

**ORDINANCE 2019-02**  
**Amending Chapters § 151.004 Definitions; § 151.005 Zoning Map**  
**§ 151.025 CLASSIFICATION SYSTEM, § 151.029 Classification and Uses;**  
**§ 151.32 General Requirements; § 151.033 Special Requirements and**  
**§ 154.21 Signs**

**City Council of the City of Ottertail hereby ordains the above chapters to be amended as followed:**

**TITLE XV: LAND USE**

**§ 151.004 Definitions**

**Shouse: A structure that outwardly resembles a shed (typically having a roll-formed steel-sheet exterior) that is primarily used as a dwelling/house. Though not required to fulfill the definition, a shouse generally has a garage(s) incorporated into the structure.**

**§ 151.005 ZONING MAP – New (2019)**

This map shall be on permanent file and available for public inspection at the office of the City Clerk.

**CLASSIFICATION SYSTEM AND LAND USE DISTRICTS**

**§ 151.025 CLASSIFICATION SYSTEM**

The following classification will be added:

**(9) Light Industrial**

**§ 151.029 CLASSIFICATION AND USES – NON SHORELAND**

The following to be amended and renumbered:

**(C) C-1 Commercial District.**

Permitted uses in the Commercial District C-1 shall consist of all uses of a commercial nature, such as retail, light industrial, repair or storage of materials, goods or products, wholesale, service, office, financial, recreational, professional and lodging, wireless communication towers in accordance with Chapter 155.

**(D) L-1 Light Industrial District**

Light Industrial means the assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside the building or lot where the assembly, fabrication or processing takes place, where the processes are housed entirely within a building, or where the outdoor storage of goods and materials used does not exceed 25% of the floor area of all buildings on the lot. All commercial uses are allowed in the Light Industrial District.

**(E) P-1 Public/Commercial Use**

Permitted uses in the Public/Commercial Use District consists of all uses of a commercial nature including communication towers which meet standards set forth in Chapter 155 of this Code, after a review of the City Council and all procedures have been followed.

**(F) P-2 Public/Parks**

Permitted uses in the P-2 Public/Parks shall consist of activities that have a recreational value, and

parks/playgrounds, wireless communication towers in accordance with Chapter 155,

(G) AR-Agricultural

Permitted uses in the AR District is single family housing, multi-unit housing (duplex, tri-plex, quad and multi-unit housing), general cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming and wild crop harvesting, **commercial storage**, wireless communication towers in accordance with Chapter 155. **A Conditional use permit shall be required for any commercial use within the Agricultural Zoned District**

(H) Private Recreational

Permitted uses in the Private Recreational are recreational in value, includes R-1 and R-2 with exceptions for churches including chapels, temples and etc., parks and playgrounds, schools, licensed day care, home based businesses, hospitals, clinics, wireless communication towers in accordance with Chapter 155, and other uses incidental to a residential area. An occupation may be carried on in the R-1 district, provided the occupation is not of an industrial or light industrial nature and provided that the occupation is carried on in the main dwelling in a space not exceeding 25% of its floor area, and no sales display is visible from the street.

The following language to be added:

**§ 151.032 GENERAL REQUIREMENTS OF ALL ZONING DISTRICTS.**

The following requirements shall apply equally to all districts except where otherwise stated or where special provisions provide otherwise:

**ALL ZONING DISTRICTS**

- a) 30% Impervious in non-shoreland areas. (25% for shoreland within 1000 ft. of OHWL)
- b) Suitable installation of a Type 1 sewage treatment system consistent with MN Rules chapter 7080 are required for single family residential dwellings.
- c) Manufactured homes shall be located and installed according to the same standards, including but not limited to a permanent foundation system, set-backs and minimum square footage which would apply to a site built single family dwelling on the same lot.
- d) Setbacks are the same for all non-shoreland lots as shoreland areas.
- e) Maximum height restrictions are set forth in Chapter 151.028 of this code.
- f) When a parcel is bordered by more than one shoreland classification (i.e. lake, river, etc.), the classification that has the most restrictive requirements will be the rule.
- g) The placement of storage/cargo containers as defined in 151.033 shall be prohibited for the construction of a dwelling or any temporary storage and/or living accommodation.

**A. SINGLE FAMILY RESIDENTIAL.**

- i. The principal structure shall have a floor area of not less than 768 square feet and the minimum dimension of the main body of the dwelling unit shall not be less than 20 feet.
- ii. The minimum area for a single family residential lot shall be 20,000 square feet and the minimum lot width shall be 100 feet.

