

6.11 SUPPLEMENTAL REGULATIONS

The provisions of this ordinance shall be subject to such exceptions, additions or modifications as set forth in the following supplementary regulations:

- A. Essential Services. Essential services, as defined in this ordinance, shall be permitted in all districts.
- A. Soil Stripping. No person, firm or corporation shall strip, excavate or otherwise remove top soil for sale, or for use other than on the premises from which it is taken, except in connection with the construction or alteration of a building on the premises and excavation or grading incidental thereto.
- B. Vacant Lots of Record. Notwithstanding the limitations imposed by any other provisions of this ordinance, the Council may permit erection of a dwelling on any lot (except a lot in an industrial district), separately owned or under contract of sale and containing, at the effective day of this ordinance, an area or width smaller than that required for a one family dwelling, provided that municipal sewer and water service is available to the site.
- C. Substandard Lots. No lot, yard, court or other open space, already containing less area than the minimum required under this ordinance, shall be further divided or reduced.
- D. Satellite Dishes. Satellite dishes shall be regulated as described below unless exempt by federal law. Satellite dishes shall be permitted in the rear or side yards of all districts. A building permit is required for dishes over 2 ft diameter. All district setbacks must be met in placement of dishes. Dishes shall not exceed thirty (30) feet in height.
- E. Bulk Storage (Liquid). Storage permitted only in the light industrial zone district. All uses associated with the bulk storage of oil, gasoline, liquid fertilizer, chemicals, and similar liquids shall require a Conditional Use Permit in order that the City Council may have assurance that fire, explosion, water, or soil contamination hazards are not present that would be detrimental to the public health, safety and general welfare. All existing above-ground liquid storage tanks having a capacity in excess over one thousand (1,000) gallons requires a conditional use permit within twelve (12) months following enactment of this Ordinance.

The City Council shall require the development of diking around said tanks and appropriate monitoring systems. Diking shall be suitably sealed and shall hold a leakage capacity equal to one hundred and fifteen percent (115%) of the tank capacity. Any existing storage tank that, in the opinion of the City Council, constitutes a hazard to the public safety must discontinue operations within one (1) year following enactment of this Ordinance. The City Council may require pressure testing of storage tanks on a periodic basis. Any liquid bulk storage providers shall submit to the City copies of any hazardous material reports submitted to Minnesota Pollution Control Agency (MPCA) or by the Federal Government.

- F. Structure Relocation. A building permit is required for all permanent relocation of structures. Construction sheds and other temporary accessory structures to be located on a lot for less than six (6) months do not require a building permit.
- G. Fish houses and movable accessory buildings. One (1) moveable storage accessory building (fish house) is allowed to be stored in either the side or rear yard of a parcel, or on parcels with lake access in the back yard behind the required setback.
- H. Lighting. In all districts, any lighting used to illuminate an off-street parking area, or other structure or area, shall be arranged not to be disruptive to neighboring residents or the general public. This includes, but not limited to, direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding. The source of light shall be hooded or controlled. Bare light bulbs shall not be permitted in view of adjacent property or public rights-of-way. No light or combination of lights which cast light on a public street shall exceed one (1) foot candle meter reading as measured from the centerline of said street nor shall any light or combination of lights which cast light on residential property exceed four-tenths (0.4) foot candles. Lighting standards shall not exceed twenty-five (25) feet in height.
- I. Keeping of Farm Animals. Every person who raises Farm Animals for sale, profit, or pleasure on parcels must keep them confined on the premises at all times, except for the purpose of when honeybees are pollinating, farm animals are being transported, racing and used in ceremonies. This section of the ordinance does not apply to the keeping of dogs, cats and other domestic animals customarily kept as pets, or Kennel License as regulated in the Municipal Code Chapter 151. Any persons keeping Farm Animals within the city limits shall follow the guidelines within this section or as written in the Municipal Code Chapter 151, whichever is more restrictive.
1. It shall be unlawful for any person to keep or harbor any animal which habitually yaps, wails or cries. The habitual yap, wail, or cries shall exist when repeated intervals of at least ten (10) minutes with less than one minute of interruption over a period of one hour or more. Such yap, wail or cry must also be audible off of the owner's or caretakers' premises.
 2. The following animals are allowed on parcels of five (5) acres or larger. One (1) animal unit is permitted per two acres. Pigeons and fowl maybe combined to equal one (1) animal unit. Any other animals not listed below shall be reviewed by the Planning Commission and approved by the City Council.

