligence of a permittee or its any agents, successors, or assigns while engaged in the permitting or collocation of any small wireless facility or installation or replacement of any wireless support structure, or while in or about the public right-of-way that are subject to the small wireless facility permit for any reason connected in any way whatsoever with the performance of the work authorized by the small wireless facility permit, or allegedly resulting directly or indirectly from the permitting or collocation of any small wireless facility or installation or replacement of any wireless support structure authorized under the small wireless facility permit;

2. Any accident, damage, death, or injury to any of a permittee's contractors or subcontractors, or any officers, agents, or employees of either of them, while engaged in the performance of collocation of any small wireless facility or installation or replacement of any wireless support structure authorized by a small wireless facility permit, or while in or about the public right-of-way that are subject to the small wireless facility permit, for any reason connected with the performance of the work authorized by the small wireless facility permit, including from exposure to radio frequency emissions;

3. Any accident, damage, death, or injury to any person or accident, damage, or injury to any real or personal property in, upon, or in any way allegedly connected with the collocation of any small wireless facility or installation or replacement of any wireless support structure authorized by a small wireless facility permit, or while in or about the public right-of-way that are subject to the small wireless facility permit, from any causes or claims arising at any time, including any causes or claims arising from exposure to radio frequency emissions; and

4. Any release or discharge, or threatened release or discharge, of any hazardous material caused or allowed by a permittee or its agents about, in, on, or under the public right-of-way.

(b) Defense of city. Each permittee agrees that, upon the request of the department, the permittee, at no cost or expense to the city, shall indemnify, defend, and hold harmless the city against any claims as set forth in this division, regardless of the alleged negligence of the city or any other party, except only for claims resulting directly from the sole negligence or willful misconduct of the city. Each permittee acknowledges and agrees that it has an immediate and independent obligation to defend the city from any claims that actually or potentially fall within the indemnity provision, even if the allegations are or may be groundless, false, or fraudulent, which obligation arises at the time such claim is tendered to the permittee or its agent by the city and continues at all times thereafter. Each permittee further agrees that the city shall have a cause of action for indemnity against the permittee for any costs the city may be required to pay as a result of defending or satisfying any claims that arise from or in connection with a small wireless facility permit, except only for claims resulting directly from the sole negligence or willful misconduct of the city. Each permittee further agrees that the indemnification obligations assumed under a small wireless facility permit shall survive its expiration or completion of collocation of any small wireless facility authorized by the small wireless facility permit.

(c) Additional requirements. The department may specify in a small wireless facility permit such additional indemnification requirements as are necessary to protect the city from risks of liability associated with the permittee's collocation of any small wireless facility or installation or replacement of any wireless support structure.

(15) Fees and costs.

(a) Application fees. The department shall charge a fee for reviewing and processing a small wireless facility permit application. The purpose of this fee is to enable the department to recover its costs directly associated with reviewing a small wireless facility permit application.

1. The department shall charge a fee of \$500 for a small wireless facility permit application seeking to collocate up to five small wireless facilities. This fee shall increase by \$100 for each additional small wireless facility that an applicant seeks to collocate.

2. The department shall charge a fee of \$850 for a small wireless facility permit application seeking to install or replace a wireless support structure in addition to collocating of a small wireless facility on the wireless support structure.

(b) Annual small wireless facility permit fee. The department shall charge an annual small wireless permit fee for each small wireless facility permit issued to a permittee. The annual small wireless permit fee shall be determined by the Director and listed in the city's fee schedule. The annual small wireless permit fee shall be based upon the recovery of the city's rights-of-way management costs.

(c) City-owned wireless support structure fees. The department shall charge the following fees to the owner of any small wireless facility collocated on a wireless support structure owned by the city or its assigns located in the public right-of-way:

1. \$150 per year for rent to occupy space on the wireless support structure;
2. \$25 per year for maintenance associated with the space occupied on the wireless support structure; and
3. A monthly fee for electricity used to operate the small wireless facility, if not purchased directly from a utility, at the rate of:
 - a. \$73 per radio node less than or equal to 100 max watts;
 - b. \$182 per radio node over 100 max watts; or
 - c. The actual costs of electricity, if the actual costs exceed the above.

(d) City-owned property fees. The department shall charge an annual fee for collocating small wireless facilities on city-owned property not located in the public right-of-way. The department shall determine a reasonable and nondiscriminatory annual fee on a per location and per request basis.

(e) Discretion to require additional fees. In instances where the review of a small wireless facility permit application is or will be unusually costly to the department, the Director, in his or her discretion, may, after consulting with other applicable city departments, agencies, boards, or commissions, require an applicant to pay a sum in excess of the other fee amounts charged pursuant to this division. This additional sum shall be sufficient to recover the actual, reasonable costs incurred by the department and/or other city departments, agencies, boards, or commissions, in connection with a small wireless facility permit application and shall be charged on a time and materials basis. Whenever additional fees are charged, the Director, upon request, shall provide in writing the basis for the additional fees and an estimate of the additional fees. The department may not require a fee imposed under this division through the provision of in-kind services by an applicant as a condition of consent to use to city's public right-of-ways or to obtain a small wireless facility permit.

(f) Reimbursement of city costs. The department may determine that it requires the services of an expert in order to evaluate a small wireless facility permit application. In such cases, the department shall not issue

wireless facility permit pursuant to the application unless the applicant agrees to reimburse the department for the actual, reasonable costs incurred for the services of a technical expert.

Section 5

The following language for Specific Development Standards is added, amended and deleted as provided in Section 9.107 of the City Code of 2005, is hereby established to read as follows:

(A) Purpose. The purpose of this section is to establish specific development standards that provide supplemental regulations to address the unique characteristics of certain land use.

(B) Applicability. The regulations set forth in this section shall apply to the specific use listed, whether it is identified as permitted, conditional or accessory within the applicable zoning district. These regulations shall be in addition to all other applicable regulations.

(C) Specific development standards. The following uses are subject to specific development standards:

(1) Adult entertainment use.

(a) Activities classified as obscene as defined by M.S. § 617.241 or successor statute, are prohibited.

(b) The use shall be located at least 1,000 feet from any other adult entertainment use.

(c) The use shall be located at least 1,000 feet from any facility with an on- or off-sale liquor, wine or beer license.

(d) The use shall be located at least 500 feet from any of the following protected uses: residentially-zoned property or residential use; licensed day care facility; public or private educational facility classified as an elementary, middle or junior high or senior high school; public library; public park; or religious institution or place of worship.

(e) An adult entertainment use lawfully operating as a conforming use is not rendered nonconforming by the subsequent location of any use listed above within 500 feet. If the adult entertainment use is abandoned for a period of 90 days or more, it shall be deemed discontinued and subsequent use of the premises for adult entertainment will be required to meet the separation requirement.

(f) No more than one adult entertainment use shall be located on the property.

(g) The use shall not be located on any property that has a liquor license.

(h) Sign messages shall be generic in nature and shall only identify the type of business which is being conducted; signs shall not contain material classified as advertising.

(2) Animal kennel or shelter.

(a) Any activity conducted outdoors, including but not limited to play areas, outdoor runs, etc. shall be approved by the City Council through a Conditional Use Permit on a case-by-case basis.

(b) Outdoor kennels shall be prohibited.

(c) Outdoor activity spaces shall meet the following requirements:

1. The space shall be completely screened from abutting neighboring residential zoning districts or uses by a six-foot tall privacy fence that is at least 80 percent opaque.
 2. The space shall be cleaned regularly so as not to create a nuisance as defined by the City Code.
 3. Animal waste produced within the space shall not be allowed to directly enter the City's storm sewer system.
- (d) All indoor activity shall include soundproofing and odor control.
- (e) The kennel or shelter shall provide a minimum floor area of 48 square feet per dog and 20 square feet per cat or any other animal boarded at any one time, exclusive of office or storage area.
- (f) Air temperature within the kennel or shelter shall be maintained between 60 degrees and 80 degrees Fahrenheit.
- (g) Within the kennel area, wall finish material below 48 inches in height shall be impervious, washable materials such as sealed masonry, ceramic tile, glass board, or fiberglass reinforced plastic (FRP) panels.
- (h) Floor finishes shall be sealed concrete, or another impervious surface approved by the City.
- (i) Animal waste shall be immediately cleaned up with solid wastes being enclosed in a container of sufficient construction to eliminate odors and organisms. All animal waste shall be disposed of on a daily basis.
- (j) The kennel or shelter shall provide sufficient, uniformly distributed lighting to the kennel area.
- (3) Automobile convenience facility.
- (a) The use shall be served by a major collector or higher functional classification of roadway.
- (b) All buildings, canopies and pump islands shall meet the setback requirements for a principal structure in the zoning district in which the use is located.
- (c) The storage of inoperable vehicles on the site is prohibited.
- (d) The sale or repair of vehicles shall be prohibited.
- (e) A landscape buffer with a minimum depth of ten feet shall be installed and maintained along all abutting public rights-of-way.
- (f) Canopy light fixtures shall be completely recessed within the canopy so that the lenses do not extend below the bottom surface of the canopy.
- (g) Wherever fuel pumps are installed, pump islands shall be installed.
- (h) A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.
- (i) An environmental management plan, including a storm water management and drainage plan, shall be submitted to address the impact of the facility on the environment.

(j) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.

(k) There shall be no exterior display of merchandise for sale exceeding 50 square feet in area.

(l) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing any litter found thereon.

(m) A minimum of two access points for vehicular traffic shall be provided. Curb cuts shall be located no less than 50 feet from the intersecting right-of-way line on collector roadways and no less than 80 feet from the intersecting right-of-way line on arterial roadways.

(n) All new automobile convenience facilities must be located on a minimum of one acre of land.

(4) Automobile and motorcycle repair, major.

(a) All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces.

(b) All work shall be performed within a completely enclosed building.

(c) All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile and motorcycle parts or storage of inoperable or salvage vehicles shall be prohibited.

(d) The sale of vehicles shall be prohibited, unless permitted by this article or allowed by conditional use.

(e) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from, residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.

(f) An environmental management plan, including a storm water management and drainage plan, shall be submitted to address the impact of the facility on the environment.

