CITY OF MOUNTAIN LAKE, MN

ORDINANCE #6-19

AN ORDINANCE OF THE CITY OF MOUNTAIN LAKE AMENDING CHAPTER 9:
LAND USE REGULATION (ZONING)

The City Council of the City of Mountain Lake ordains that *Section 9.10, Subdivision 4 - Uses Not Provided For Within Zoning Districts* be established and ordains that *Section 9.30, Subdivision 3*, include the following additions as follows:

Added language is *italicized*.

SECTION 9.10. ZONING USE DISTRICTS

Subdivision 4. Uses Not Provided For Within Zoning Districts

1. *Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered unlawful. In such case, the Council or the Planning Commission, on their own initiative or upon request, may conduct a study to determine if the use is acceptable based upon criteria outlined below and, if so, 1) what zoning district(s) would be most appropriate and 2) what conditions and standards relating to development of the use. The Council or Planning Commission upon receipt of the staff study, shall, if appropriate, initiate an amendment to this chapter to provide for the particular use under consideration or shall find the use is not compatible for development within the city.*

2. *The Council or Planning Commission shall consider possible adverse effects to the proposed amendment or conditional use. Its judgment shall be based upon (but not limited to) the following factors:*

   1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official comprehensive land use plan;*

   2. *The proposed site is or will be compatible with present and future land uses of the area;*

   3. *The proposed use conforms with all performance standards contained herein;*

   4. *The proposed use will not tend to or depreciate the area where it is proposed; and*

   5. *The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.*

SECTION 9.30. (I) INDUSTRIAL DISTRICT.

<u>Subdivision 3. Conditional Uses.</u>

1. Storage, manufacturing, processing, or testing of chemicals, fuels, fertilizer, feed or grain.

2. Livestock slaughter houses, packing, or processing plants.

3. Gasoline and oil bulk stations and distributing plants.

4. Refineries and distilleries.

2. Extraction of minerals or other materials.

3. Places of Worship

4. Farm Animals when in the Animal (A) Overlay District

5. Wind energy conversion systems which comply with the requirements as set forth in Section 9.41.

6. *Retail Businesses*

7. *Other uses similar in nature to those uses listed in this section and which in the opinion of the City Planning & Zoning Commission, will not be detrimental to the integrity of the district.*

SECTION 9.25 Transitional Business

<u>Subdivision 3. Conditional Uses</u>.

1. Light Manufacturing

2. Public Utility Structures.

3. Warehouses

4. Contractor's offices, shops, storage sheds and yards excluding automobile wrecking, or junkyards

5. Express, hauling,, and cartage offices of stations, transportation or freight.

6. Automobile parking lots and garages.

7. Terminals, including motor freight.

8.   Wholesale establishments.

9.   Hospitals and medical clinics or offices.

10.   Municipal or government buildings, police or fire stations.

11.   Places of Worship.

12.   Animal pet shops, animal hospitals, veterinarian clinics, and pounds and extermination centers.

13.   Recreational or community buildings, which are publicly owned and operated.

14.   Railroad rights-of-way.

15.   Wind energy conversion systems which comply with the requirements as set forth in Section 9.41.

16.   *Other uses similar in nature to those uses listed in this section and which in the opinion of the City Planning & Zoning Commission, will not be detrimental to the integrity of the district.*

Passed by the City Council of Mountain Lake, Minnesota this 4th day of November, 2019.

_____
Mike Nelson, Mayor

Attest:

_____
Michael Schulte, City Administrator