The animal units are as follows:

1 Bovine	= 1 animal unit
1 Horse	= 1 animal unit
2 Swine	= 1 animal unit
5 Alpaca or llama	= 1 animal unit

5 Sheep/Goat = 1 animal unit
 20 Fowl = 1 animal unit

3. The following animals are allowed on parcels of five (5) acres or less.
- a. Horses. Horses are permitted in the City on properties three (3) acres or more. One (1) horse is equivalent to one (1) animal unit. One (1) animal unit is permitted per two acres.
 - b. Pigeons and other Fowl. Pigeons and other fowl are permitted in the City on properties that are less than one (1) acre. They shall be protected from the weather and predators in a shelter or coop and have access to the outdoors. Properties one (1) acre or less shall provide a run area that is enclosed or fenced. Shelters, chicken coops and run area shall be placed in the rear yard and be at least twenty-five (25) feet from any residential dwelling on any other premises. The following are limitations on Pigeons and other fowl within the City.
 - i. No person shall keep roosters on any property less than two (2) acres.
 - ii. All premises on which the pigeons and fowl are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The shelter, coop, and its surrounding must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property. Failure to comply with these conditions may result in a violation of this section and municipal code Chapter 151.
 - iii. Pigeons and other fowl are not allowed on properties with three (3) or more dwelling units.
 - iv. Other fowl are allowed on properties less than one (1) acres. The following animals are allowed:

Pigeons or Other Fowl	
5 Pigeons or Other Fowl	Less than one (1) acre
10 Pigeons or Other Fowl	Greater than one (1) acre, but less than two (2) acres
20 Pigeons or Other Fowl	Greater than two (2) acres

- c. Honey Bees. Keeping, maintaining, and raising of honey bees may be allowed on properties a quarter (0.25) acre or greater. Any person keeping, maintaining, and raising honeybees shall comply with the following restrictions:
 - i. Any Africanize strain species of honeybees is prohibited.
 - ii. The beehives shall be located a minimum of twenty (20) feet from any property line, as measured from the nearest point on the hive to the property line.
 - iii. The beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height. The flyway barrier may consist of a wall, fence,

dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony. The flyway barrier must be in proximity to the hive to ensure the honeybees fly up and above head height. A flyway barrier is not required if the property adjoining is undeveloped or is used for agriculture or industrial; this does not include properties with horses or pedestrian trails. A flyway barrier is not required if the hives are located on the roof of a structure containing at least one (1) full story if all hives are located at least five (5) feet from the side of the structure and at least fifteen (15) feet from any adjacent and occupied structure.

- iv. No person is permitted to keep more than the following numbers of colonies on any lot within the city:

Bee Hives	
2 Bee Hives	Larger than 0.25 acre, but less than 1 acres
4 Bee Hives	Larger than 1 acres, but less than 3 acres
8 Bee Hives	Larger than 3 acres, but less than 5 acres

- v. Any person keeping, maintaining, or raising of honeybees shall comply with the following standards of practice:
 1. Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
 2. Each beekeeper shall ensure that a convenient source of water is available to the colony prior to and so long as colonies remain active outside of the hive.
 3. Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees is left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect-proof container.
 4. Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honeybees.

- vi. If a beekeeper serves the community by removing a swarm or swarms of honeybees from locations where they are not desired, a beekeeper shall not be considered in violation of the portion of this section limiting the number of colonies while temporarily housing the swarm on the apiary lot in compliance with the standards of practice established pursuant to this section if the swarm is so housed for no more than thirty (30) days.

4. Interim Use Permit Required. Any person who desires to exceed these limitations shall first apply for an Interim Use Permit as outlined in Chapter 3.2 of this ordinance.

K. Docks, Lifts and other Mooring Structures or Facilities.

Purpose: The purpose of this ordinance is to regulate docks, lifts and other mooring structures or facilities, other than those owned or operated by the state or a political subdivision, on all lots within the Shoreland Overlay District.

1. General Requirements:

- a. No person shall store fuel upon any dock.
- b. Docks, moorings and other structures must comply with Minnesota rules 6115.0210 and shall be so built and maintained that they do not constitute a hazard to the public.