(g) Any fuel sales or automobile convenience activities shall be subject to the applicable standards for automobile convenience facilities.

(h) All new major automobile and motorcycle repair facilities must be located on a minimum of one acre of land.

(5) Automobile and motorcycle repair, minor.

(a) All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces.

(b) All work shall be performed within a completely enclosed building.

(c) All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile and motorcycle parts or storage of inoperable or salvage vehicles shall be prohibited.

(d) The sale of vehicles shall be prohibited, unless permitted by this article or allowed by conditional use.

(e) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.

(f) An environmental management plan, including a storm water management and drainage plan, shall be submitted to address the impact of the facility on the environment.

(g) Any fuel sales or automobile convenience activities shall be subject to the applicable standards for automobile convenience facilities.

(h) All new minor automobile and motorcycle repair facilities must be located on a minimum of one acre of land.

(6) Automobile and motorcycle sales/rental, new.

(a) The use shall be served by a major collector or higher classification of roadway.

(b) Outdoor vehicle display for used cars and motorcycles shall be limited to 30% of the total outdoor display area for a new car or motorcycle dealership. The display area shall be defined as the total number of parking spaces devoted to the sale of vehicles only, not including the required off-street parking spaces needed for the public and employees.

(c) Outdoor vehicle display areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.

(d) Outdoor vehicle display areas within the public right-of-way are prohibited.

(e) A landscape buffer with a minimum depth of ten feet shall be installed and maintained along all abutting public rights-of-way.

(f) Outdoor vehicle display shall be within a designated area that is hard-surfaced.

(g) Outdoor vehicle display shall be in an orderly fashion, with access aisles provided as needed. The storage of inoperable, junk vehicles with expired tabs is prohibited.

(h) Music or amplified sounds shall not be audible from adjacent residential properties.

(i) Outdoor vehicle display shall not reduce the amount of off-street parking provided on site below the level required for the principal use.

(j) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(k) Fuel pumps for the purpose of retail sale and dispensing of fuel to the general public shall be prohibited. If the use includes dispensing of fuel for the automobiles maintained on site, the use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.

(l) All new automobile and motorcycle sales/rental, (new) facilities must be located on a minimum of one acre of land.

- (7) Automobile and motorcycle sales/rental, used.
- (a) The use shall be served by a major collector or higher classification or roadway.
 - (b) An open-aired used auto, motorcycle and truck sales or rental lot as a stand-alone business is prohibited.
 - (c) Used automobiles and motorcycles may be sold or rented as a stand-alone business if the business if the used automobiles, motorcycles and associated business are contained within a building.
 - (d) Used automobiles and motorcycles may not be sold accessory to businesses other than new car and motorcycle dealerships.
 - (e) Outdoor vehicle display areas within the public right-of-way are prohibited.
 - (f) A landscape buffer with a minimum depth of ten feet shall be installed and maintained along all abutting public rights-of-way.
 - (g) The outdoor storage of inoperable, junk vehicles and vehicles with expired tabs is prohibited.
 - (h) Music or amplified sounds shall not be audible from adjacent residential properties.
 - (i) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.
 - (j) Fuel pumps for the purpose of retail sale and dispensing of fuel to the general public shall be prohibited. If the use included dispensing of fuel for the automobiles maintained on site, the use shall employ best management practices regarding the venting of odors, gas, and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.
 - (k) All new automobile and motorcycle sales/rental, (used) facilities must be located on a minimum of one acre of land.
- (8) Barbed wire fences.
- (a) Barbed wire fences may only utilize a projecting arm to support the barbed wire, commencing at a point no less than six feet above the ground.
 - (b) At no point shall the projecting arm encroach into the city right-of-way or neighboring properties.
- (9) Bed and breakfast home.
- (a) The bed and breakfast home shall be part of an owner occupied residential structure and be operated by the property owner.
 - (b) No more than one non-resident shall be employed in the operation of the facility.
 - (c) The exterior appearance of the structure shall not be altered from its single-family residential character.
 - (d) The total number of guestrooms shall not exceed four in the R-3 and R-4 Zoning Districts and six in the LB Zoning District. All guest rooms shall be located within the principal structure.

(e) Separate kitchen facilities shall not be available for guests. Meals shall be prepared and served by the operator and shall be available to registered guests only.

(f) Guest stays shall be limited to no more than 14 consecutive days.

(g) Parking shall be accommodated on the property. Parking requirements for guests are in addition to those required for the principal residential use.

(h) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(i) The facility shall meet all applicable housing, building and fire codes and be licensed as required by the State of Minnesota.

(10) Car wash.

(a) Water from the car wash shall not drain across any sidewalk or into any public right-of-way.

(b) Vacuum facilities shall be located in an enclosed structure or located at least 50 feet from any residential property line to avoid noise impacts.

(c) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

(12) Concrete, asphalt, rock crushing operation.

(a) The use shall be located a minimum of 1,000 feet from any residentially-zoned property or any residential use.

(b) An air quality plan shall be submitted describing stationary and mobile source air emissions, their quantities and compositions, and indicating conformance with all applicable regulation.

(c) A dust management plan shall be submitted describing dust emissions sources, their quantities and compositions, how dust will be collected, managed and disposed of and indicating conformance with all applicable regulations.

(d) A sound attenuation plan shall be submitted describing sources of sound and indicating conformance with all applicable regulations.

(e) A vibration-dampening plan shall be submitted describing sources of vibration and indicating conformance with all applicable regulations.

(f) A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.

(g) An environmental management plan, including a storm water management and drainage plan, shall be submitted to address the impact of the facility on the environment.

(13) Community center.

(a) The use shall be served by a minor collector or higher functional classification of roadway.

(b) The parcel upon which the use is located shall have a lot area no less than four times the area of the building footprint.

(c) To the extent practical, new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(d) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the community.

(e) All accessory residential, school or day care uses shall be subject to the provisions of this article.

(14) Consignment/secondhand store.

(a) Consignment/secondhand stores shall be identified as stores whose primary existence is derived from more than 50% used, consigned, or secondhand merchandise. The use shall be located at least 3,000 feet from all existing consignment/secondhand stores, currency exchanges, pawnshops and precious metal dealerships.

(b) The window and door area of any existing first floor facade along a public street or sidewalk shall not be reduced, nor shall changes be made to such windows and doors that block views into and out of the building at eye level.

(c) For new construction, at least 30% of the first floor facade along a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allows views into and out of the building at eye level.

(d) The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.

(e) Consignors shall not be paid for merchandise until the merchandise has been sold to a third party.

(f) An appointment or set hours shall be required for the acceptance of consignment or donated merchandise.

(g) All receipt, sorting and processing of goods shall occur within a completely enclosed building.

(h) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

(15) Currency exchange.

(a) The use shall be located at least 3,000 feet from all existing currency exchanges, consignment/secondhand stores, pawnshops and precious metal dealerships.

(b) The window and door area of any existing first floor facade along a public street or sidewalk shall not be reduced, nor shall changes be made to such windows and doors that block views into and out of the building at eye level.

(c) For new construction, at least 30% of the first floor facade along a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allows views into and out of the building at eye level.

(d) The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.

(e) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

(16) Day care center.

(a) The building and any exterior fenced areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.

(b) The play area shall be located away from the main entrance to day care, and shall be contained with a fence constructed of masonry, painted or treated wood or metal, at least five feet in height.

(c) For child day care facilities, at least 75 square feet of outside play area shall be provided for each child under care. If there is not sufficient space for an outdoor play area on-site, then the property owner must submit a written proposal that demonstrates recreational activities for children under the facility's care will be provided off-site within 1,500 feet of the facility. The City Manager, or his or her designee, is authorized to approve or deny this proposal.

(d) For adult day care facilities, at least 150 square feet of outdoor area for seating or exercise shall be provided. If 150 square feet of outdoor is not available on the site, the property owner must submit a written proposal that demonstrates that recreational activities for adults under the facility's care will be provided off-site. The City Manager, or his or her designee, is authorized to approve or deny this proposal.

(e) The use shall provide a designated area for the short-term parking of vehicles engaged in loading and unloading of children or adults under care. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.

(f) To the extent practical, new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(g) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(h) The facility shall meet all applicable housing, building and fire codes and be licensed as required by the State of Minnesota.

(i) Day care centers located in a school or religious institution building originally constructed for use as a school or religious institution shall be considered a permitted accessory use, provided the standards contained herein are met.

(j) Day care centers located within an existing commercial or industrial facility and used only by employees of the operation conducted on the site shall be considered a permitted accessory use, provided the standards contained herein are met.

(17) Day care, home.

(a) The building and any exterior fenced areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.

(b) The designated play area shall be contained with a fence constructed of masonry, painted or treated wood or metal, at least five feet in height.

(c) The exterior appearance of the structure shall not be altered from its single-family residential character.

(d) For child day care facilities, at least 50 square feet of outside play area shall be provided for each child under care.

(e) For adult day care facilities, at least 150 square feet of outdoor area for seating or exercise shall be provided for each adult under care.

(f) . If there is not sufficient space for an outdoor play area on-site, then the property owner must submit a written proposal that demonstrates recreational activities for children under the facility's care will be provided off-site within 1,500 feet of the facility.

(g) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(h) The facility shall meet all applicable housing, building and fire codes and be licensed as required by the State of Minnesota.

(18) Drive-up facility.

(a) The drive-up function shall be accessory to a conforming use.

(b) The use shall be served by a major collector or higher functional classification of roadway.

(c) The site shall accommodate vehicle stacking in accordance with the provisions of this article.

(d) Any speaker system shall not be audible from any residentially zoned property or any residential use.

(19) Drop-in facility.

(a) The use shall be located at least 3,000 feet from all existing drop-in facilities, consignment/secondhand stores, currency exchanges and pawnshops.

(b) The use shall conspicuously post legible signs at the public entrance advising patrons of the hours of operation of the facility and its meal service, if applicable.

(c) A waiting area for clients shall be provided which shall be available to clients one hour prior to the posted opening of the use and shall include toilet facilities.

(d) Trash receptacles shall be located at the public entrances.

(e) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

(20) Employment agencies—temporary (day labor). The use shall be located at least 3,000 feet from all existing temporary employment agencies, consignment/secondhand stores, currency exchanges and pawnshops.