**B. MULTIPLE-FAMILY DWELLINGS.**

- i. Require a conditional use permit.
- ii. Are required to be served by a suitable sewer system management program or service.
- iii. The principal structure shall have a floor area of not less than 768 square feet and the minimum dimension of the main body of the dwelling unit shall not be less than 20 feet.

- iv. The minimum area for a multi-family dwelling lot shall be 40,000 square feet and the minimum lot width shall be 200 feet.

C. COMMERCIAL AND INDUSTRIAL BUILDINGS.

- i. Such requirements as may be approved by the City Council after submission of approved site plan and plan of structure with approved storm water retention considerations and suitable sewage treatment system.

**§ 151.033 SPECIAL REQUIREMENTS**

A. Storage of Materials.

1. Open storage of junk, wrecked vehicles to be dismantled, or other salvage materials shall be enclosed by a permanent fence or combination of fence and other structure to entirely block the view of the storage area from the public and adjacent property owners.

2. Waste materials incidental to the principal operation shall be kept in neatly stored containers screened from public view and at least 25 feet from all interior lot lines. Waste materials shall be removed and disposed of in a manner adequate to meet Otter Tail County Health Department regulations.

B. Storage/Cargo Containers including but not limited to, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, bus bodies, transport containers, any box-like containers transported by truck to a desired location for drop off with a storage capacity, storage POD's, shall be prohibited except as follows:

a. For purpose of loading and unloading household contents for a period not exceeding 60 days in any one calendar year; or

b. During a construction project, provided all local, state and other accessory permits are obtained and the construction permit remains in compliance with all local, state and federal laws for the duration of the project not to exceed 180 days. Once the project is complete, said containers must be removed within 30 days of completion.

c. Existing lots or parcels which contain a portable storage device prior to the adoption of this ordinance are hereby allowed and may continue for that purpose as non-conforming until removed.

~~B~~ C. Abandonment.

If any use or structure authorized by this chapter is abandoned, or by lack of use or neglect is permitted to become offensive or unsightly, either on public or private property, it shall be restored to its original conditions by the owner or removed pursuant to the order of the City Council if found to be detrimental to the public health, safety or welfare, and the costs of such restoration or removal shall be borne by the owner of the property, and may be assessed against the property if removed by the City. Non-Use for a period of 12 months shall be presumptive evidence of abandonment, subject to rebuttal by competent evidence.

**§ 151.111 ZONING PERMITS.**

(4) The City Clerk-Treasurer may issue grade/fill permits for grading and filling projects of not more than 300 cubic yards or for conservation projects approved by a Soil and Water Conservation District. **Grade and fill projects over 300 cubic yards require council action through a Conditional Use Permit (CUP).** The City Clerk-Treasurer/Zoning Administrator may require an onsite inspection prior to issuing a permit. Within three days of completion, the applicant for a grade/fill permit must notify the Zoning Administrator that the project is ready for inspection; and (finish sentence)

**§ 154.21 CONSTRUCTION STANDARDS**

1. All signs shall be constructed and maintained in a manner where they will be safe to the general public. A sign shall be repainted whenever its paint begins to fade, chip or discolor and defective parts shall be replaced promptly.
2. On-premises signs shall be removed from a zoning lot by the owner of such property within 30 days after termination of the use for which the sign was used.
3. If the Zoning Administrator shall find that any sign is unsafe, a detriment to the public, not maintained, or constructed, erected or maintained in violation of the provisions of this section, the Zoning Administrator shall give written notice to the property owner thereof. If the property owner fails to comply with the standards of this section within 30 days after such notice, if no appeal is taken, or if no owner, occupant, or agent can be found, such sign may be removed or altered by the City. The cost of such City action shall be specially assessed against the subject property.

Passed by the City Council of Ottertail, Otter Tail County, Minnesota this \_\_\_\_\_, day of \_\_\_\_\_, 2019 and effective from and after its passage and publication .

\_\_\_\_\_  
Myron Lueders, Mayor

Attest:

\_\_\_\_\_  
Elaine Hanson, Clerk-Treasurer

Seal

x Lueders  
x Carlson  
x Grobeck  
x Windey  
x Burlingame

Posted Intent to approve 10 day  
Requirement 04-18-2018

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