2. Conditional Uses

- a. Allowed conditional uses.
 - 1 Overnight use of watercraft as living quarters, beaching, docking, or continuous mooring of watercraft.
 - 2 Access easements. One ten (10) foot easement is allowed for docks or other mooring structures on riparian lots that are at least one hundred (100) feet wide at the OHWL. Easements must be designed to ensure that dock dimension and placement standards can be met.
- b. Approval. The City Council may or may not approve conditional uses based on evaluation that includes consideration of lot width, lot depth, land slope, water depth, vegetation, soils, depth to groundwater and bedrock, compatibility with adjacent land uses and/or other relevant factors. The City Council may place relevant conditions to minimize any identified impacts.

3. Location: No dock, mooring or other structure shall be so located as to:

- a. Obstruct the navigation of any lake or river.
- b. Obstruct reasonable use or access to any other dock, mooring or other structure authorized under this chapter.
- c. Present a potential safety hazard.
- d. Be detrimental to significant fish and wildlife habitat or protected vegetation.

4. Design Standards for Detached Single Family Lots Not Created as Part of a Shoreland PUD. Docks or other mooring structures are allowed on single-family riparian lots meeting the minimum lot area and width standards under Section 4.7.3. E. and not created as part

of a Shoreland PUD. No permit is required provided the following requirements are met:

a. Dock Dimensional standards.

- 1 No dock shall exceed six (6) feet in width.
- 2 No dock shall exceed fifty feet (50') in length or the minimum straight-line distance necessary to reach a water depth of five (5) feet, whichever is greater. The width, but not the length, of the crossbar of any T- or L-shaped dock shall be included in the computation of length. The crossbar of any such dock shall not measure in excess of twenty-five (25) feet in length.

b. Dock Placement.

- 1 No dock shall encroach within five (5) feet of the extended property line (dock setback zone).
- 2 The owners of any two abutting lots may erect one common dock within the adjacent dock setback zones, if the common dock is the only dock on the two lots and the dock otherwise conforms with the provisions of this chapter
- 3 Docks shall be located so that moored watercraft and equipment are not located in the dock setback zone.
- 4 Docks not meeting the above standards that are accessed through an existing legal easement may be placed in the dock setback zone. These docks may be placed back in the water if they are removed before freeze-up and they meet the dimensional standards. Where possible, these existing docks shall be centered on the easement and every attempt must be made to stay in compliance.

c. Other Design Standards

- 1 Mooring is limited to five (5) registered watercraft.
- 2 All registered watercraft must be registered to a family member. No more than one (1) watercraft that is not registered to a family member can be moored for no more than four (4) consecutive days.
- 3 Rental of slips is not allowed.
- 4 Docks must be removed before freeze-up. For extenuating circumstances or difficult terrain, a dock may be moved as close to the lakeshore as possible.
- 5 All docks must be marked with reflective material on the front (facing the water) and each side of the structure. The reflective material must measure a total area of no less than nine (9) square inches every ten (10) feet on each side of the dock.

- 6 No docks shall use flashing lights or bright lights that are disruptive to neighboring residents.
5. Permit Requirements & Design Standards for Shoreland Planned Unit Development (SLPUD) Districts:
 - a. For residential (single family and multi-family) lots not meeting the minimum lot standards in Section 4.7.3.E. and created as part of a residential shoreland PUD, no individual docks are allowed, and any mooring spaces for watercraft must comply with the applicable standards in Section 4.7.3.Q.7.d.(3).
 - b. For resorts, campgrounds, hotels, motels or other transient-oriented uses created as part of a commercial SL PUD, docks and mooring spaces must comply with the applicable standards in 4.7.3.Q.7.d.(3).
6. Permit Requirements for Multi-Family and Commercial Lots Not Created as Part of a shoreland PUD: Docks or other mooring structures for twin-homes, townhomes, multi-family, and commercial uses on riparian lots meeting the minimum lot area and width standards under Section 4.7.3.E. and not created as part of a shoreland PUD shall apply for a permit at the time of initial platting or subsequent to plat approval. If owners apply for additional docks, lifts, or other mooring structures after initial platting, a Conditional Use Permit (CUP) process outlined in this ordinance shall apply.

*(Amended Chapter 6.11.J July 24, 2012, Amended Chapter 6.11.K April 26, 2022
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