(21) Firearms dealer/shooting range.

(a) The use shall be located at least 300 feet from any residentially zoned property or any residential use.

(b) The use shall be located at least 500 feet from the following protected uses: licensed daycare facility; public or private educational facility classified as an elementary, middle or junior high or senior high school; public library; public park; or religious institution or place of worship.

(c) No firearms or ammunition shall be displayed in window areas or any area where they can be viewed from any public street or sidewalk.

~~(22) Fireworks tents.~~

~~(a) The fireworks tent, display area, access aisles, and surrounding area shall be reviewed by the Community Development Department and the Fire Department.~~

~~(b) The sale of fireworks shall meet all requirements of Chapter 24 of the Fire Code and NFPA Chapter 1124.~~

~~(c) The fireworks tent shall be accessory to a commercial use.~~

~~(d) Fireworks tents located within the public right of way are prohibited.~~

~~(e) All goods shall be displayed on a designated impervious surface area.~~

~~(f) All goods shall be displayed in an orderly fashion, with access aisles provided as needed.~~

~~(g) Music or amplified sounds shall not be audible from adjacent residential properties.~~

~~(h) The fireworks tent shall not reduce the amount of off-street parking provided on-site below the level required for the principal use.~~

~~(i) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.~~

~~(j) Signage shall be limited to two professionally made signs, with a combined square footage not exceeding 32 square feet.~~

~~(k) Fireworks tents may be allowed for a maximum of 90 days per calendar year.~~

(22) Food service, convenience (fast food).

(a) The use shall be served by a major collector or higher functional classification of roadway.

(b) A landscape buffer with a minimum depth of ten feet shall be installed and maintained along all abutting public rights-of-way.

(c) A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.

(d) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing any litter found thereon.

(e) Curb cuts shall be located no less than 50 feet from the intersecting right-of-way line on collector roadways and no less than 80 feet from the intersecting right-of-way line on arterial roadways.

(f) A drive-up facility shall also be subject to the standards for a drive-up facility.

~~(24) Food service, limited (coffee shop/deli/bakery/and the like).~~

~~(a) Music or amplified sounds shall not be audible from adjacent residential uses.~~

~~(b) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.~~

~~(25) Food service, full service (restaurant/nightclub).~~

~~(a) Where alcoholic beverages are served, not less than 60% of the total gross sales revenue shall be from the sale of food and non-alcoholic beverages.~~

~~(b) Music or amplified sounds shall not be audible from adjacent residential uses.~~

~~(c) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.~~

(23) Freight terminal.

(a) Loading and unloading activities shall be located no less than 200 feet from any residential zoning district or residential use.

(b) Overnight facilities for drivers shall provide on-site management 24 hours a day. The name and telephone number of the on-site manager shall be filed with the city.

(24) Funeral home.

(a) The use shall be served by a minor collector or higher functional classification of roadway.

(b) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(25) Greenhouses (residential).

(a) A residential greenhouse shall only be allowed for one- and two-family dwellings.

~~(b) A residential greenhouse shall meet all setbacks requirements of an accessory structure in the zoning district it is located.~~

(b) A residential greenhouse structure shall not count against the total number of detached accessory structures allowed on a residential property.

(c) A residential greenhouse structure shall not count against the total allowable combined square footage of accessory structures allowed on a residential property.

(d) A residential greenhouse shall be allowed during the normal growing season only.

(e) When not in use, a residential greenhouse shall be dismantled.

(26) Hospital.

- (a) The use shall be served by a minor collector or higher functional classification of roadway.
- (b) Emergency vehicle access shall not be adjacent to or located across the street from any residential use.
- (c) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(27) Multi-family in CBD.

- (a) The residential use is secondary to and located above the ground floor commercial use.
- (b) The maximum number of units allowed shall be limited to the area of the parcel divided by 2,000, times the number of floors above the ground floor commercial use.
- (c) A minimum of one parking space shall be provided per residential unit within 400 feet of the most commonly used entrance.

(28) Nursing home.

- (a) The use shall be served by a minor collector or higher functional classification of roadway.
- (b) On-site services shall be for residents of the facility only.
- (c) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

~~(32) Outdoor agricultural/produce sales.~~

- ~~— (a) The outdoor agricultural/produce sales lot shall be accessory to a commercial use.~~
- ~~— (b) Outdoor agricultural/produce sales located within the public right-of-way are prohibited.~~
- ~~— (c) All goods shall be displayed in a designated area that is hard surfaced.~~
- ~~— (d) All goods shall be displayed in an orderly fashion, with access aisles provided as needed.~~
- ~~— (e) Music or amplified sounds shall not be audible from adjacent residential properties.~~
- ~~— (f) The outdoor agricultural/produce sales lot shall not reduce the amount of off-street parking provided on-site below the level required for the principal use.~~
- ~~— (g) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.~~
- ~~— (h) Signage shall be limited to two professionally made signs per structure, not exceeding 32 square feet per sign.~~
- ~~— (i) Outdoor agricultural/produce sales facilities may be allowed for a maximum of 90 days per calendar year.~~

~~(33) Outdoor Christmas tree sales.~~

- ~~— (a) Outdoor Christmas tree sales lots shall be accessory to a commercial use.~~
- ~~— (b) Outdoor Christmas tree sales located within the public right-of-way are prohibited.~~

- ~~— (c) All goods shall be displayed in a designated area that is hard surfaced.~~
- ~~— (d) All goods shall be displayed in an orderly fashion, with access aisles provided as needed.~~
- ~~— (e) Music or amplified sounds shall not be audible from adjacent residential properties.~~
- ~~— (f) Outdoor Christmas tree sales lots shall not reduce the amount of off-street parking provided on-site below the level required for the principal use.~~
- ~~— (g) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.~~
- ~~— (h) Signage shall be limited to two professionally made signs, with a combined square footage not exceeding 48 square feet.~~
- ~~— (i) Outdoor Christmas tree sales lots may be allowed for a maximum of 90 days per calendar year.~~

(29) Outdoor sales/display.

- (a) The outdoor sales/display use shall be accessory to a commercial use.
- (b) All outdoor sales/display areas shall meet the setback requirements for a principal structure in the zoning district in which it is located.
- (c) Outdoor sales/display areas within the public right-of-way are prohibited.
- (d) A landscape buffer with a minimum depth of ten feet shall be installed and maintained along all abutting public rights-of-way.
- (e) All goods shall be displayed in a designated area that is hard-surfaced.
- (f) All goods shall be displayed in an orderly fashion, with access aisles provided as needed.
- (g) Music or amplified sounds shall not be audible from adjacent residential properties.
- (h) The outdoor sales/display area shall not reduce the amount of off-street parking provided on-site below the level required for the principal use.
- (i) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(30) Outdoor storage.

- (a) The outdoor storage area shall be accessory to a commercial or industrial use.
- (b) Outdoor storage within the public right-of-way is prohibited.
- (c) All outdoor storage areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.
- (d) Outdoor storage areas shall be located in rear yards or in the side yard behind the front building line of the principal structure.

(e) The storage area shall be fenced and screened from adjacent uses and the public right-of-way. Required screening shall consist of a fence, wall, earth berming and/or vegetation no less than six feet in height and no less than 80% opaque on a year round basis.

(f) All goods, materials and equipment shall be stored on an impervious surface.

(g) All goods, materials and equipment shall be stored in an orderly fashion, with access aisles of sufficient width to accommodate emergency vehicles as needed.

(h) The height of materials stored, excluding operable vehicles and equipment, shall not exceed the height of the screening provided.

~~(36) Parking ramp.~~

~~(a) Parking ramp structures shall meet the setback requirements for a principal structure in the zoning district in which the use is located.~~

~~(b) Exterior facade materials shall be compatible with surrounding buildings.~~

(31) Pawnshop.

(a) The use shall be located at least 3,000 feet from all existing pawnshops, currency exchanges, consignment/secondhand stores and precious metal dealerships.

(b) The window and door area of any existing first floor facade along a public street or sidewalk shall not be reduced, nor shall changes be made to such windows and doors that block views into and out of the building at eye level.

(c) For new construction, at least 30% of the first floor facade along a public street or sidewalk shall be windows or doors of clear or lightly-tinted glass that allows views into and out of the building at eye level.

(d) The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.

(e) All receipt, sorting and processing of goods shall occur within a completely enclosed building.

(f) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

(32) Precious metal dealership.

(a) The use shall be located at least 3,000 feet from all existing precious metal dealerships, pawnshops, currency exchanges and consignment/secondhand stores.

(b) The window and door area of any existing first floor facade along a public street or sidewalk shall not be reduced, nor shall changes be made to such windows and doors that block views into and out of the building at eye level.

(c) For new construction, at least 30% of the first floor facade along a public street or sidewalk shall be windows or doors of clear or lightly-tinted glass that allows views into and out of the building at eye level.

(d) The use of bars, chains or similar security devices that are visible from a public street or sidewalk is prohibited.

(e) All receipt, sorting and processing of goods shall occur within a completely enclosed building.

(33) Recreational vehicle sales.

(a) The use shall be served by a major collector or higher classification of roadway.

(b) Outdoor vehicle display areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.

(c) Outdoor vehicle display areas within the public right-of-way are prohibited.

(d) A landscape buffer with a minimum depth of ten feet shall be installed and maintained along all abutting public rights-of-way.

(e) Outdoor vehicle display shall be within a designated area that is hard-surfaced.

(f) Outdoor vehicle display shall be in an orderly fashion, with access aisles provided as needed.

(g) Music or amplified sounds shall not be audible from adjacent residential properties.

(h) Outdoor vehicle display shall not reduce the amount of off-street parking provided on site below the level required for the principal use.

(i) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(j) Fuel pumps for the purpose of retail sale and dispensing of fuel to the general public shall be prohibited. If the use includes dispensing of fuel for the automobiles maintained on site, the use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.

(34) Recreational facility, indoor.

(a) The use shall be served by a minor collector or higher classification of roadway.

(b) The parcel upon which the use is located shall have a lot area no less than four times the area of the building footprint.

(c) To the extent practical, new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(d) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(35) Recreational facility, outdoor.

(a) The use shall be served by a minor collector or higher classification of roadway.

(b) The site shall be no less than five acres in size.

(c) The principal use of the site shall be the outdoor recreation facility, except for athletic fields that are accessory to an educational or community facility.

(d) The use shall be situated in such a way as to minimize the effects of lighting and noise on surrounding properties.

(e) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(f) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

(36) Religious institution/place of worship.

(a) The facility shall be served by a minor collector or higher functional classification of roadway.

(b) The parcel upon which the use is located shall have a lot area no less than four times the area of the building footprint.

(c) To the extent practical, new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(d) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(e) All accessory residential, school or day care uses shall be subject to the provisions of this article.

(37) Residential care facility.

(a) **If serving more than six residents**, the use shall be located at least 1/4 mile (1,320 feet) from all existing residential care facilities or correctional residential care facilities, regardless of the licensing status of such facilities. **Residential care facilities serving six or fewer residents shall be exempted from the distance radius and zoning regulations except as otherwise required by law.**

(b) The use shall not be located in a two-family or multiple-family dwelling unless it occupies the entire structure.

(c) The facility shall be located on a parcel meeting the minimum lot size for a single-family dwelling plus an area of 300 square feet for each resident over six. The maximum number of residents may be specified as a condition of the conditional use permit in order to meet this requirement.

(d) On-site services shall be for residents of the facility only.

(e) The building and any exterior fenced areas shall meet the setback requirements of the zoning district in which the use is located.

(f) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be compatible with other buildings in the neighborhood.

(g) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

(h) The primary purpose of the facility cannot be to treat juveniles who have violated criminal statutes relating to sex offenses or who have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses.

(i) The facility shall not provide accommodations to treat persons whose tenancy would constitute a direct threat to the health and safety of other individuals.

(j) The facility shall not accept court ordered referrals for treatment in lieu of incarceration without adequate security.

(k) The facility shall meet all applicable housing, building and fire codes and be licensed as required by the State of Minnesota.

(l) If the size, location, licensing or purpose of the facility changes, a new or amended conditional use permit may be required.

(38) Residential care facility, correctional.

(a) The use shall be located at least 1/4 mile (1,320 feet) from all existing residential care facilities and correctional residential care facilities, regardless of the licensing status of such facilities measured from property line to property line.

(b) The use shall only be located in the I-1, Light Industrial District and the I-2, General Industrial District parcels throughout the city.

(c) The use shall not be located in a two-family or multiple-family dwelling unless it occupies the entire structure.

(d) The facility shall be located on a parcel meeting the minimum lot size for single-family dwelling plus an area of 300 square feet for each resident over two. The maximum number of residents shall not exceed four.

(e) On-site services shall be for residents of the facility only.

(f) The building and any exterior fenced areas shall meet the setback requirements of the zoning district in which the use is located.

(g) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be compatible with other buildings in the neighborhood.

(h) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

(i) The facility shall meet all applicable housing, building and fire codes and be licensed as required by the State of Minnesota.

(j) If the size, location, licensing or purpose of the facility changes, a new or amended conditional use permit may be required.

(39) Salvage operation/transfer station.

- (a) The use shall be located at least 500 feet from any residentially zoned property or any residential use.
- (b) The use must comply with the minimum standards for operation, safety, storage and all waste management as identified in the most current version of MPCA Motor Vehicle Salvage Facility Environmental Compliance Manual or successor manual.
- (c) The use must be served by a minor collector or higher functional classification of roadway.
- (d) Buildings, parking areas, loading areas and any exterior storage shall meet the setback requirements for a principal structure in the zoning district in which the use is located.
- (e) No vehicles or vehicle parts may be placed within the public right-of-way or on public property.
- (f) Exterior storage shall be limited to a maximum height of 12 feet and shall be fully screened so that items stored do not exceed the height of the screening provided.
- (g) An environmental management plan, including a storm water management and drainage plan, shall be submitted to address the impact of the facility on the environment.
- (h) The salvage facility operator shall maintain a written record of all vehicles received, including the date received, date when fluids were removed and date removed from the facility. The record shall also include the vehicle identification number, make and model and shall be initiated on the date the vehicle is received at the facility.
- (i) All fluids, including but not limited to motor oil, transmission and/or transfer case lubricants, differential lubricants, fuel, antifreeze, refrigerants and window washing fluids shall be removed from the vehicle within three days of receipt.
- (j) All lead acid batteries, mercury containing devices and other hazardous materials shall be removed from the vehicle within three days of receipt.
- (k) On-site burning of trash, refuse, garbage or other waste materials is prohibited.
- (l) Salvage of materials by fire, burning, explosives or chemical decomposition is prohibited.

(40) School, K-12.

- (a) The use shall include a regular course of study accredited by the State of Minnesota.
- (b) The site shall be served by a major collector or higher classification of roadway.
- (c) The parcel upon which the use is located shall have a lot area no less than four times the area of the building footprint.
- (d) A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.
- (e) To the extent practical, all new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(f) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(41) School, vocational/business.

(a) The site shall be served by a minor arterial or higher classification of roadway.

(b) The parcel upon which the use is located shall have a lot area no less than four times the area of the building footprint.

(c) A master plan shall be submitted that describes proposed physical development for the next five years and for the following five years. Said plan shall include a description of proposed development phases and plans, development priorities, the probable sequence of proposed development, estimated dates of construction and the anticipated interim use of property waiting to be developed.

(d) A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.

(e) New construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(f) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(42) School, performing/visual/martial arts.

(a) The site shall be served by a minor collector or higher classification of roadway.

(b) A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.

(c) To the extent practical, all new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(d) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(43) Shopping center.

(a) Only uses that are allowed within the zoning district in which the shopping center is located, shall be allowed in the shopping center.

(b) Uses that require a conditional use permit, site plan review or other land use approval shall comply with all review and approval requirements of this article.

(c) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet shall be inspected regularly for purposes of removing any litter found thereon.

(44) Smoke shops.

- (a) The smoke shop must have an entrance door opening directly to the outdoors.
 - (b) Greater than 90% of the business's gross revenue must be from the sale of tobacco, tobacco products or smoking related accessories.
 - (c) A tobacco department or section of any individual business establishment with any type of liquor, food or restaurant license shall not be considered a smoke shop.
 - (d) The total number of city-issued smoke shop licenses shall at no time exceed five.
 - (e) Any existing smoke shops at the time of the passage of Ord. 1570 shall comply fully with the ordinance by December 31, 2010.
- (45) Transitional/emergency housing.
- (a) Transitional/emergency housing shall be located at least 1/4 mile from all existing transitional/emergency housing.
 - (b) The maximum number of persons served shall not exceed 32.
 - (c) On-site services shall be for residents of the facility only, except where part of a regimen of scheduled post-residential treatment/service.
 - (d) To the extent practical, all new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.
 - (e) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.
- (46) Two-family and twinhome dwellings.
- (a) Street-facing garage doors must be recessed behind either the front facade of the living area portion of the dwelling or a covered porch, measuring at least six feet by eight feet, by at least five feet.
 - (b) If located on a corner lot, each unit of the duplex or twinhome shall have its address and entrance oriented to a separate street frontage.
 - (c) Vehicle access to a lot must be from an alley if the lot abuts an alley.
- (47) Brewer taprooms and brew pubs.
- (a) All malt liquor production shall be within a completely enclosed structure.
 - (b) Mechanical equipment shall be placed and/or screened so as to minimize the visual impact on adjacent properties and from public streets.
 - (c) In zoning districts where off-street parking is required, a transportation management plan shall be submitted to address off-street parking, bus and freight loading, and traffic control.
 - (d) Loading areas shall not be oriented toward a public street, nor shall loading docks be located on the side of any building facing an adjacent lot that is zoned residential. Where these districts or streets abut all sides of the

property, the loading areas shall be screened by a solid wall or opaque fence with a minimum height of six feet, in addition to any required landscape buffer.

(e) Trash and/or recycling collection areas shall be enclosed on at least three sides by an opaque screening wall or fence no less than six feet in height. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.

(f) By-products and waste from the production of malt liquor shall be properly disposed of off the property.

(g) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

(h) The facility shall meet all applicable building and fire codes, and shall be licensed as required by the state or county.

(48) Banquet halls.

(a) To the extent practical, new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings, and exterior materials shall be compatible with those used in the immediate neighborhood.

(b) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the community.

(c) The facility shall meet all applicable building and fire codes, and shall be licensed as required by the state or county.

(d) A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.

(e) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing any litter found thereon.

(f) Music or amplified sounds shall not be audible from adjacent residential uses and must meet the requirements of city ordinances, to ensure consistent enforcement by the Police Department.

(49) Health/fitness clubs in LB, Limited Business districts.

(a) The health/fitness club shall not exceed 4,000 gross square feet in area.

(b) The use shall be served by a minor collector or higher classification roadway.

(c) To the extent practical, new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(d) An appropriate transition area shall be provided between the use and adjacent property by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(e) The parking supply requirements of § 9.105(L)(10) shall be satisfied via off-street parking or a combination of off-street parking and off-site parking. Off-site parking shall be located no more than 400 feet from the main entrance of the use being served.

(f) The City Council may establish limited business hours as a means of ensuring compatibility with surrounding uses.

(56) Seasonal Sales Stands

(a) The fireworks tent, display area, access aisles, and surrounding area shall be reviewed by the Community Development Department and the Fire Department and sale of fireworks shall meet all requirements of Chapter 24 of the Fire Code and NFPA Chapter 1124.

(c) Seasonal sales stands shall be accessory to a commercial use.

(d) Seasonal sales stands located within the public right-of-way are prohibited.

(e) All goods shall be displayed on a designated impervious surface area.

(f) All goods shall be displayed in an orderly fashion, with access aisles provided as needed.

(g) Music or amplified sounds shall not be audible from adjacent residential properties.

(h) The seasonal sales stand shall not reduce the amount of off-street parking provided one-site below the level required for the principal use.

(i) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(j) Signage shall be limited to two professionally made signs, with a combined square footage not exceeding 48 square feet.

(k) Seasonal sales stands may be allowed for a maximum of 90 days per calendar year.

Section 6

The following language for Residential Districts is added, amended and deleted as provided in Section 9.109 of the City Code of 2005, is hereby established to read as follows:

(A) Purpose. The residential zoning districts are established to preserve and enhance the quality of living in residential neighborhoods; provide a range of housing types and densities consistent with the comprehensive plan; regulate structures and uses which may affect the character or desirability of these residential areas; and provide directly related complementary uses that support the residential areas while safeguarding the residential character of these areas.

(B) General provisions.

(1) Compliance with applicable regulations. Any use established in a residential district after the effective date of this article shall comply with all applicable local, state and federal standards for such uses.

(2) Administration. The administration and enforcement of this section shall be in accordance with the provisions of § 9.104, Administration and Enforcement.

(3) Nonconformities. Nonconforming uses, structures, lots and signs within a residential district shall be subject to the provisions of § 9.105, Nonconformities.

(4) Compliance with general development standards. Any use established, expanded or modified in a residential district after the effective date of this article shall comply with the applicable provisions of § 9.106, General Provisions.

(5) Compliance with specific development standards. Any use established, expanded or modified in a residential district after the effective date of this article that is identified in § 9.107, Specific Development Standards, shall comply with the applicable provisions of that section.

(6) State licensed residential facility. State licensed residential facilities are allowed in all residential districts pursuant to M.S. § 462.357, as it may be amended from time to time.

(7) Prohibited uses. Any use not listed as either permitted, conditional or accessory in a particular district or any use not determined by the Zoning Administrator to be substantially similar to a use listed as permitted, conditional or accessory shall be prohibited in that district.

(8) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be in all Residential Districts, R-1, R-2A and R-2B, R-3, R-4:

(a) Private garages, carports and parking spaces.

(b) Accessory buildings.

(c) Home occupations.

(d) Boarding or renting of rooms to not more than two persons.

(e) Private swimming pools, tennis courts and other recreational facilities operated for the sole use and convenience of the residents of the principal use and their guests.

(f) Decorative landscaping, gardening and other horticultural uses.

(g) Temporary construction buildings.

(h) Signs as regulated by § 9.106.

(i) Accessory dwelling units

(j) Shared family living arrangements

(C) *Lot dimension, height, and bulk requirements.* Lot area, setback, height and lot coverage requirements for uses in the residential districts shall be as specified in the following table:

	<i>R-1</i>	<i>R-2A</i>	<i>R-2B</i>	<i>R-3</i>	<i>R-4</i>
Minimum Lot Area					
Single-family dwelling	8,400 sq. ft.	Existing on January 1, 2005 – 5,100 sq. ft. Established after January 1, 2005 - 6,500 sq. ft.	Existing on January 1, 2005 – 5,100 sq. ft. Established after January 1, 2005 - 6,500 sq. ft.	Existing on January 1, 2005 – 5,100 sq. ft. Established after January 1, 2005 - 6,500 sq. ft.	Existing on January 1, 2005 – 5,100 sq. ft. Established after January 1, 2005 - 6,500 sq. ft.

Two-family and twinhome dwellings		12,000 sq. ft.	Existing on January 1, 2005 - 5,100 sq. ft. Established after January 1, 2005 - 12,000 sq. ft.	8,400 sq. ft.	8,400 sq. ft.
Multiple-family dwelling				10,000 sq. ft.	10,000 sq. ft.
Non-residential structure	8,400 sq. ft.	6,500 sq. ft.	6,500 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Lot Area Per Dwelling Unit					
Multiple-family dwelling					
Agency				1,200 sq. ft.	800 sq. ft.
Bedroom				1,800 sq. ft.	1,000 sq. ft.
Bedroom				2,000 sq. ft.	1,200 sq. ft.
Bedroom				2,500 sq. ft.	1,500 sq. ft.
Additional bedroom				400 sq. ft.	200 sq. ft.
Segregate living units				400 sq. ft.	400 sq. ft.
Minimum Lot Width	70 ft.	Existing on January 1, 2005 - 40 ft. Established after January 1, 2005 - 60 ft.	Existing on January 1, 2005 - 40 ft. Established after January 1, 2005 - 60 ft.	Existing on January 1, 2005 - 40 ft. Established after January 1, 2005 - 70 ft.	Existing on January 1, 2005 - 40 ft. Established after January 1, 2005 - 70 ft.

	<i>R-1</i>	<i>R-2A</i>	<i>R-2B</i>	<i>R-3</i>	<i>R-4</i>
Minimum Lot Depth					
Residential Building Setbacks					
Front yard	25 ft.	25 ft.	25 ft.	1 & 2 Family - 25 ft. Multi-Family - 30 ft.	15 ft.
Side yard	7 ft.*	5 ft.*	5 ft.*	1 & 2 Family - 5 ft. Multi-Family - 20 ft.	10 ft.
Rear side yard	12 ft.	10 ft.	10 ft.	1 & 2 Family - 10 ft. Multi-Family - 30 ft.	15 ft.
Back yard	20% of lot depth	20% of lot depth	20% of lot depth	1 & 2 Family - 25 ft. Multi-Family - 30 ft.	15 ft.
Non-Residential Building Setbacks					
Front yard	25 ft.	25 ft.	25 ft.	30 ft.	15 ft.
Side yard	40 ft.	30 ft.	30 ft.	25 ft.	10 ft.
Rear side yard	12 ft.	10 ft.	10 ft.	30 ft.	15 ft.
Back yard	40 ft.	30 ft.	30 ft.	25 ft.	10 ft.
Single- and Two-Family Parking Setbacks					
Front yard (excluding drives/pads)	25 ft.	25 ft.	25 ft.	30 ft.	30 ft.
Side yard	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.
Rear side yard	3 ft.	3 ft.	3 ft.	3 ft.	2 ft.

yard	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.
Multiple-Family Parking Setbacks					
yard				30 ft.	30 ft.
yard				10 ft.	10 ft.
rear side yard				30 ft.	30 ft.
yard				10 ft.	10 ft.

	<i>R-1</i>	<i>R-2A</i>	<i>R-2B</i>	<i>R-3</i>	<i>R-4</i>
Non-Residential Parking Setbacks					
Front yard	25 ft.	25 ft.	25 ft.	30 ft.	30 ft.
yard	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
rear side yard	25 ft.	25 ft.	25 ft.	30 ft.	30 ft.
yard	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Maximum Height					
Residential buildings	30 ft.	30 ft.	30 ft.	35 ft.	35 ft.
Non-residential buildings	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Residential structures	30 ft. unless specified elsewhere	30 ft. unless specified elsewhere	30 ft. unless specified elsewhere	35 ft. unless specified elsewhere	35 ft. unless specified elsewhere
Non-residential structures	35 ft. unless specified elsewhere	35 ft. unless specified elsewhere	35 ft. unless specified elsewhere	35 ft. unless specified elsewhere	35 ft. unless specified elsewhere
Non-Residential Floor Area Ratio					2.2
Impervious surface coverage maximum for residential lots	35% for lots less than 6,500 sq. ft.	35% for lots less than 6,500 sq. ft.	35% for lots less than 6,500 sq. ft.	35% for lots less than 6,500 sq. ft.	35% for lots less than 6,500 sq. ft.
	30% for lots greater than 6,500 sq. ft.	30% for lots greater than 6,500 sq. ft.	30% for lots greater than 6,500 sq. ft.	30% for lots greater than 6,500 sq. ft.	30% for lots greater than 6,500 sq. ft.
* The side yard setback for structures in excess of two stories shall be increased to 10 feet.					

(D) Zero lot line setback provisions. In the R-2, R-3 and R-4 districts, the yard for a single-family attached dwelling may be reduced to zero feet, provided that the following conditions are satisfactorily met:

- (1) The wall of the dwelling unit shall be placed upon said property line in a manner that does not encroach upon another property.
- (2) The applicant records all required agreements, easements and deed restrictions against all properties that abut the zero lot line.
- (3) The minimum front, side and rear building setbacks shall be applied to the structure as a whole, rather than to individual units.

(4) The minimum lot area requirement shall be applied by dividing the sum of the area of all parcels occupied by the structure by the total number of dwelling units.

(E) R-1, Single-Family Residential District.

(1) Purpose. The purpose of the R-1, Single-Family Residential District is to provide appropriately located areas for detached single-family dwellings and directly related complementary uses.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the R-1, Single-Family Residential District:

- (a) Single-family dwelling, detached.
- (b) State licensed residential care facility serving six or fewer persons.
- (c) Licensed day care facility serving 12 or fewer persons.
- (d) Licensed group family day care facility serving 14 or fewer children.
- (e) Public parks and playgrounds.

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the R-1, Single-Family Residential District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

- (a) Religious facility/place of worship.
- (b) Convent or monastery, when accessory to a religious facility.
- (c) School, public or private, K-12.
- (d) Government office.
- (e) Government protective service facility.
- (f) Golf course.
- (g) Joint driveway use between adjoining property owners.
- (h) Fences greater than six feet in height.

(4) Interim uses. Except as specifically limited herein, the following uses may be allowed in the R-1, Single-Family Residential District, subject to the regulations set forth for interim uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:
Greenhouse.

~~(5) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be in the R-1, Single-Family Residential District:~~

- ~~— (a) Private garages, carports and parking spaces.~~
- ~~— (b) Accessory buildings.~~
- ~~— (c) Home occupations.~~

~~— (d) Boarding or renting of rooms to not more than two persons.~~

~~— (e) Private swimming pools, tennis courts and other recreational facilities operated for the sole use and convenience of the residents of the principal use and their guests.~~

~~— (f) Decorative landscaping, gardening and other horticultural uses.~~

~~— (g) Temporary construction buildings.~~

~~Signs as regulated by § 9.106.~~

(F) R-2A and R-2B, Two-Family Residential District.

(1) Purpose. The purpose of the R-2A and R-2B Two-Family Residence District is to provide appropriately located areas for single-family dwellings, two-family dwellings (duplexes) and directly related complementary uses.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the R-2A and R-2B, Two-Family Residential District:

- (a) Single-family dwelling, detached.
- (b) State-licensed residential care facility serving six or fewer persons.
- (c) Licensed day care facility serving 12 or fewer persons.
- (d) Licensed group family day care facility serving 14 or fewer children.
- (e) Public parks and playgrounds.
- (f) Two-family dwelling.
- (g) Twinhome dwelling.

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the R-2A and R-2B, Two-Family Residential District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

~~— (a) Two family dwelling.~~

~~— (b) Twinhome dwelling.~~

- (a) Religious facility/place of worship.
- (b) Convent or monastery, when accessory to a religious facility.
- (c) School, public or private, K-12.
- (d) Government office.
- (e) Government protective service facility.
- (f) Golf course.

(g) Off-street parking for an adjacent conforming commercial or industrial use, provided the lots are under common ownership, is not separated by a public right-of-way and front on the same public right-of-way.

(h) Joint driveway use between adjoining property owners.

(i) Fences greater than six feet in height.

(4) Interim uses. Except as specifically limited herein, the following uses may be allowed in the R-2-A and R-2B, Two-Family Residential District, subject to the regulations set forth for interim uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards: Greenhouse.

~~(5) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be in the R-2A and R-2B, Two-Family Residential District:~~

~~— (a) Private garages, carports and parking spaces.~~

~~— (b) Accessory buildings.~~

~~— (c) Home occupations.~~

~~— (d) Boarding or renting of rooms to not more than two persons.~~

~~— (e) Private swimming pools, tennis courts and other recreational facilities operated for the sole use and convenience of the residents of the principal use and their guests.~~

~~— (f) Decorative landscaping, gardening and other horticultural uses.~~

~~— (g) Temporary construction buildings.~~

~~Signs as regulated by § 9.106.~~

(G) R-3, Limited Multiple-Family Residential District.

(1) Purpose. The purpose of the R-3, Limited Multiple-Family Residential District is to provide appropriately located areas for small lot single-family dwellings, multiple-family dwellings with up to eight units per structure (town homes, condominiums and apartments), congregate living arrangements and directly related complementary uses.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the R-3, Limited Multiple-Family Residential District:

(a) Single-family dwelling, detached.

(b) Two-family dwelling.

(c) Twinhome dwelling.

(d) Town home dwelling with up to eight units per structure.

(e) Multiple-family dwelling with up to eight units per structure.

(f) State licensed residential care facility serving six or fewer persons.

- (g) Licensed day care facility serving 12 or fewer persons.
- (h) Licensed group family day care facility serving 14 or fewer children.
- (i) Public park and/or playground.

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the R-3, Limited Multiple-Family Residential District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

- (a) Religious facility/place of worship.
- (b) Convent or monastery, when accessory to a religious facility.
- (c) School, public or private, K-12.
- (d) Government office.
- (e) Government protective service facility.
- (f) Off-street parking for an adjacent conforming commercial or industrial use, provided the lots are under common ownership, is not separated by a public right-of-way and front on the same public right-of-way.
- (g) State licensed residential care facility serving 7 to 16 persons.
- (h) Licensed day care facility serving more than 12 persons.
- (i) Congregate living facilities, including rooming houses, group living quarters, nursing homes, senior housing, assisted living facilities, transitional housing and emergency housing.
- (j) Bed and breakfast home, when accessory to a single-family dwelling.
- (k) Community center.
- (l) Recreational facility, indoor.
- (m) Recreational facility, outdoor.
- (n) Day care center, adult or child.
- (o) Joint driveway use between adjoining property owners.
- (p) Fences greater than six feet in height.

(4) Interim uses. Except as specifically limited herein, the following uses may be allowed in the R-3, Limited Multiple-Family Residential District, subject to the regulations set forth for interim uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:
Greenhouse.

~~(5) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be in the R-3, Limited Multiple Family Residential District:~~

- ~~(a) Private garages, carports and parking spaces.~~

- ~~— (b) Accessory buildings.~~
- ~~— (c) Home occupations.~~
- ~~— (d) Boarding or renting of rooms to not more than two persons.~~
- ~~— (e) Private swimming pools, tennis courts and other recreational facilities operated for the sole use and convenience of the residents of the principal use and their guests.~~
- ~~— (f) Decorative landscaping, gardening and other horticultural uses.~~
- ~~— (g) Temporary construction buildings.~~

~~Signs as regulated by § 9.106.~~

(H) R-4, Multiple-Family Residential District.

(1) Purpose. The purpose of the R-4, Multiple-Family Residential District is to provide for appropriately located areas for high density multiple-family dwellings, congregate living arrangements and directly related complementary uses.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the R-4, Multiple-Family Residential District:

- (a) Single-family dwelling, detached.
- (b) Two-family dwelling.
- (c) Twinhome dwelling.
- (d) Town home dwelling with up to eight units per structure.
- (e) Multiple-family dwelling.
- (f) State licensed residential care facility serving six or fewer persons.
- (g) Licensed day care facility serving 12 or fewer persons.
- (h) Licensed group family day care facility serving 14 or fewer children.
- (i) Public park and/or playground.

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the R-4, Multiple-Family Residential District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

- (a) Religious facility/place of worship.
- (b) Convent or monastery, when accessory to a religious facility.
- (c) School, public or private, K-12.

- (d) School, vocational or business.
- (e) Licensed day care facility serving more than 12 persons.
- (f) Government office.
- (g) Government protective service facility.
- (h) Off-street parking for an adjacent conforming commercial or industrial use, provided the lots are under common ownership, is not separated by a public right-of-way and front on the same public right-of-way.
- (i) State licensed residential care facility serving more than six persons.
- (j) Congregate living facilities, including rooming houses, group living quarters, nursing homes, senior housing, assisted living facilities, transitional housing and emergency housing.
- (k) Bed and breakfast home, when accessory to a single-family dwelling.
- (l) Community center.
- (m) Recreational facility, indoor.
- (n) Recreational facility, outdoor.
- (o) Day care center, adult or child.
- (p) Manufactured home park.
- (q) Joint driveway use between adjoining property owners.
- (r) Fences greater than six feet in height.

(4) Interim uses. Except as specifically limited herein, the following uses may be allowed in the R-4, Multiple-Family Residential District, subject to the regulations set forth for interim uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards: Greenhouse.

~~(5) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be in the R-4, Multiple-Family Residential District:~~

- ~~— (a) Private garages, carports and parking spaces.~~
- ~~— (b) Accessory buildings.~~
- ~~— (c) Home occupations.~~
- ~~— (d) Boarding or renting of rooms to not more than two persons.~~
- ~~— (e) Private swimming pools, tennis courts and other recreational facilities operated for the sole use and convenience of the residents of the principal use and their guests.~~
- ~~— (f) Decorative landscaping, gardening and other horticultural uses.~~
- ~~— (g) Temporary construction buildings.~~

~~Signs as regulated by § 9.106.~~

Section 7

The following language for Commercial Districts is added, amended and deleted as provided in Section 9.110 of the City Code of 2005, is hereby established to read as follows:

(A) Purpose. The commercial districts are established to provide for a wide range of goods and services in locations throughout the community; provide employment opportunities; and enhance the livability of the community by providing convenient access to goods and services.

(B) General provisions.

(1) Compliance with applicable regulations. Any use established in a commercial district after the effective date of this article shall comply with all applicable local, state and federal standards for such uses.

(2) Administration. The administration and enforcement of this section shall be in accordance with the provisions of § 9.104, Administration and Enforcement.

(3) Nonconformities. Nonconforming uses, structures, lots and signs within a commercial district shall be subject to the provisions of § 9.105, Nonconformities.

(4) Compliance with general development standards. Any use established, expanded or modified in a commercial district after the effective date of this article shall comply with the applicable provisions of § 9.106, General Development Standards.

(5) Compliance with specific development standards. Any use established, expanded or modified in a commercial district after the effective date of this article shall comply with the applicable provisions of § 9.107, Specific Development Standards.

(6) Prohibited uses. Any use not listed as either permitted, conditional or accessory in a particular district or any use not determined by the Zoning Administrator to be substantially similar to a use listed as permitted, conditional or accessory shall be prohibited in that district.

(C) *Lot dimension, height, and bulk requirements.* Lot area, setback, height and lot coverage requirements for uses in the commercial districts shall be as specified in the following table.

	<i>LB</i>	<i>GB</i>	<i>CBD</i>
Minimum Lot Area	6,000 sq. ft.	6,000 sq. ft.	
Minimum Lot Width	50 ft.	40 ft.	20 ft.

	<i>LB</i>	<i>GB</i>	<i>CBD</i>
	<i>LB</i>	<i>GB</i>	<i>CBD</i>
Minimum Lot Depth			
Lot area per dwelling unit			
Single-family dwelling	6,500 sq. ft.		

Multiple-family dwelling			
Efficiency	1,200 sq. ft.		1,200 sq. ft.
One bedroom	1,800 sq. ft.		1,800 sq. ft.
Two bedroom	2,000 sq. ft.		2,000 sq. ft.
Three bedroom	2,500 sq. ft.		2,500 sq. ft.
Additional bedroom	400 sq. ft.		400 sq. ft.
Congregate living units	400 sq. ft.		400 sq. ft.
Hotel or motel	400 sq. ft.		
Hospital	600 sq. ft.		
Building Setback Requirements			
Nonresidential/mixed-use front yard	none		
Residential front yard	5 ft.		
Front yard		15 ft.	none
Side yard	15 ft.	none	none
Corner side yard	10 ft.	15 ft.	1 ft.
Rear yard	20 ft.	20 ft.	10 ft.
Parking Setback Requirements			
Front yard	12 ft.	15 ft.	1 ft.
Side yard	5 ft.	5 ft.	none
Corner side yard	12 ft.	15 ft.	1 ft.
Rear yard	5 ft.	5 ft.	5 ft.
Maximum Building Height	35 ft.	35 ft.	none
Maximum Structure Height	35 ft. unless specified elsewhere	35 ft. unless specified elsewhere	none, unless specified elsewhere
Maximum Lot Coverage			
Floor area ratio		1.0	6.0

(D) LB, Limited Business District.

(1) Purpose. The purpose of the LB, Limited Business District is to provide appropriate locations for limited retail sales and services for the convenience of adjacent residential neighborhoods. These areas are located along collector or arterial roadways in close proximity to residential neighborhoods, arranged and designed to be a functional and harmonious part of the neighborhood, and accessible by public sidewalks or trails as well as by roadways.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the LB, Limited Business District:

- (a) Multiple-family dwelling.

- (b) Government office.
- (c) Government protective service facility.
- (d) Public park and/or playground.
- (e) Clinic, medical or dental.
- (f) Clinic, veterinary.
- (g) Funeral home.
- (h) Office, ~~not exceeding 4,000 square feet in area~~
- (i) Studio, professional
- (j) Service, professional.
- (k) Retail sales**
- (l) Food service, limited (coffee shop/deli)**
- (m) Museum/gallery**

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the LB, Limited Business District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

- (a) School, vocational or business.
- (b) School, performing/visual/martial arts.
- (c) Licensed day care facility, child or adult.
- (d) Government maintenance facility.
- (e) State licensed residential care facility.
- (f) Congregate living facility, including rooming houses, group living quarters, nursing homes, senior housing, assisted living facility, traditional housing and emergency housing.
- (g) Bed and breakfast home, when accessory to a single-family dwelling.
- (h) Community center.
- (i) Recreational facility, indoor.
- (j) Recreational facility, outdoor.
- (k) Single-family dwelling, when accessory to a commercial use.
- ~~(l) Food service, limited (coffee shop/deli)~~
- ~~(n) Museum/gallery~~

~~(o) Retail sales, not exceeding 2,500 square feet in area~~

- (l) Hospital.
- (m) Hotel or motel.
- (n) Fences greater than six feet in height.
- (o) Brewer taproom, not exceeding 2,000 barrels of malt liquor a year.
- (p) Brew pub, not exceeding 2,000 barrels of malt liquor a year.
- (q) Health/fitness clubs, not exceeding 4,000 gross square feet in area.

(4) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be permitted in the LB, Limited Business District:

- (a) Private garages, parking spaces and loading areas.
- (b) Accessory buildings.
- (c) Private swimming pools, tennis courts and other recreational facilities operated for the sole use and convenience of the residents of the principal use and their guests.
- (d) Landscaping and other horticultural uses.
- (e) Temporary construction buildings.
- (f) Signs as regulated by § 9.106.

(E) GB, General Business District.

(1) Purpose. The purpose of the GB General Business District is to provide appropriate locations for general retail sales, services and other commercial developments that benefit from their proximity to other commercial uses. These areas are located away from residential neighborhoods, along arterial roadways and are accessible primarily by automobile.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the GB, General Business District:

- (a) Government office.
- (b) Government protective service facility.
- (c) Public park and/or playground.
- (d) School, vocational or business.
- (e) School, performing/visual/martial arts.
- (f) Auditorium/place of assembly.
- (g) Automobile convenience facility.

- (h) Automobile and motorcycle repair, minor.
- (i) Billiards hall.
- (j) Bowling alley.
- (k) Car wash.
- (l) Clinic, medical or dental.
- (m) Clinic, veterinary.
- (n) Day care facility, adult or child.
- (o) Financial institution.
- (p) Food service, convenience (fast food).
- (q) Food service, limited (coffee shop/deli).
- (r) Food service, full service (restaurant/nightclub).
- (s) Funeral home.
- (t) Greenhouse/garden center.
- (u) Health or fitness club.
- (v) Hotel/motel.
- (w) Laboratory, medical.
- (x) Liquor store, off-sale.
- (y) Museum or gallery.
- (z) Office.
- (aa) Retail sales.
- (bb) Service, professional.
- (cc) Shopping center.
- (dd) Studio, professional.
- (ee) Studio, radio and television.
- (ff) Theater, live performance.
- (gg) Theater, movie.
- (hh) Motor vehicle parts store.
- (ii) Brewer taproom.

(jj) Brew pub.

(kk) Arcade.

(ll) Firearms dealer

(mm) Parking ramp

(nn) Printing/Publishing

(oo) Club or lodge

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the GB, General Business District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

(a) Community center.

(b) Recreational facility (indoor and outdoor).

(c) Banquet hall.

(d) Government maintenance facility.

~~(e) Arcade~~

(e) Automobile and motorcycle sales/rental, new.

(f) Automobile and motorcycle sales, used (in building).

(g) Recreational vehicle sales, new.

(h) Recreational vehicle sales, used (in building).

(i) ~~Firearms Dealer~~/Shooting range.

(j) Hospital.

(k) Outdoor sales or display.

(l) Outdoor storage

(m) Assembly, manufacturing and/or processing.

~~(n) Parking Ramp~~

(n) Consignment/secondhand store.

~~(r) Club or lodge~~

(o) Currency exchange.

(p) Pawnshop.

- (q) Drop-in facility.
- (r) Fences greater than six feet in height.
- (s) Animal kennel and/or shelter.
- (t) Precious metal dealerships.

~~(4) Interim uses. Except as specifically limited herein, the following uses may be allowed in the GB, General Business District, subject to the regulations set forth for interim uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:~~

- ~~—(a) Fireworks tents.~~
- ~~—(b) Outdoor agricultural/produce sales.~~
- ~~—(c) Outdoor Christmas tree sales.~~

(4) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be permitted in the GB, General Business District:

- (a) Private garages, parking spaces and loading areas.
- (b) Accessory buildings.
- (c) Landscaping and other horticultural uses.

(d) Incidental repair or processing necessary to conduct the permitted principal use, provided the accessory use does not exceed 30% of the floor area.

- (e) Temporary construction buildings.
- (f) Signs as regulated by § 9.106.

(g) Seasonal sales stands

(F) CBD, Central Business District.

(1) Purpose. The purpose of the CBD, Central Business District is to provide for the development and redevelopment of the established downtown core, including a mix of retail, financial, office, service and entertainment uses. Residential units are allowed within this district when located above a first floor commercial use.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the CBD, Central Business District:

- (a) Multiple-family residential, when located above a first floor commercial use.
- (b) Government offices.
- (c) Government protective services facility.
- (d) Public parks and/or playgrounds.

- (e) School, vocational or business.
- (f) School, performing/visual/martial arts.
- (g) Auditorium/place of assembly.
- (h) Billiards hall.
- (i) Bowling alley.
- (j) Clinic, medical or dental.
- (k) Clinic, veterinary.
- (l) Licensed day care facility, adult or child.
- (m) Financial institution.
- (n) Food service, convenience (fast food).
- (o) Food service, limited (coffee shop/deli).
- (p) Food service, full service (restaurant/nightclub).
- (q) Health or fitness center.
- (r) Hotel or motel.
- (s) Laboratory, medical.
- (t) Liquor store, off-sale.
- (u) Museum or gallery.
- (v) Office.
- (w) Retail sales.
- (x) Service, professional.
- (y) Studio, professional.
- (z) Studio, radio or televisions.
- (aa) Theater, live performance.
- (bb) Theater, movie.
- (cc) Arcade
- (dd) Parking ramp
- (ee) Club or lodge
- (ff) Printing/publishing

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the CBD, Central Business District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards

~~—(a) Arcade~~

- (a) Outdoor sales and/or display.
- (b) Outdoor storage.

~~—(c) Parking ramp~~

~~—(d) Club or Lodge~~

- (c) Fences greater than six feet in height.
- (d) Community center.
- (e) Recreational facility (indoor/outdoor).
- (f) Banquet hall.
- (g) Brewer taproom.
- (h) Brew pub.

~~(4) Interim uses. Except as specifically limited herein, the following uses may be allowed in the GB, General Business District, subject to the regulations set forth for interim uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:~~

~~—(a) Fireworks tents.~~

~~—(b) Outdoor agricultural/produce sales.~~

~~—(c) Outdoor Christmas tree sales.~~

(5) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be permitted in the CBD, Central Business District:

- (a) Private garages, parking spaces and loading areas.
- (b) Landscaping and other horticultural uses.

(c) Incidental repair or processing necessary to conduct the permitted principal use, provided the accessory use does not exceed 30% of the floor area.

- (d) Temporary construction buildings.
- (e) Signs as regulated by § 9.106.

(f) Seasonal sales stand

(6) Off-street parking. The CBD, Central Business District, shall be considered an off-street parking district in which off-street parking is not required for nonresidential land uses. Residential uses, including those in mixed-use buildings, shall meet the parking requirements of § 9.106.

Section 8

The following language for Industrial Districts is added, amended and deleted as provided in Section 9.111 of the City Code of 2005, is hereby established to read as follows:

(A) Purpose. The industrial districts are established to enhance the community’s tax base; provide employment opportunities; and accommodate industrial development while maintaining compatibility with surrounding areas.

(B) General provisions.

(1) Compliance with applicable regulations. Any use established in an industrial district after the effective date of this chapter shall comply will all applicable local, state and federal standards for such uses.

(2) Administration. The administration and enforcement of this section shall be in accordance with the provisions of § 9.104, Administration and Enforcement.

(3) Nonconformities. Nonconforming uses, structures, lots and signs within an Industrial District shall be subject to the provisions of § 9.105, Nonconformities.

(4) Compliance with general development standards. Any use established, expanded or modified in an industrial district after the effective date of this article shall comply with the applicable provisions of § 9.106, General Development Standards.

(5) Compliance with specific development standards. Any use established, expanded or modified in an industrial district after the effective date of this chapter that is identified in § 9.107, Specific Development Standards, shall comply with the applicable provisions of that section.

(6) Prohibited uses. Any use not listed as either permitted, conditional or accessory in a particular district or any use not determined by the Zoning Administrator to be substantially similar to a use listed as permitted, conditional or accessory shall be prohibited in that district.

(C) *Lot dimension, height, and bulk requirements.* Lot area, setback, height and lot coverage requirements for uses in the industrial districts shall be as specified in the following table:

	<i>I-1</i>	<i>I-2</i>
	<i>I-1</i>	<i>I-2</i>
Minimum Lot Area	10,000 sq. ft.	10,000 sq. ft.
Minimum Lot Width	80 ft.	80 ft.

Minimum Lot Depth		
Building Setback Requirements		
Front yard	20 ft.	20 ft.
Side yard	12 ft.	12 ft.
Corner side yard	15 ft.	15 ft.
Rear yard	24 ft.	24 ft.
Parking Setback Requirements		
Front yard	20 ft.	20 ft.
Side yard	5 ft.	5 ft.
Corner side yard	20 ft.	20 ft.
Rear yard	5 ft.	5 ft.
Maximum Height		
Maximum Lot Coverage		
Floor Area Ratio	1.0	1.0

(D) I-1, Light Industrial District.

(1) Purpose. The purpose of the I-1, Light Industrial District is to provide appropriate locations for industrial enterprises engaged in activities such as assembly, storage, warehousing and light manufacturing and further

processing of materials first handled by general industry. These areas are located with easy access to arterial roadways and should be separated from residential uses by natural or manmade barriers.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the I-1, Light Industrial District:

- (a) Community center.
- (b) Government office.
- (c) Government maintenance facility.
- (d) Government protective service facility.
- (e) Public park and/or playground.
- (f) Recreational facility, indoor.
- (g) Recreational facility, outdoor.
- (h) Automobile and motorcycle repair, major.
- (i) Automobile and motorcycle repair, minor.
- (j) Laboratory, medical.
- (k) Office.
- (l) Studio, radio or television.
- (m) Assembly, manufacturing and/or processing.
- (n) Freight terminal.
- (o) Maintenance facility.
- (p) Office/showroom.
- (q) Office/warehouse.
- (r) Printing and/or publishing.
- (s) Self-service storage facility.
- (t) Warehousing and/or distribution.
- (u) Pawnshops.
- (v) Tattoo shops.
- (w) Body piercing shops.
- (x) Motor vehicle parts store.
- (y) Brewer taproom.

(z) Retail Sales**(aa) Parking ramp**

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the I-1, Light Industrial District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

~~(a) Caretaker's residence~~

- (a) Outdoor sales and/or display.
- (b) Outdoor storage.

~~(d) Parking ramp~~

- (c) Concrete, asphalt or rock crushing operation.
- (d) Salvage operation/transfer station.
- (e) Adult entertainment use.
- (f) State licensed residential care facility, correctional.
- (g) Fences greater than seven feet in height.
- (h) Barbed wire fences.
- (i) Animal kennel and/or shelter.

(4) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be permitted in the I-2, Light Industrial District:

- (a) Off-street parking and loading areas.
- (b) Landscaping and other horticultural uses.
- (c) Temporary construction buildings.
- (d) Signs as regulated by § 9.106.

(e) Caretaker's residence**(E) I-2, General Industrial District.**

(1) Purpose. The purpose of the I-2, General Industrial District is to provide appropriate locations for industrial enterprises engaged in activities such as manufacturing, processing, assembly, storage and warehousing, which, because of their size and/or nature, require isolation from non-industrial uses. These areas are located with easy access to arterial roadways or railroads and should be separated from non-industrial uses by natural or manmade barriers.

(2) Permitted uses. Except as specifically limited herein, the following uses are permitted within the I-2, General Industrial District:

- (a) Community center.
- (b) Government office.
- (c) Government maintenance facility.
- (d) Government protective service facility.
- (e) Public park and/or playground.
- (f) Recreational facility, indoor.
- (g) Recreational facility, outdoor.
- (h) Automobile and motorcycle repair, major.
- (i) Automobile and motorcycle repair, minor.
- (j) Laboratory, medical.
- (k) Office.
- (l) Studio, radio or television.
- (m) Assembly, manufacturing and/or processing.
- (n) Freight terminal.
- (o) Maintenance facility.
- (p) Office/showroom.
- (q) Office/warehouse.
- (r) Printing and/or publishing.
- (s) Self-service storage facility.
- (t) Warehousing and/or distribution.
- (u) Pawnshops.
- (v) Tattoo shops.
- (w) Body piercing shops.
- (x) Motor vehicle parts store.
- (y) Brewer taproom.
- (z) Retail sales.**
- (aa) Parking ramp**

(3) Conditional uses. Except as specifically limited herein, the following uses may be allowed in the I-2, General Industrial District, subject to the regulations set forth for conditional uses in § 9.104, Administration and Enforcement, and the regulations for specific uses set forth in § 9.107, Specific Development Standards:

~~—(a) Caretaker's residence~~

(a) Outdoor sales and/or display.

(b) Outdoor storage.

~~—(d) Parking ramp~~

(c) Concrete, asphalt or rock crushing operation.

(d) Salvage operation/transfer station.

(e) Adult entertainment use.

(f) State licensed residential care facility, correctional.

(g) Fences greater than seven feet in height.

(h) Barbed wire fences.

(4) Permitted accessory uses. Except as specifically limited herein, the following accessory uses shall be permitted in the I-2, Light Industrial District:

(a) Off-street parking and loading areas.

(b) Landscaping and other horticultural uses.

(c) Temporary construction buildings.

(d) Signs as regulated by § 9.106.

(e) Caretaker's residence

Section 9

This Ordinance shall be in full force and effect from and after 30 days after its passage.

Offered by:

Seconded by:

Roll Call:

Second Reading:

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary



August 8, 2024

Honorable Mayor Márquez Simula and Columbia Heights City Council,

The Saint Paul Area Association of Realtors® (SPAAR) is a member organization representing approximately 8,000 Realtors® who live and work in 12 counties and nearly 200 municipalities east of the Mississippi, including Columbia Heights. SPAAR and its members are dedicated to helping build better communities. SPAAR members support property rights and efforts to increase housing inventory, including Columbia Heights adoption of the Accessory Dwelling Unit (ADU) ordinance.

Part of building stronger, more prosperous communities is offering current and future residents an abundance of housing options at prices they can afford. For several years now, the United States, and Minnesota, have endured a housing crisis. Fewer and fewer homes are available to buy or rent and prices continue to rise, this makes housing less accessible to more and more people. This is why SPAAR supports Columbia Heights's adoption of this ADU ordinance.

ADUs have a multitude of benefits not just for their owners, but for the community. ADUs can...

- Increase property values
- Increase the availability of rental housing
- Make rental housing in the community more affordable
- Provide the owner with additional income
- Serve as housing for aging parents, caretakers, or kids

ADUs have many benefits for both individual owners and the communities where they are located. Residents in Anoka County understand this. In a poll SPAAR conducted in 2023, 65% of voters in Anoka County had a very or somewhat favorable view of ADUs. SPAAR is hopeful that Columbia Heights will adopt the Accessory Dwelling Unit ordinance with this in mind.

I look forward to continuing to work with you and your staff on public policy initiatives to best serve the housing needs of residents in your community. If SPAAR, our members, or I can be of any assistance, please do not hesitate to contact me at any time.

Best regards,

Amy Peterson
2024 President - Saint Paul Area Association of Realtors®
763-242-6741
Amy@RealtorAmy.com



CITY COUNCIL MEETING

AGENDA SECTION	ORDINANCE
MEETING DATE	08/12/2024

ITEM:	Approval of Ordinance 1703, Establishing a Moratorium on Cannabis Retail Businesses.								
DEPARTMENT:	Community Development	BY/DATE:	Mitchell Forney, 8-6-24						
CORE CITY STRATEGIES:	<table> <tr> <td><input checked="" type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input checked="" type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
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<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services								
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable								

BACKGROUND

At the July 2024 Council work session, staff spoke with the Council about creating a cannabis business ordinance establishing rules and regulations for businesses that are involved with the newly established cannabis market. After that meeting, staff began working with the City Attorney to draft an ordinance to meet the goals outlined by the Council. Staff have a draft ordinance that's nearly ready to proceed, but it won't officially take effect until October 2024 at the earliest. Normally this would not be an issue, as state licensing will commence in January of 2025. However, equity applicant preliminary approvals are set to start locating prospective business locations sometime after August 12th. To buy the City time to establish its cannabis retailer registration and regulation process, staff are proposing Ordinance 1703 which establishes a temporary moratorium on cannabis retailers. This moratorium will stay in effect until the proper ordinance changes can be put in place. This action is similar to the moratorium placed on hemp derived THC items when those products were legalized in 2022.

RECOMMENDED MOTION(S):
MOTION: Move to waive the reading of Ordinance No. 1703, there being ample copies available to the public.
MOTION: Move to approve Interim Ordinance 1703, being an interim ordinance establishing a moratorium on cannabis retail businesses within the City of Columbia Heights.

ATTACHMENT(S):

- 1. Ordinance 1703**

**BEING AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM ON CANNABIS RETAIL BUSINESSES WITHIN
THE CITY OF COLUMBIA HEIGHTS**

The City of Columbia Heights does hereby ordain:

(a) Preamble

The City of Columbia Heights ("City") recognizes the significant public interest in amendments to Minnesota State Statute regarding the legalization of cannabis. These laws began to take effect July 1st, 2023, and make cannabis legal in the State of Minnesota. Further, state rule making and licensing has been slow to materialize making it difficult for cities to establish local registration and regulations governing the retail sale of the newly legalized items. The application and amendment of the new laws has demonstrated a clear shortcoming on behalf of the City and the City's code. For example, the state licensing agency has delegated retail license registration and regulation to the City. However, at the moment of this ordinance's passage, the City does not have any retail registration or regulation established in the City's Code of Ordinances. The City is concerned that without a temporary moratorium, new retail businesses and uses will expand significantly prior to the establishment of necessary regulations and registration procedures.

The City Council finds it necessary to effectuate changes to the City's code of ordinances. Changes that would regulate, enforce, and register the retail sales of cannabis.

Upon completion of the resulting changes that will be established, the City will revoke the interim ordinance and enforce the newly established regulations and procedures.

(b) Moratorium Established; Scope

- (1) In accordance with the above and pursuant to authority granted by Minn. Stat. § 462.355 and §342.13, the City hereby establishes a moratorium on Cannabis Retail Businesses. Defined as a retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, (and/excluding) lower-potency hemp edible retailers.
- (2) During the effective period of this interim ordinance, the City of Columbia Heights will prohibit the establishment of Cannabis Retail Businesses pending the completion of the above referenced adoption of appropriate official controls.

(c) Enforcement

Any person, corporation, or other entity found to be in violation of this Ordinance shall be guilty of a misdemeanor. The City may enforce this Ordinance by mandamus, injunction, or other appropriate criminal or civil remedy in any court of competent jurisdiction.

(d) Term

Unless earlier rescinded by action of the City Council, the moratorium established by this Ordinance shall remain in full force and effect until January 1st 2025.

(e) Effective Date

This ordinance shall be in full force and effect from and after the date of its passage.

Date of Passage:

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary