

City of Pine City

Agenda

Planning Commission Meeting

Wednesday, April 22, 2026 @ 5:00 PM

Pine City Public Library Community Room

In accordance with Minnesota Statutes §13D.02, one or more commissioners may participate in the meeting via interactive technology. Commissioners joining via interactive technology will be seen and heard in the meeting room and votes will be taken by roll call.

[Meeting Link](#)



Page

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC FORUM

This is an opportunity for citizens to present items to the Planning Commission that are not on the agenda. Each presentation is limited to three (3) minutes and a maximum of fifteen minutes is set aside. If your item needs follow-up from the City, Staff will arrange for that.

4. CONSIDERATION AND APPROVAL OF AGENDA

5. APPROVAL OF MEETING MINUTES

- 5.1. [March 25, 2026 Planning Minutes](#) 5 - 8

6. PUBLIC HEARINGS

- 6.1. 300 1st Ave SE - Minor Subdivision & Impervious Space Variance Request 9 - 28
[SEH Staff Memo - 300 1st Ave SE](#)
[DRAFT Resolution 2026- Approving Minor Subdivision](#)
[DRAFT Resolution 2026- Approving Variance & FOF](#)

- | | | |
|------|--|---------|
| 6.2. | 825 11th St. SW PID 42.0223.000 & 42.0226.000 Rezone Request
Planning Staff Memo - Rezone Request
DRAFT REZONE ORDINANCE 2026- | 29 - 36 |
| 6.3. | Ordinance 5.35 Special Events
12.20 Special Events Ordinance Original
5.35 Special Event Ordinance Updated | 37 - 44 |
| 6.4. | Ordinance 5.40 Mobile Food Units
13.36.020 Exceptions (k) Mobile Food Ordinance Original
5.40 Mobile Food Ordinance Updated | 45 - 47 |

7. NEW BUSINESS

- | | | |
|------|--|---------|
| 7.1. | 300 1st Ave SE Minor Subdivision & Impervious Space Variance Request
SEH Staff Memo - 300 1st Ave SE
DRAFT Resolution 2026- Approving Minor Subdivision
DRAFT Resolution 2026- Approving Variance & FOF | 48 - 67 |
| 7.2. | PID 42.0223.000 & 42.0226.000 Rezone Request
Planning Staff Memo - Rezone Request
DRAFT REZONE ORDINANCE 2026- | 68 - 75 |
| 7.3. | PID 42.0223.000 & 42.0226.000 Lot Combination Request
Planning Staff Memo - Lot Combination
Draft Lot Combination Resolution 2026 | 76 - 83 |
| 7.4. | 5.35 Special Events Ordinance
12.20 Special Events Ordinance Original
5.35 Special Event Ordinance Updated | 84 - 91 |
| 7.5. | 5.40 Mobile Food Units Ordinance
13.36.020 Exceptions (k) Mobile Food Ordinance Original
5.40 Mobile Food Ordinance Updated | 92 - 94 |

8. OLD BUSINESS

- | | | |
|------|--|----------|
| 8.1. | Jack Bertrand - Possible Variance Request Discussion PID: 42.0242.000
Email from County Engineer
Agenda Request Form
Pine City Variance Request 2021
Pine City Ordinances
Sewer Schematic | 95 - 117 |
|------|--|----------|

[Variance Checklist](#)
[2026-03-01 - St Croix Rd Residence - Permit Set](#)
[Survey with grid](#)
[Site Plan](#)

- 8.2. 8.20 Nuisances Code with League of MN Cities Review 118 - 129
[8.20 Nuisances Updated 3.20.26 \(w LMC comments\)](#)
- 8.3. 13.88 Shoreland Ordinance

9. ORDINANCES FOR REVIEW IN FUTURE

- 9.1. 13.112 Plant Unit Alternatives
- 9.2. 13.76 Article III Landscaping and Screening
- 9.3. 13.92 Floodplain and Wetland District

10. COMMISSIONERS' CONCERNS/MISCELLANEOUS ITEMS

- 10.1. Luke Hegge - City's Manufactured Home Ordinance 130 - 131
[13.72.030 Building Restrictions](#)
[13.76.150 Building Size and Architectural Requirements](#)

11. ADJOURN



MINUTES

Planning Commission Meeting

5:00 PM - Wednesday, March 25, 2026

Pine City Public Library Community Room

The City of Pine City Council met in Planning Commission Meeting on Wednesday, March 25, 2026 at 5:00 PM in the Pine City Public Library Community Room.

CALL TO ORDER

Councilor Swanson called the meeting to order at 5:00pm.

In Attendance: Mayor Kent Bombard, Councilor Dan Swanson, Brian Scholin, Luke Hegge, Tommy Foster, Joseph Mosio (student planner), Tabitha Pickett, Chief Miller, Marcy Peterson.

Kris Moulton and Brent Jahnz notified the committee that he would not be able to attend.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

PUBLIC FORUM

This is an opportunity for citizens to present items to the Planning Commission that are not on the agenda. Each presentation is limited to three (3) minutes and a maximum of fifteen minutes is set aside. If your item needs follow-up from the City, Staff will arrange for that.

None spoke.

CONSIDERATION AND APPROVAL OF AGENDA

Kent Bombard made a motion to approve the agenda.

Tommy Foster seconded the motion.

Motion Carried.

APPROVAL OF MEETING MINUTES

a) FEBRUARY 25, 2026 PLANNING MEETING MINUTES

Brian Scholin made a motion to approve the minutes.

Kent Bombard seconded the motion.

Motion Carried.

PUBLIC HEARINGS

a) PUBLIC HEARING - VARIANCE REQUEST FOR 630 8TH AVE NE

Tabitha Pickett stated this is for a detached garage. It is purposed for the front yard. She explained setbacks, heights, and impervious space. An 872 sq ft variance requested. This has unique circumstances created by property lines, not by the resident. Need to verify that there are no easements, and that the property lines are accurate.

Opened Public Hearing at 5:05pm

Owner present to explain the need for this addition. No others present to speak.

Closed Public Hearing at 5:07pm

b) PUBLIC HEARING - FIRE ORDINANCE CHANGE - BILLING AND COLLECTION

Tabitha Pickett stated that this has made its way through Ordinance, Council, Planning, Fire Committee. This would make the extra step to access to properties.

Opened Public Hearing at 5:09pm. None spoke.

Closed Public Hearing at 5:10pm

NEW BUSINESS

a) VARIANCE REQUEST - 630 8TH AVE NE

Brian Scholin asked a question about the height. Tabitha Pickett confirmed that it is from ground level to peak. That should be allowed. Brian stated any attached garage is part of the principal structure. He asked if a variance was needed. This purposed build will fit with the area. It was asked if it could it be moved? Ordinance and Fire Code state 10 feet from property line, which this satisfies. It was asked to add in a condition that if the living quarters ever became an ADU, that the owner applies for a conditional use permit.

Luke Hegge motioned approve this variance request with the addition of the conditional use permit if it ever became an ADU and recommends it to be brought to council as written with requirements.

Tommy Foster seconded the motion.

Motion Carried.

b) FIRE ORDINANCE CHANGE - BILLING AND COLLECTION

Kent Bombard made a motion to approve ordinance change.

Brian Scholin seconded the motion.

Dan Swanson asked if it was verified that all is legal and was done correctly. Tabitha Pickett confirmed that it was.

Motion Carried.

c) 12.20 SPECIAL EVENTS ORDINANCE

Tabitha Pickett stated that this needed to be rewritten to better lay out and include conditions that would make it in line with the state statute.

She mentioned that this is already being done. This meets all requirements legally for special events. This needs a public hearing.

Kent Bombard motioned to schedule a public hearing.

Brian Scholin seconded the motion.

Motion Carried.

d) 13.36.020 EXCEPTIONS (K) MOBILE FOOD ORDINANCE

The current mobile food ordinance is written as an exception. This change would have it under chapter 5 of the code of ordinances. This will give the City teeth and something to stand on and have it enforceable. They will be licensed with requirements. Including fire extinguishers, set distances, and be inspection ready. This needed to be lengthened and more detailed.

Motion to bring to public hearing made by Tommy Foster.

Luke Hegge seconded the motion.

Motion Carried.

OLD BUSINESS

a) 8.20 AND 8.24 NUISANCE ORDINANCE REVIEW

Tabitha Pickett stated that this is being brought back with wording changed. This clearly lays out procedures and how the City can take action if needed.

Dan Swanson suggested detailing out definition of sewage. After discussion, it was decided to leave alone. Suggestion made to remove the drinking statements.

Kent Bombard stated that drinking is allowed in parks with special event permit.

Discussion was had on other cities that have a social district. Following state law.

Dan Swanson asked if this needed to include something on consumption of cannabis.

Tabitha Pickett explained that this is done through the sheriff's office

Kent Bombard made a motion to have legal review and bring back to Planning for a public hearing.

Brian Scholin seconded the motion.

Motion Carried.

b) REVIEW OF 13.88 SHORELAND ZONING ORDINANCE UPDATE FROM MN DNR

Tabitha Pickett reached out to DNR and they provided other city examples which are attached on the agenda.

Changes have to go to DNR's own ordinance committee for review. Any specific changes can be sent to Kelly from the DNR. This went to the city engineer and they reviewed it. They are asking for us to spell out what we are looking for. We were told to decide and incorporate it into our ordinance. Tabitha stated she is looking for direction from the commission. It was noted that 2/3 of the city examples follow state model. What is the best logistical way to move forward? It was stated the riparian lots should follow state, that we should relax non-riparian lots.

It was mentioned about a possible tier system and what the rules set for this. Non-riparian should be made less strict, while still being good stewards of our land and water. Existing houses abide by current state law.

With relaxing non-riparian lots owners would not have to go through SEH and planning commission if they can prove that they aren't over the 35% impervious space coverage. New multi-residential parcel are most likely done with PUD and all would be called out.

It was recommended to list our permeable spaces that SEH is working on providing a

list.

SEH's email mentioned that they could change uncovered decks and have them listed as pervious instead of impervious. However, it would still be required to make sure that the deck is going to have correct spacing and confirm what is being put under it. Tabitha Pickett stated that when deck permits come in whether through a building permit or a zoning permit all of this could and is reviewed.

It was suggested to make changes and bring back to the agenda in May.

ORDINANCES FOR REVIEW IN FUTURE

- a) **13.92 FLOODPLAIN AND WETLANDS DISTRICT**
13.112 PLANT UNIT ALTERNATIVES
13.76 ARTICLE III LANDSCAPING AND SCREENING

Bring 13.112 Plant Unit Alternatives and 13.76 Article III Landscaping and Screening back to the next agenda.

COMMISSIONERS' CONCERNS/MISCELLANEOUS ITEMS

none

ADJOURN

Kent Bombard made a motion to adjourn the meeting.

Luke Hegge seconded the motion.

Motion Carried.

Meeting adjourned at 6:08pm.



Building a Better World
for All of Us®

MEMORANDUM

TO: Tabitha Pickett, City of Pine City

FROM: Therese Haffner, Community Development Specialist

DATE: April 15, 2026

RE: Parcel 420217000, 300 1st Ave. SE
SEH No. 183940, Task #15

PROPOSAL DETAILS

Property Owner: Cole Newman, Eagle Ridge Estates, LLC
Location: 300 1st Ave. SE Pine City, MN
Parcel ID: 420217000
Existing Land Use: Commercial Building
Existing Zoning: MXU Mixed Use District
Future Land Use: Lakeside Commerce
Existing Size: 39,707 SF (.92 acres)

OVERVIEW OF PROPOSAL

Cole Newman owns the property at 300 1st Ave. SE and has applied to subdivide the parcel into two lots. He has requested this be done as a minor subdivision and has submitted a Certificate of Survey (**Exhibit A**). The property has an existing vacant commercial building on it. The proposed subdivision would separate the commercial building into one 14,632 SF (.34 acres) lot (Parcel A) and create a new 25,075 SF (.58 acres) lot for the development of an apartment building and detached garages (Parcel B). The property owner has also submitted a request for a variance from the 25% impervious surface requirement of the Shoreland Ordinance proposing 70% impervious surface for Parcel B as shown in **Exhibit B** and an estimated 89% for Parcel A.

ANALYSIS

SEH was asked by the City to review the minor subdivision and variance applications. The review was based on the submitted application, plans, applicable city subdivision and zoning code requirements, and MN state statutes.

A public hearing is required for both the minor subdivision and variance.

Subdivision Review

1. The city may allow a minor subdivision rather than a preliminary and final plat process (two-part) for a subdivision as follows:

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 1390 Highway 15 South, Suite 200, P.O. Box 308, Hutchinson, MN 55350-0308

320.587.7341 | 800.838.8666 | 888.908.8166 fax | sehinc.com

SEH is 100% employee-owned | Affirmative Action–Equal Opportunity Employer

- In the case of a subdivision resulting in three or less lots, situated in a neighborhood where conditions are well-defined and no further re-subdivision is expected, the governing body may exempt the subdivider from complying with some of the requirements of these regulations, after submission of a survey by a registered land surveyor of the proposed subdivision and, provided the newly created property lines will not cause any resulting lot to be in violation of the performance standards set forth in this Zoning Code.
 - In the case of a request to subdivide a lot which is a part of a recorded plat to create not more than three new lots, and the newly created property lines will not cause any resulting lot to be in violation of these regulations or the Zoning Code, the decision may be approved by the governing body. Each parcel must have a minimum frontage of 25 feet on a public road.
 - There shall be only one minor subdivision with regard to the original tract in any calendar year. The governing body shall have the authority to deny minor subdivisions if it appears that the intent of these regulations or the Zoning Code may be violated.
2. The Future Land Use Plan within the Comprehensive Plan (**Exhibit C**) guides the property for Lakeside Commerce and the zoning designation is MXU Mixed Use District (**Exhibit D**). The current surrounding land use is as follows: north- vacant, east- single family residential, west- railway line, and south- commercial. According to Title 13 Land Use and Development, Chapter 13.44 MXU Ordinance, Section 13.44.050, an apartment building is a Permitted Use within the MXU District.
 3. According to city ordinance Chapter 13.44 Section 13.28.040, the minimum lot size is 5,000 SF and minimum lot width is 50 feet. The proposed subdivision meets the city's ordinance on lot size and width.
 4. Access is provided from the existing public right-of-way of 3rd St. SE and 1st Ave. SE. All developments require a sidewalk (minimum 5 feet in width) along the public the right-of-way per the city's subdivision ordinance. The submitted site plan proposes a sidewalk along the south (2nd Ave. SE and east (3rd St. SE) meeting the city's subdivision ordinance.
 5. According to city ordinance Chapter 13.72 Subdivision Design, Article II, Section 13.72.120, Drainage and Utility easements shall be provided as follows:
 - Easements having a minimum width of ten feet shall be provided along the front, side or rear lot lines as required for utility lines, drainage and underground mains and cables.

The proposed subdivision does not provide drainage and utility easements as required per city ordinance. Additionally, existing conditions and ownership verification were not submitted. The applicant shall submit proof of title (current abstract of title or title commitment).

Variance Review

1. The property, a non-riparian lot, is within the Shoreland Zoning of Cross Lake, classified as a General Development Lake. The Shoreland Ordinance applies.
2. The maximum impervious allowed is 25% per the Shoreland Zoning Ordinance (13.88.010 Shorelands, h4b1) and MN Administrative Rules (6120.3300 Subp. 11. B1).

3. Impervious surface includes total lot coverage, including all structures (buildings, sidewalks, parking lots, and driveways, including paved and gravel). The submitted plan proposes impervious surface of 70% on Parcel B. The applicant did not provide the impervious surface amount for Parcel A. Utilizing aerial mapping and measurements from Pine County Beacon (**Exhibit E**), the existing building footprint is approximately 5,500 square feet (**Exhibit F**) and the drive/parking lot area is estimated at 7,500 square feet for a total proposed estimated impervious surface for Parcel A of 89%. The current estimated impervious surface on the .92-acre parcel is 43% (17,000 square feet). The building was built in 1920, and the drive areas are prior to the adoption of the shoreland ordinance; therefore, this is a legal non-conformity in its present state.
4. A city may grant a variance if enforcement of a zoning ordinance provision, as applied to a particular piece of property, would cause the landowner "practical difficulties." For the variance to be granted, the applicant must satisfy the statutory three-factor test for practical difficulties (Minn. Statute 462.357, subd. 6). All three factors must be satisfied to constitute practical difficulties. The factors are as follows:

Reasonableness

The property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a specific, reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.

Applicant's Response: Variance would be to allow building there.

Uniqueness

The landowner's situation arose out of circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the piece of property and economic considerations alone cannot create practical difficulties.

Applicant's Response: Within 1,000 ft of Lake Shore.

Essential character

The variance, if granted, will not alter the essential character of the locality. This factor generally contemplates whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

Applicant's Response: It will not be any of the above.

Also, variances are only permitted when:

- They are in harmony with the general purposes and intent of the ordinance, and
- The terms of the variance are consistent with the comprehensive plan.

Engineer Review Comments:

There shall be no increase in the rate of storm water off the site for any development.

MN DNR Review Comments:

If application is approved, consider having property owner implement an onsite Stormwater retention with the remaining area non impervious area. The square footage of the impervious surface of Lot B indicate that there will be an additional 11,000 gallons of stormwater leaving site during a 1-inch rain event. This will reduce the surge on the city's stormwater system and adjacent properties.

FINDINGS AND RECOMMENDATIONS

The following provides findings and recommendations:

1. The applicant shall submit proof of title (current abstract of title or title commitment).
2. The applicant shall submit a revised Certificate of Survey to include the following:
 - a. All encroachments.
 - b. Easements of record.
 - c. The boundary and legal description of any proposed easements on the property. Add drainage and utility easement at least ten (10) feet in width along all property lines.
3. Approve minor subdivision contingent on revisions being met and as cited above (1 & 2).
4. A variance from the 25% impervious surface requirement of the Shoreland Ordinance shall be considered for both Parcel A and Parcel B by the Planning Commission and City Council. The Planning Commission and City Council should adopt findings of fact either in support or denial of the variance.
5. Site plan review and approval is required prior to development.
6. There shall be no increase in the rate of storm water off the site for any development.
7. Stormwater retention shall be implemented on-site within pervious areas.
8. All costs associated with the extension of utilities are the responsibility of the applicant.
9. City development fees may apply, including but not limited, to park dedication, and water and sewer access charges.

c: Greg Anderson, SEH

Exhibit A

CERTIFICATE OF SURVEY FOR
COLE NEWMAN

PART OF SECTION 33, TOWNSHIP 39, RANGE 21, PINE COUNTY, MINNESOTA

Existing Property Description:

That part of the Original Townsite of Pine City described as follows:

All that land lying South of the South right-of-way line of 1st Avenue; West of the West right-of-way line of 3rd Street; North of the North right-of-way line of 2nd Avenue; and East of the East right-of-way line of the Burlington Northern Railroad, Pine City, Minnesota, lying in and being a part of the West Half of the Northeast Quarter of Section 33, Township 39, Range 21, Pine County, Minnesota.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Description for Parcel A:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Beginning at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence north along said east right-of-way line to the intersection with the south right-of-way line of First Avenue, extended west; thence east, along said south right-of-way line of First Avenue extended, to the point of beginning.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Description for Parcel B:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Commencing at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet to the point of beginning of the property to be described; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence south along said east right-of-way line to the intersection with the north right-of-way line of Second Avenue, extended west; thence east, along the north right-of-way line of Second Avenue extended, to the west right-of-way line of Third Street; thence north along the west right-of-way line of Third Street to the point of beginning.

LEGEND.

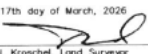
✕ DENOTES MAG SPIKE FOUND
● DENOTES 1/2" IRON REBAR FOUND, MARKED KROSCHER 44490
● DENOTES 1/2" REBAR SET, MARKED KROSCHER 44490

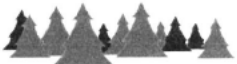
Notes to Survey:

1. For the purposes of this survey, existing easements of record were not researched.
2. The east right-of-way line of the BNSF Railway is 50 feet east of the center of the main tracks, as shown on Northern Pacific Railway Station Map, Pine City, V-2, S-L 13A.

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.

Dated this 17th day of March, 2026

By: 
Tyler J. Kroschel, Land Surveyor
Minnesota License No. 44490


Kroschel Land Surveyors, Inc.
1639 Main Street North, Suite 6, Pine City, MN 55063
Phone: 320-629-3267 tyler@kroschelsurvey.com

SHEET 1 OF 2 26-18

Exhibit A

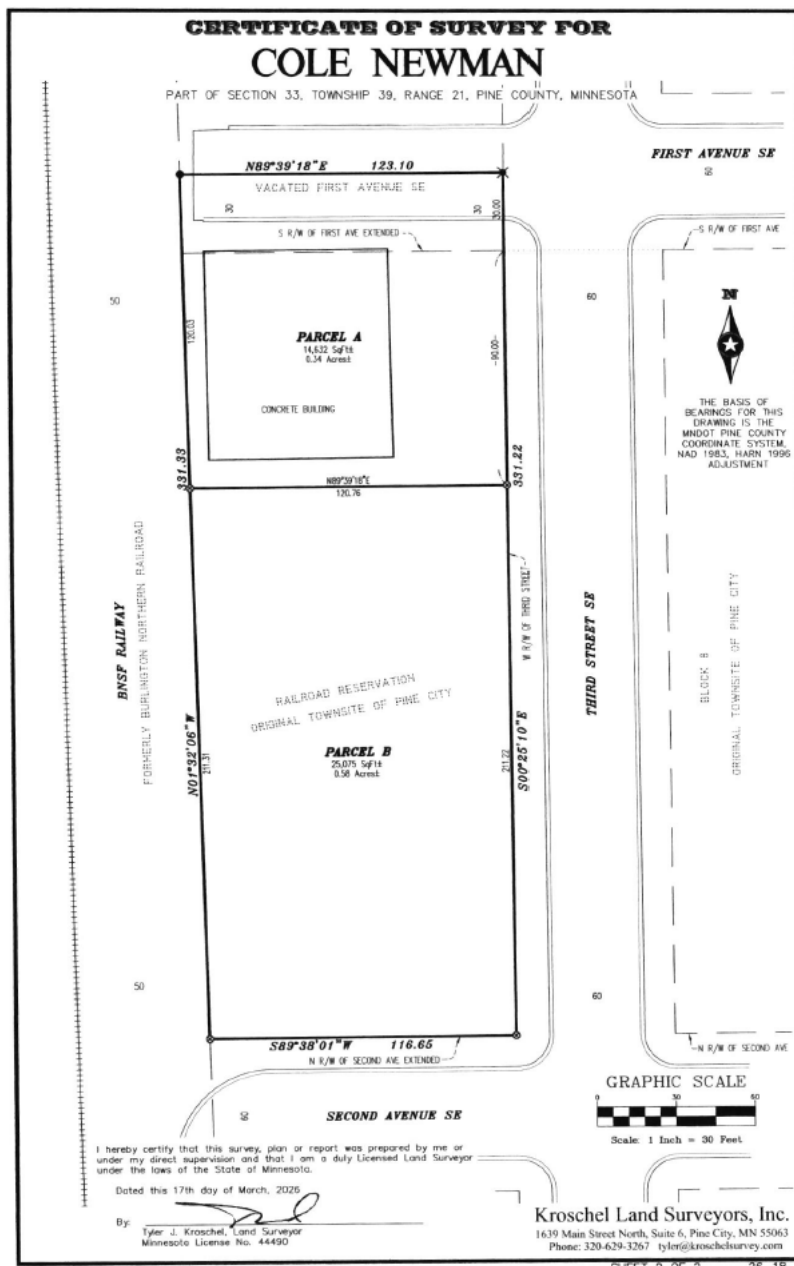


Exhibit B Site Plan Drawing

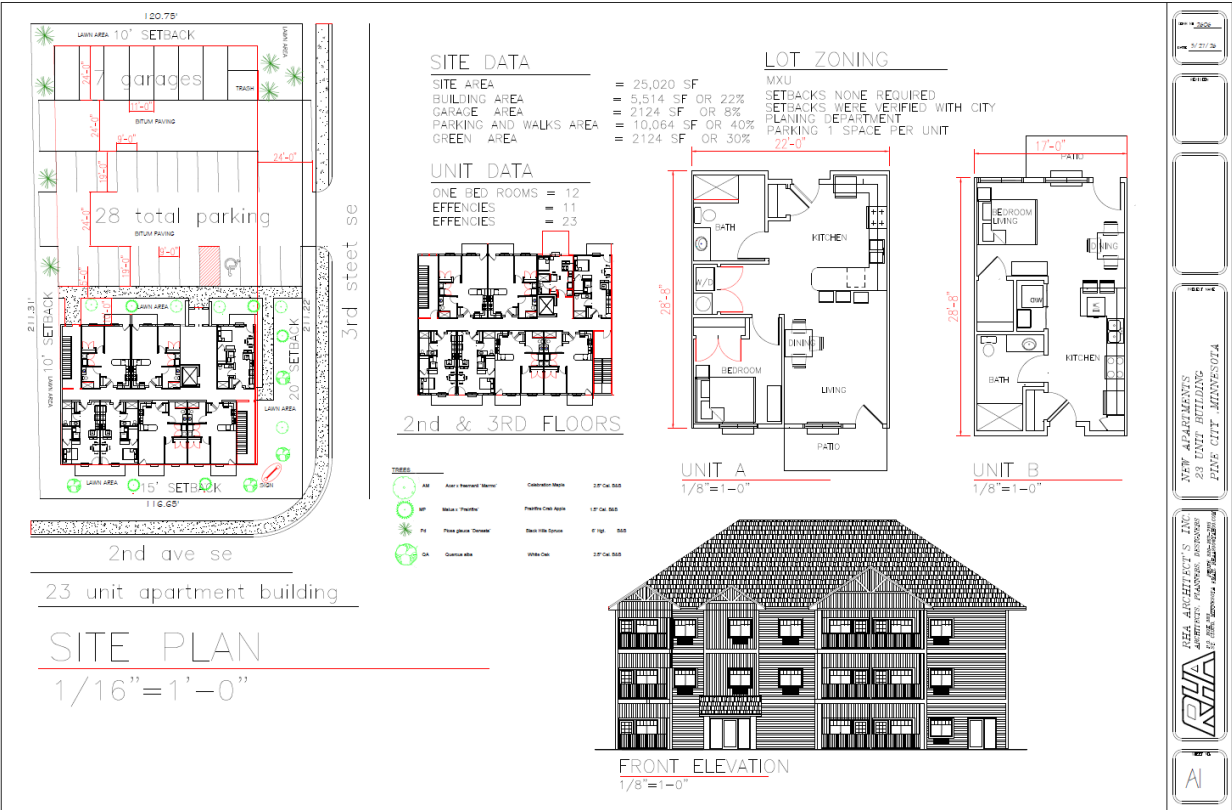
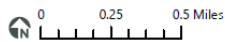


Exhibit C Future Land Use Map, Comprehensive Plan



Data Sources:
Pine City
Pine County
NW1



Future Land Use Map

2024-2034 Comprehensive Plan

City of Pine City
Pine County, Minnesota

Exhibit D Zoning Map of Property



Exhibit E Aerial of Property



Exhibit F Existing Commercial Building



**CITY OF PINE CITY, MINNESOTA
CITY COUNCIL**

RESOLUTION 2026-

***A RESOLUTION APPROVING A MINOR SUBDIVISION
CERTIFICATE OF SURVEY FOR COLE NEWMAN***

WHEREAS, Cole Newman, Eagle Ridge Estates, LLC, owner, hereinafter referred to as “applicant” has applied for a minor subdivision on the property located at 300 1st Avenue SE, Pine City, Minnesota, PID 42.0217.000, and legally described in **Exhibit A**:

(the “Subject Property”)

WHEREAS, City Code § 13.84.020(a)(2) allows the City Council to approve minor subdivisions that do not create more than three lots and do not result in any zoning violations; and

WHEREAS, the applicant has submitted a Certificate of Survey proposing to create two lots; and

WHEREAS, the purpose of the minor subdivision is to facilitate development of a proposed apartment building and related uses (detached garages, and parking); and

WHEREAS, the Pine City Planning Commission held a public hearing on April 22, 2026, to take public comment and review the minor subdivision; and

WHEREAS, the zoning designations of the Subject Property are Mixed-Use District (MXU) and Shoreland Zoning District; and

WHEREAS, the request is being processed in conjunction with an application for a variance from the impervious surface requirements of the Shoreland Zoning District; and

WHEREAS, city staff and engineer have reviewed the request and find that the minor subdivision will comply with all applicable requirements of the Mixed-Use District (MXU), including minimum lot size, width, and dimensional standards, and that no zoning nonconformities will be created; and

WHEREAS, the City Council has reviewed the application, staff recommendations, and all supporting materials and finds that the lot combination is consistent with Minnesota Statutes, the Pine City Zoning Ordinance, and the criteria for minor subdivisions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINE CITY, MINNESOTA, that the minor subdivision is hereby approved with the following conditions:

1. The applicant shall submit proof of title (current abstract of title or title commitment).
2. The applicant shall submit a revised Certificate of Survey to include the following:

- a. All encroachments.
 - b. Easements of record.
 - c. The boundary and legal description of any proposed easements on the property. Add drainage and utility easement at least ten (10) feet in width along all property lines.
3. The approved minor subdivision/Certificate of Survey shall be recorded with Pine County.
4. The public sidewalk shall meet city specifications and be reviewed and approved by the city engineer. Construction and costs of the public sidewalk will need to meet the city's ordinances and policies.
5. Site plan review and approval meeting city ordinances is required prior to development.
6. There shall be no encroachment of structures, including but not limited to buildings, signage, sidewalks, parking, and drives areas within the drainage and utility easements.
7. There shall be no increase in the rate of storm water off the site for any development.
8. Stormwater retention shall be implemented on-site within pervious areas.
9. All costs associated with the new sidewalk and extension of utilities are the responsibility of the applicant.
10. City development fees may apply, including but not limited, to park dedication, and water and sewer access charges.
11. The applicant shall have utility locates completed prior to construction activity.
12. The applicant shall comply with the MN State Building Code and obtain a building permit prior to construction.

Adopted by the Council this 6th day of May, 2026.

By: _____
Kent Bombard, Mayor

ATTEST:

Marcy Peterson, City Administrator

STATE OF MINNESOTA
COUNTY OF PINE

This instrument was acknowledged before me on _____ by
_____ of City of Pine City a Municipal Corporation under the laws of
Minnesota on behalf of the Municipal Corporation

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Drafted by:
City of Pine City
1015 Hillside Ave SW, Ste. 2
Pine City, MN 55063

Exhibit A

Existing Legal Description:

That part of the Original Townsite of Pine City described as follows:

All that land lying South of the South right of way line of 1st Avenue; West of the West right of way line of 3rd Street; North of the North right of way line of 2nd Avenue; and East of the East right of way line of the Burlington Northern Railroad, Pine City, Minnesota, lying in and being a part of the West Half of the Northeast Quarter of Section 33, Township 39, Range 21, Pine County, Minnesota.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Proposed Legal Descriptions:

Parcel A:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Beginning at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence north along said east right-of-way line to the intersection with the south right-of-way line of First Avenue, extended west; thence east, along said south right-of-way line of First Avenue extended, to the point of beginning.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Parcel B:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Commencing at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet to the point of beginning of the property to be described; thence

west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence south along said east right-of-way line to the intersection with the north right-of-way line of Second Avenue, extended west; thence east, along the north right-of-way line of Second Avenue extended, to the west right-of-way line of Third Street; thence north along the west right-of-way line of Third Street to the point of beginning.

**CITY OF PINE CITY, MINNESOTA
CITY COUNCIL**

RESOLUTION 2026-

***A RESOLUTION APPROVING VARIANCES FOR IMPERVIOUS SURFACE FOR
300 1ST Avenue SE, PID 42.0217.000***

WHEREAS, Cole Newman, Eagle Ridge Estates, LLC, owner, hereinafter referred to as “applicant” has applied for a variance from the maximum impervious surface standard established in Pine City Code on the property located at 300 1st Avenue SE, Pine City, Minnesota, PID 42.0217.000, and legally described in **Exhibit A**:

(the “Subject Property”)

WHEREAS, the Subject Property is within the Shoreland Zoning District where impervious surfaces of lots must not exceed twenty-five percent (25%) of the lot area; and

WHEREAS, proper notice of the public hearing to consider the variance request has been given to commissioner of the Minnesota Department of Natural Resources (DNR) or the commissioner’s designated representative; and

WHEREAS, the Pine City Planning Commission held a public hearing on April 22, 2026, to take public comment and review an application for a variance; and

WHEREAS, the Pine City Planning Commission recommended the City Council approve the requested variance with the following conditions:

1. All laws, rules, and regulations shall be complied with, and all necessary permits obtained.
2. A minor subdivision in the form of a Certificate of Survey shall be completed and approved.
3. Drainage and Utility Easements of ten feet along the perimeter of all property lines shall be included on the minor subdivision/Certificate of Survey.
4. There shall be no increase in the rate of storm water off the site for any development.
5. Stormwater retention shall be implemented on-site within pervious areas.
6. Site plan review and approval is required prior to development.

WHEREAS, the Planning Commission desires to review applications fairly and justly for variances and has the following findings of fact:

1. The land use map of the City Comprehensive Plan guides the Subject Property for Lakeside Commerce.
2. The zoning designation of the Subject Property is MXU Mixed Use District.
3. The reason for the variance request is to subdivide the Subject Property from one lot to two lots and maintain an existing commercial building on proposed Parcel A and develop a new apartment building with related uses, including detached garages, and parking and drive aisle areas on proposed Parcel B, which are permitted uses within the MXU Mixed Use District
4. The Subject Property is surrounded by the following existing land uses:
 - a. Vacant to the north
 - b. Commercial to the south
 - c. Single-family residential to the east
 - d. Railway line to the west
5. The variance would be in keeping with the spirit and intent of city code, would be consistent with the Comprehensive Plan, and would not essentially alter the character of the neighborhood, or adversely affect the environmental quality of the area.
6. The variance would not allow any use that is not permitted under the city code for a property in the zoning district where the affected applicant's land is located.
7. The variance would not impair an adequate supply of light and air to adjacent properties.
8. The variance would not increase congestion in the public rights-of-way.
9. The variance would not increase the danger of fire or endanger public safety.
10. The variance would not cause an unreasonable strain upon existing municipal facilities and services.
11. The variance would not have a negative direct or indirect fiscal impact upon the City, County or School District.
12. The proposed Parcel A has an estimated impervious surface coverage of eighty-nine percent (89%) according to Pine County Beacon GIS due to an existing vacant commercial building and parking and drive areas (paved and gravel) that would remain.
13. The application proposes seventy percent (70%) impervious surface coverage for the proposed Parcel B for development of a new apartment building, detached garages, sidewalk, parking and drive aisle areas.
14. Enforcement of the impervious surface requirement would cause the applicant practical difficulties.
15. The proposed uses to allow the existing commercial building and parking and drive areas to remain, while creating a new lot for an apartment building, detached garages, parking lot, and drive aisles are reasonable uses.

16. The increase in impervious surface coverage will not alter the essential character of the locality as apartment buildings within the community have increased lot coverage due to the related accessory uses, including the parking lot and drive aisles needed to accommodate higher density residential.
17. Shoreland means land located within the following distances from public water: 1,000 feet from the ordinary high-water level of a lake, pond, or flowage.
18. The Subject Property is approximately 850 feet from the ordinary high-water level of Cross Lake.
19. The landowner's situation arose out of circumstances unique to the property and not caused by the landowner.

NOW, THEREFORE, BE IT RESOLVED THAT: the City of Pine City Council, Pine County, State of Minnesota, as follows

1. Based on the Findings of Facts, the following variance on the Subject Property is hereby granted:
 - a. A variance of sixty-four percent (64%) from the impervious surface requirement of the Shoreland Zoning Ordinance allowing up to eighty-nine percent (89%) total impervious surface for Parcel A as described in Exhibit B.
 - b. A variance of forty-five percent (45%) from the impervious surface requirement of the Shoreland Zoning Ordinance allowing up to seventy percent (70%) total impervious surface for Parcel B as described in Exhibit B.
2. Site plan review and approval meeting city ordinances is required prior to development.
3. There shall be no increase in the rate of storm water off the site for any development.
4. Stormwater retention shall be implemented on-site within pervious areas.
5. Drainage and Utility easements of ten (10) feet along all property lines shall be included on the minor subdivision/Certificate of Survey.
6. The Minor Subdivision in the form of a Certificate of Survey shall be reviewed and approved by the City.
7. There shall be no encroachment of structures, including but not limited to buildings, signage, sidewalks, parking, and drives areas within the drainage and utility easements.
8. The applicant shall have utility locates completed prior to construction activity.
9. The applicant shall comply with the MN State Building Code and obtain a building permit prior to construction.

Adopted by the Council this 6th day of May, 2026.

By: _____
Kent Bombard, Mayor

ATTEST:

Marcy Peterson, City Administrator

STATE OF MINNESOTA

COUNTY OF PINE

This instrument was acknowledged before me on _____ by
_____ of City of Pine City a Municipal Corporation under the laws of
Minnesota on behalf of the Municipal Corporation

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Drafted by:
City of Pine City
1015 Hillside Ave SW, Ste. 2
Pine City, MN 55063

Exhibit A

Legal Description

That part of the Original Townsite of Pine City described as follows:

All that land lying South of the South right of way line of 1st Avenue; West of the West right of way line of 3rd Street; North of the North right of way line of 2nd Avenue; and East of the East right of way line of the Burlington Northern Railroad, Pine City, Minnesota, lying in and being a part of the West Half of the Northeast Quarter of Section 33, Township 39, Range 21, Pine County, Minnesota.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Exhibit B

Legal Descriptions

Parcel A:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Beginning at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence north along said east right-of-way line to the intersection with the south right-of-way line of First Avenue, extended west; thence east, along said south right-of-way line of First Avenue extended, to the point of beginning.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

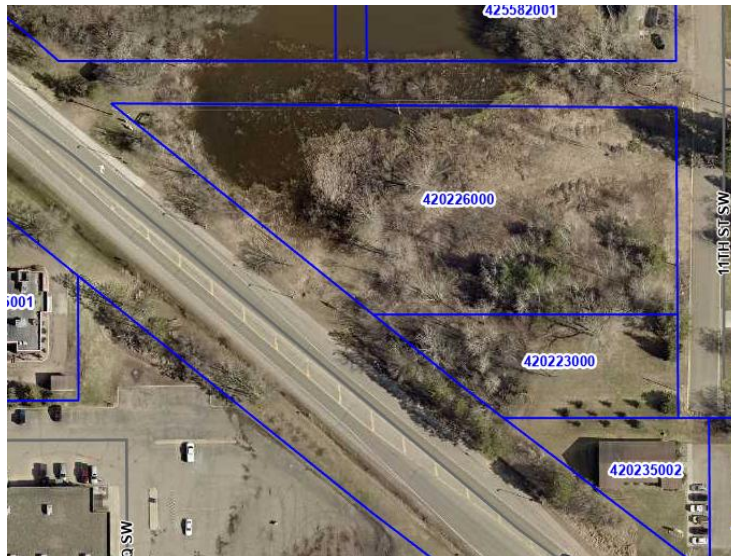
Parcel B:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Commencing at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet to the point of beginning of the property to be described; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence south along said east right-of-way line to the intersection with the north right-of-way line of Second Avenue, extended west; thence east, along the north right-of-way line of Second Avenue extended, to the west right-of-way line of Third Street; thence north along the west right-of-way line of Third Street to the point of beginning.



Regarding: Pine County Holding Rezone Request – 42.0226.000 & 42.0223.000



Description of Request: The applicant's property (PID: 42.0226.000 & 42.0223.000) is currently zoned GB, General Business District. The applicant is requesting approval of a rezone to build a multi-use building for commercial and residential. The property owner is requesting to be rezoned to **Mixed Use District (MXU)** as a **Commercial Apartment** is a permitted use.

Staff Recommendation: Based on the applicable evaluation criteria and staff findings, approval is recommended for the proposed rezone request, subject to the condition that the final parcel after being rezoned is combined in compliance with City of Pine City Ordinance 13.84.010 Amendments and Rezoning.

City of Pine City

1015 Hillside Ave SW., Ste. 2, Pine City, Minnesota 55063-1619

Phone: 320.629.2575 | E-mail: info@pinecitygov.com | Website: pinecity.govoffice.com

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, familial status, sexual orientation, and reprisal. An equal opportunity employer/contractor.



13.84.010 (c) *Processing Procedures:*

The applicant shall submit the application and accompanying material. Upon determination that the information is complete, the City shall schedule a public hearing before the Planning Commission. Legal notice shall be provided in accordance with Minnesota Statutes. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bonafide attempt has been made.	<i>Complete application with all supporting documentation was submitted. Notice to the public via the newspaper was made on April 3, 2026. Surrounding residents were mailed a letter on April 3, 2026.</i>
The Planning Commission shall hold a public hearing. The applicant or representative of the applicant shall be present at the public hearing.	<i>Public Hearing takes place April 22, 2026 at 5:00pm.</i>
The Planning Commission shall consider possible adverse effects of the proposed amendment or conditional use. Its judgment shall be based upon, but not limited to, the following general factors: Relationship to the City's Growth Management System.	<i>The proposed rezoning to Mixed Use District (MXU) supports the City's growth management objectives by encouraging compact, efficient development that integrates residential and commercial uses. This type of development promotes walkability, reduces land use conflicts, and aligns with long-term planning goals for mixed-use corridors.</i>
The geographical area involved.	<i>The subject property is located in an area characterized by a mix of commercial and residential uses, making it suitable for transition to a mixed-use designation. The site's location supports redevelopment at a higher intensity consistent with surrounding land use patterns.</i>
Whether the use will tend to or actually depreciate the area in which it is proposed.	<i>The proposed mixed-use development is not expected to depreciate surrounding property values. Mixed-use buildings are generally considered a positive land use that can enhance economic vitality and improve neighborhood aesthetics when properly designed and regulated.</i>
The character of the surrounding area.	<i>The surrounding area includes a blend of residential and commercial uses. There is a dental office located to the south and east of the property, homes to the north along with other apartment buildings, and gas stations to the west. The proposed MXU zoning is consistent with this mixed character and represents a logical extension of existing land use patterns.</i>

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The demonstrated need for the use.	<i>There is an ongoing need for both residential housing and commercial space within the community. Mixed-use developments help address both needs simultaneously, providing opportunities for housing diversification and local business growth.</i>
The public need for additional land space for the requested use in the location requested.	<i>The subject property is appropriately located to accommodate mixed-use development due to its access, visibility, and proximity to existing services. Rezoning this parcel helps meet the community's need for additional mixed-use development in a suitable location.</i>
Compatibility of adjacent land uses.	<i>The proposed MXU zoning is compatible with adjacent land uses. Mixed-use districts are specifically intended to serve as transitional zones between purely commercial and residential areas, thereby reducing potential land use conflicts.</i>
The possible presence and effects of noise, odors or other nuisances.	<i>Potential impacts such as noise, lighting, and activity levels are typical of mixed-use developments and can be mitigated through compliance with zoning performance standards, site plan review, and applicable building and fire codes. No significant adverse impacts are anticipated.</i>
Availability in the present or near future of necessary utilities and public services.	<i>The property is currently served, or can be adequately served, by public utilities including water, sanitary sewer, and transportation infrastructure. No deficiencies in public services have been identified that would preclude the proposed rezoning.</i>
The precedents and possible effects of such precedents, which might likely result from approval or denial of the petition.	<i>Approval of this rezoning would be consistent with sound planning principles and prior City actions supporting mixed-use development in appropriate locations. It does not constitute spot zoning, as it aligns with surrounding land uses and broader planning objectives.</i>
Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or is an error in the original ordinance.	<i>The requested zoning change is justified by evolving land use patterns and development trends that favor mixed-use development. The current GB zoning does not fully reflect the highest and best use of the property given its context, and the MXU designation better aligns with current conditions and future planning goals.</i>

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The Planning Commission shall make a finding of fact and recommend such actions relating to the request to the City Council.	
Upon receiving the report and recommendation of the Planning Commission, the City Council shall either approve or disapprove the request as recommended by the Planning Commission, based upon whether the application meets the requirements stated in this chapter.	

Staff recommendation is to approve the rezone request to Mixed Use District (MXU): Commercial Apartment which is a permitted use, but with conditions.

Recommended conditions:

1. Prior to issuance of any building permit, the subject parcels (PID 42.0226.000 and 42.0223.000) shall be legally combined into a single parcel through a recorded instrument or subdivision process, as applicable, in accordance with City regulations and authority granted under Minnesota Statutes § 462.358. Proof of recording shall be submitted to the City.
2. Prior to issuance of any building permit, the applicant shall obtain site plan approval in accordance with the Pine City Zoning Ordinance, as authorized by Minnesota Statutes § 462.357. The site plan review shall evaluate compliance with all applicable zoning controls, including but not limited to building placement, access, parking, landscaping, lighting, utilities, and stormwater management. No construction shall occur until such approval is granted.
3. All construction shall comply with the Minnesota State Building Code, including applicable provisions governing mixed occupancy structures.
4. The development shall comply with the Minnesota State Fire Code, including requirements for fire separation, fire suppression systems, alarms, and emergency access, as applicable.
5. The development shall comply with the Americans with Disabilities Act and the Minnesota Accessibility Code (Chapter 1341), as enforced through the State Building Code.
6. The use and development of the property shall comply with all applicable provisions of the Pine City Zoning Ordinance for the Mixed Use District (MXU), as authorized under Minnesota Statutes § 462.357.
7. The property shall be served by adequate public utilities, including water and sanitary sewer, consistent with City standards. Any required extensions or improvements shall be constructed in accordance with City specifications and applicable regulations.

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8. The applicant shall comply with all applicable stormwater management and environmental regulations, including permitting requirements of the Minnesota Pollution Control Agency under the NPDES/SDS Construction Stormwater Program, if applicable.
9. Erosion and sediment control measures shall be implemented and maintained in compliance with state standards and any applicable permits during all phases of site disturbance.
10. The applicant shall obtain all required local, state, and federal permits prior to construction, including but not limited to building, grading, utility, and stormwater permits.
11. Off-street parking, loading, and site access shall be designed and constructed in compliance with applicable City standards and reviewed as part of the site plan approval process.

City of Pine City

CHAPTER 13.13

REZONING OF PROPERTY – PID 42.0226.000 & 42.0223.000

13.13.010 Amendment Of Zoning Map

The official zoning map of the City is hereby amended to rezone the following described property from General Business (GB) to Mixed Use District (MXU):

Parcel Identification Numbers: 42.0226.000 and 42.0223.000

13.13.020 Findings

In approving this rezoning, the City Council makes the following findings:

- (a) The applicant submitted a complete application in accordance with City Zoning Ordinance 13.84.010 and applicable Minnesota Statutes.
- (b) Proper notice of the public hearing was given in accordance with Minnesota law.
- (c) The Planning Commission held a public hearing on April 22, 2026 and forwarded a recommendation to the City Council.
- (d) The proposed rezoning is consistent with the City's comprehensive planning and growth management objectives.
- (e) The subject property is located in an area characterized by a mix of residential and commercial uses and is suitable for Mixed Use District designation.
- (f) The rezoning will not negatively impact surrounding property values and is compatible with adjacent land uses.
- (g) There is a demonstrated need for additional residential and commercial development within the City.
- (h) The property is adequately served by public utilities and infrastructure.
- (i) The rezoning is consistent with sound planning practices and does not constitute spot zoning.

(j) The rezoning is justified by changing land use conditions and represents the highest and best use of the property.

13.13.030 Conditions Of Approval

The rezoning is approved subject to the following conditions:

- (a) Prior to issuance of any building permit, the subject parcels shall be legally combined into a single parcel in accordance with City regulations and Minnesota Statutes § 462.358. Proof of recording shall be submitted to the City.
- (b) Prior to issuance of any building permit, the applicant shall obtain site plan approval in accordance with Pine City Zoning Ordinance 13.84.060 and Minnesota Statutes § 462.357.
- (c) All construction shall comply with the Minnesota State Building Code.
- (d) The development shall comply with the Minnesota State Fire Code.
- (e) The development shall comply with the Americans with Disabilities Act and Minnesota Accessibility Code.
- (f) The use and development shall comply with all applicable provisions of the Mixed Use District (MXU).
- (g) The property shall be served by adequate public utilities. Any required improvements shall comply with City standards.
- (h) The applicant shall comply with all applicable stormwater management regulations, including MPCA requirements where applicable.
- (i) Erosion and sediment control measures shall be implemented during all phases of construction.
- (j) The applicant shall obtain all required permits prior to construction.
- (k) Off-street parking, loading, and site access shall comply with City standards and be reviewed as part of site plan approval.

13.13.040 Effective Date

This ordinance shall take effect upon its passage and publication according to law.

Adopted by the Council this 6th day of May, 2026.

Kent Bombard, Mayor

ATTEST

Marcy Peterson, City Administrator

STATE OF MINNESOTA }
COUNTY OF PINE }

This instrument was acknowledged before me on _____ by Kent Bombard, Mayor
(Date)
of City of Pine City a Municipal Corporation under the laws of Minnesota on
behalf of the Municipal Corporation

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK):

SIGNATURE OF NOTARY PUBLIC

Drafted by: City of Pine City, 1015 Hillside Ave SW, Ste. 2, Pine City, MN 55063

CHAPTER 12.20 SPECIAL EVENTS

12.20.010 Purpose; Definitions

12.20.020 Licenses

12.20.030 Application

12.20.040 Grant Or Denial Of License

12.20.050 Revocation

12.20.060 Liability Insurance

12.20.010 Purpose; Definitions

- (a) *Purpose*. The following chapter shall set forth the regulation of Special Events within the City right-of-way parks, or other City property.
- (b) *Definitions*. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Special event means any private or public gathering within a street, park, other publicly-owned land, other than the routine uses the City intends for that particular land, or which may constrain such routine uses by others. These Special Event uses may include a consumption of food, beverage or alcohol as part of the event. Any consumption, distribution, or sale of alcohol shall also be subject to the provisions of PCC Title 5.

(Prior Code, § 505.01)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.020 Licenses

No person shall conduct a Special Event in this City unless a license has been procured from the City. The fees for the licenses shall be as set in the salary and fees schedule adopted by the Council. However, the Council may grant a license without charge where it is satisfied that the applicant is a nonprofit and the event provides a public rather than private benefit.

(Prior Code, § 505.02)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.030 Application

Any person desiring a license to hold or conduct a Special Event shall apply on forms furnished by the City. The application shall set forth the name and address of the person, or organization that is conducting the event; time and place where the event is to be held, including a detailed map and a clear description of right-of-way street closures and where alcoholic beverages will be served; proof of insurance; and any other information the City may request.

(Prior Code, § 505.03)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.040 Grant Or Denial Of License

The City shall refer the application to the Council, which may grant the license if all requirements are met.

- (a) If the license is issued, it shall be posted in a visible location at the premises where the event is to take place. The person named in the license shall be responsible for the manner in which the event is conducted.
- (b) The City may deny a Special Event permit due to any past violation, including acts of violence, inappropriate and or hostile conduct, damage to City-owned or neighboring property, failure to keep space clean/orderly, failure to comply with City's alcohol and beer ordinance, and violations of the City's noise or other ordinance.

(Prior Code, § 505.04)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.050 Revocation

Special Event licenses are subject to revocation by the City. When City Staff or Law Enforcement determines that an event is in violation of its license or of any law or ordinance, that officer may immediately revoke the Special Events license and order all persons present at the premises where the violation is occurring, other than the owner or tenants, to disperse immediately.

(Prior Code, § 505.05)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.060 Liability Insurance

- (a) *Liability insurance required.* The applicant or sponsor of a Special Event must possess or obtain liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the Special Event. A Certificate of Insurance must be filed with the City prior to issuance of the Special Events permit. The Certificate of Insurance must name the City, its officials, employees and agents as additional insureds. Insurance coverage must be maintained for the duration of the Special Event.
- (b) *Minimum limits.* Insurance coverage must be a commercial general liability policy acceptable to the City, with limits of at least \$1,500,000.00. If alcoholic beverages are to be sold or distributed at the special event, the policy must also include an endorsement for liquor liability. The City Council may require additional endorsements depending upon the type of Special Event and proposed activities.

(Prior Code, § 505.06)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

5.35.010 Purpose and Findings

A. Purpose. The City Council finds that special events can substantially affect public health, safety, peace, and welfare; use of public property and rights-of-way; traffic circulation; noise; and demand for City services. The purpose of this chapter is to establish a uniform, content-neutral permitting process and operational standards for special events.

B. Findings. Coordinated review by City departments and clear, objective conditions are necessary to mitigate impacts and protect access for emergency services. This chapter shall be administered in a content-neutral manner and shall not be applied based on the viewpoint or subject matter of speech.

5.35.020 Authority

A. This chapter is adopted pursuant to the City's general police powers and other authority provided to Minnesota statutory cities under state law, including but not limited to Minnesota Statutes Chapter 412.

B. The City Council may adopt administrative procedures, objective review standards, forms, and fee schedules by resolution consistent with this chapter.

5.35.030 Definitions

For purposes of this chapter:

- A. Any organized activity, open to the public or a large segment thereof, staged for entertainment, celebration, fundraising, expressive activity, or similar purposes, that:
 - 1. Occurs on public property or requires closure or obstruction of any street, sidewalk, trail, or public facility; or
 - 2. Utilizes amplified sound on public property; or
 - 3. Expects attendance of 100 or more persons at any time; or
 - 4. Requires City services or equipment; or
 - 5. Involves the service or sale of alcoholic beverages; or
 - 6. Presents objective and articulable impacts to traffic control, emergency access, sanitation, or public safety under written standards adopted by the City.
- B. "Applicant" means the individual or sponsoring organization responsible for the event.

C. “Public Property” includes City parks, streets, sidewalks, public facilities, and other City-owned property.

D. “Amplified Sound” means sound produced or enhanced by electronic amplification equipment.

E. “City Services” means police, fire, EMS, public works, sanitation, and other City staffing or equipment.

5.35.040 Permit Required; Exemptions

A. Permit Required. No person or organization shall conduct a special event without first obtaining a special event permit.

B. Exemptions.

1. City-sponsored events.
2. Spontaneous First Amendment assemblies that do not require advance street closure, exclusive use of public space, or City services beyond those routinely provided.
3. Private gatherings entirely on private property with fewer than 100 attendees and no impact on public rights-of-way or City services.
4. Funeral processions receiving law enforcement escort per department policy.

Nothing in this chapter shall be interpreted to regulate speech based on content or viewpoint.

C. Separate Licenses. This permit does not replace any required licenses under Minnesota law, including temporary intoxicating liquor licenses pursuant to Chapter 340A.

5.35.050 Application; Submittal Requirements; Timeline

A. Form. Applications shall be submitted on the City’s Special Event Permit Application form as approved by the City Administrator; the form and related guidelines are incorporated by reference into this chapter.

B. Required Attachments. Applicants shall provide:

1. A site/route map showing barricades, street route plans, perimeter/security fencing, and identifying any areas where alcoholic beverages will be served or sold.

2. Public health plans, including water supply, solid waste collection, and toilet facilities.
3. Fire prevention, emergency medical service plans, and security plans.
4. Certificate of liability insurance naming the City, its officials, employees, and agents as additional insured; commercial general liability with minimum limits of **\$1,500,000** per occurrence; liquor liability endorsement if alcoholic beverages will be sold or distributed.
5. Proof of nonprofit status (if applicable).

C. Residential Street Closure Notification. For events in residential areas requiring street closure, the applicant shall pay all costs for the City to mail a letter to residents within 300 feet of the proposed location.

D. Timeline. Applications shall be submitted no fewer than thirty (30) days prior to the event start date. The City Administrator may accept later filings for good cause if City staffing and safety review remain feasible.

5.35.060 Review; Approval; Conditions

A. Interdepartmental Review. The application shall be circulated to the Clerk, Planning, Public Works, Fire & Life Safety, and City Administrator; Police/EMS review shall be included as applicable.

B. Approval Criteria. The City may approve, approve with conditions, or deny the application based solely on objective criteria including:

- Public safety and emergency access
- Traffic circulation and street capacity
- Sanitation and waste management
- Noise control standards
- Protection of public property
- Compliance with applicable state and local laws
- Availability of City staffing and equipment

C. Conditions. Reasonable conditions may be imposed, including time-of-day limits, maximum attendance, route adjustments, noise limits, security staffing, fencing or barricades, ADA accessibility, waste/recycling service levels, and insurance endorsements.

5.35.070 Fees and Costs

A. Application Fee. As set by Council adopted fee schedule.

B. City Service Charges. Applicants shall reimburse the City for actual, reasonable, and documented costs of staffing, equipment, and materials required due to the event, pursuant to a fee schedule adopted by Council.

C. Barricades and Safety Cones. Applicants may contact Public Works to arrange use of barricades/safety cones for street closures; pickup shall occur at 1205 Airwaves Rd NE with at least forty-eight (48) hours prior notice; equipment must be returned by the next working day; sponsoring organizations are responsible for damage/replacement costs; the approved permit application must be presented at pickup; availability is not guaranteed unless scheduled with Public Works.

5.35.080 Operational Standards

A. Hours and Noise. Events shall comply with PCC § 8.20.050 (Noise Violations). Operation of amplified sound or music devices between 10:00 p.m. and 7:00 a.m. in a manner plainly audible at the property line (or 50 feet if outdoors) is prima facie evidence of a violation; the City may set additional time/place/manner limits by permit condition.

B. Alcohol. If alcohol is served or sold, the applicant must obtain required City and State approvals; liquor liability insurance endorsement is required pursuant to 5.35.050(B)(4).

C. Food Service. If food is served, the applicant must obtain applicable food/health licenses and comply with public health standards.

D. Sanitation and Toilets. Adequate waste/recycling and toilet facilities shall be provided consistent with the approved public health plan.

E. Security and Emergency Access. Event layout shall maintain emergency vehicle access and implement approved security and fire/life safety measures.

F. Accessibility. Events must be accessible to individuals with disabilities.

G. Site Restoration. Applicants shall clean up and restore public property to pre-event condition.

5.35.090 Insurance and Indemnification

A. Insurance. Minimum coverage and endorsements shall be maintained per 5.35.050(B)(4) for the duration of the event.

B. Indemnification. The applicant shall defend, indemnify, and hold harmless the City, its officials, employees, and agents from claims arising out of or related to the event, to the extent permitted by law and excluding claims arising from the City's gross negligence or willful misconduct.

5.35.100 Modifications; Transfer; Cancellation

A. Modifications. Material changes require prior written approval; the City may modify permit conditions for safety.

B. Non-Transferability. Permits are not transferable.

C. The City may cancel or suspend a permit due to emergency conditions, severe weather, or objectively documented public safety concerns that cannot be mitigated through reasonable permit conditions.

5.35.110 Denial; Revocation; Appeals

A. Denial. A permit may be denied if approval criteria are not met, the application is incomplete, or the event would unreasonably endanger public safety/welfare.

B. Revocation. Grounds include misrepresentation, violation of permit terms, unsafe conditions, or unlawful conduct.

C. Appeals. The applicant may appeal denial or revocation to the City Council within ten (10) days of written notice. The Council shall hold a hearing and issue a written decision with findings based on the record within thirty (30) days after the appeal is filed.

5.35.120 Administration; Delegation

A. The City Administrator or Deputy Clerk (or designee) is authorized to administer this chapter and issue permits consistent with its terms. Final legislative authority remains with the City Council. Administrative decisions are subject to appeal under Section 5.35.110.

B. Departments (Clerk, Planning, Public Works, Fire & Life Safety, Fire Department) may establish checklists and standards to implement this chapter.

12.36.020 Exceptions (k) Mobile food units. is a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location. The unit can operate no more than 21 days annually at any one place unless it is operated at the site of and in conjunction with a permanent business licensed under Minn. Stats. Ch. 157 or 28A. All mobile food units must be operated in compliance with the Minnesota Food Code.

No mobile food unit shall be kept, stored, or maintained on a residentially zoned property in violation of any ordinance or regulation.

Mobile food units shall be allowed to operate in all districts with a valid license. Mobile food units may be allowed in all zoning districts if the use of the existing property is commercial and not residential in nature.

If at any time the mobile food unit generates complaints, the City Council may review the license and determine if the license should be revoked.

Chapter 5.40 – Mobile Food Units

5.40.010 Purpose

To protect public health, safety, and welfare by regulating the time, place, and manner in which mobile food units operate within the City of Pine City, ensuring compliance with applicable state food licensing laws, fire safety standards, accessibility requirements, and local zoning regulations.

5.40.020 Authority

This chapter is adopted pursuant to the City's general police powers under Minnesota Statutes § 412.221 and other applicable state laws. Nothing in this chapter is intended to conflict with or supersede state food licensing authority under Minnesota Statutes Chapter 157.

5.40.030 Definitions

"Mobile Food Unit" means a food service establishment mounted on a motor vehicle or trailer, designed to be readily movable, and licensed by the Minnesota Department of Health or a delegated agency under Minnesota Statutes Chapter 157.

5.40.040 License Required

No person shall operate a mobile food unit within the City without first obtaining a local mobile food unit license under this chapter.

5.40.050 Application Requirements

Applications shall include:

- a) Applicant and business information.
- b) Proposed location(s) and dates of operation.
- c) Proof of valid Minnesota Department of Health mobile food unit license (or delegated agency license).
- d) Certificate of Commercial General Liability Insurance naming the City as additional insured, minimum coverage of \$2,000,000 per occurrence.
- e) Property owner written permission (if on private property).
- f) Payment of license fee as set by Council adopted fee schedule.
- g) Verification that the proposed location complies with City zoning regulations.

Applicants shall certify that operations will comply with applicable accessibility requirements under the Americans with Disabilities Act, including maintaining accessible customer service areas and routes where required.

5.40.060 Safety and Compliance

All mobile food units must:

- a) Comply with applicable provisions of the Minnesota State Fire Code, including but not limited to Sections 319, 607, and 904.12.
- b) Provide portable fire extinguishers in accordance with MSFC Section 906.4.
- c) Maintain a minimum 10-foot clearance from buildings, vehicles, and combustible materials unless otherwise approved by Fire & Life Safety.
- d) Allow Fire & Life Safety inspection prior to or during operation.

- e) Maintain emergency access lanes as required by the Fire Code.

5.40.070 Operational Standards

Mobile food units shall:

- a) Not obstruct public sidewalks, fire hydrants, or required accessible routes.
- b) Maintain pedestrian access consistent with ADA accessibility standards.
- c) Dispose of waste and wastewater in compliance with state and local regulations.
- d) Not discharge grease or wastewater onto public or private property.
- e) Operate only during hours permitted under applicable zoning regulations.

5.40.080 License Term and Non-Transferability

Licenses are valid for one year from issuance and expire no later than 12 months after approval. Licenses are non-transferable and apply only to the named licensee.

5.40.090 Display of License

The local license shall be displayed in a visible location on the mobile food unit during operation.

5.40.100 Enforcement

No operation shall occur until proof of insurance and state food licensing is verified.

The City may suspend or revoke a license for:

- a) Material misrepresentation in the application.
- b) Violation of fire safety standards.
- c) Failure to maintain required insurance.
- d) Operation without a valid state food license.
- e) Violation of zoning regulations.
- f) Repeated violations of City code.

Due Process Provision: Except in cases posing an immediate threat to public health or safety, suspension or revocation shall occur only after written notice and an opportunity to be heard.

Immediate suspension may occur if necessary to address imminent life-safety hazards.

Appeals may be made to the City Council within ten (10) days of written notice. The Council shall issue a written decision after hearing.

5.40.110 Fees

Fees shall be established by Council and published in the City's fee schedule.



Building a Better World
for All of Us®

MEMORANDUM

TO: Tabitha Pickett, City of Pine City

FROM: Therese Haffner, Community Development Specialist

DATE: April 15, 2026

RE: Parcel 420217000, 300 1st Ave. SE
SEH No. 183940, Task #15

PROPOSAL DETAILS

Property Owner: Cole Newman, Eagle Ridge Estates, LLC
Location: 300 1st Ave. SE Pine City, MN
Parcel ID: 420217000
Existing Land Use: Commercial Building
Existing Zoning: MXU Mixed Use District
Future Land Use: Lakeside Commerce
Existing Size: 39,707 SF (.92 acres)

OVERVIEW OF PROPOSAL

Cole Newman owns the property at 300 1st Ave. SE and has applied to subdivide the parcel into two lots. He has requested this be done as a minor subdivision and has submitted a Certificate of Survey (**Exhibit A**). The property has an existing vacant commercial building on it. The proposed subdivision would separate the commercial building into one 14,632 SF (.34 acres) lot (Parcel A) and create a new 25,075 SF (.58 acres) lot for the development of an apartment building and detached garages (Parcel B). The property owner has also submitted a request for a variance from the 25% impervious surface requirement of the Shoreland Ordinance proposing 70% impervious surface for Parcel B as shown in **Exhibit B** and an estimated 89% for Parcel A.

ANALYSIS

SEH was asked by the City to review the minor subdivision and variance applications. The review was based on the submitted application, plans, applicable city subdivision and zoning code requirements, and MN state statutes.

A public hearing is required for both the minor subdivision and variance.

Subdivision Review

1. The city may allow a minor subdivision rather than a preliminary and final plat process (two-part) for a subdivision as follows:

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 1390 Highway 15 South, Suite 200, P.O. Box 308, Hutchinson, MN 55350-0308

320.587.7341 | 800.838.8666 | 888.908.8166 fax | sehinc.com

SEH is 100% employee-owned | Affirmative Action–Equal Opportunity Employer

- In the case of a subdivision resulting in three or less lots, situated in a neighborhood where conditions are well-defined and no further re-subdivision is expected, the governing body may exempt the subdivider from complying with some of the requirements of these regulations, after submission of a survey by a registered land surveyor of the proposed subdivision and, provided the newly created property lines will not cause any resulting lot to be in violation of the performance standards set forth in this Zoning Code.
 - In the case of a request to subdivide a lot which is a part of a recorded plat to create not more than three new lots, and the newly created property lines will not cause any resulting lot to be in violation of these regulations or the Zoning Code, the decision may be approved by the governing body. Each parcel must have a minimum frontage of 25 feet on a public road.
 - There shall be only one minor subdivision with regard to the original tract in any calendar year. The governing body shall have the authority to deny minor subdivisions if it appears that the intent of these regulations or the Zoning Code may be violated.
2. The Future Land Use Plan within the Comprehensive Plan (**Exhibit C**) guides the property for Lakeside Commerce and the zoning designation is MXU Mixed Use District (**Exhibit D**). The current surrounding land use is as follows: north- vacant, east- single family residential, west- railway line, and south- commercial. According to Title 13 Land Use and Development, Chapter 13.44 MXU Ordinance, Section 13.44.050, an apartment building is a Permitted Use within the MXU District.
 3. According to city ordinance Chapter 13.44 Section 13.28.040, the minimum lot size is 5,000 SF and minimum lot width is 50 feet. The proposed subdivision meets the city's ordinance on lot size and width.
 4. Access is provided from the existing public right-of-way of 3rd St. SE and 1st Ave. SE. All developments require a sidewalk (minimum 5 feet in width) along the public the right-of-way per the city's subdivision ordinance. The submitted site plan proposes a sidewalk along the south (2nd Ave. SE and east (3rd St. SE) meeting the city's subdivision ordinance.
 5. According to city ordinance Chapter 13.72 Subdivision Design, Article II, Section 13.72.120, Drainage and Utility easements shall be provided as follows:
 - Easements having a minimum width of ten feet shall be provided along the front, side or rear lot lines as required for utility lines, drainage and underground mains and cables.

The proposed subdivision does not provide drainage and utility easements as required per city ordinance. Additionally, existing conditions and ownership verification were not submitted. The applicant shall submit proof of title (current abstract of title or title commitment).

Variance Review

1. The property, a non-riparian lot, is within the Shoreland Zoning of Cross Lake, classified as a General Development Lake. The Shoreland Ordinance applies.
2. The maximum impervious allowed is 25% per the Shoreland Zoning Ordinance (13.88.010 Shorelands, h4b1) and MN Administrative Rules (6120.3300 Subp. 11. B1).

3. Impervious surface includes total lot coverage, including all structures (buildings, sidewalks, parking lots, and driveways, including paved and gravel). The submitted plan proposes impervious surface of 70% on Parcel B. The applicant did not provide the impervious surface amount for Parcel A. Utilizing aerial mapping and measurements from Pine County Beacon (**Exhibit E**), the existing building footprint is approximately 5,500 square feet (**Exhibit F**) and the drive/parking lot area is estimated at 7,500 square feet for a total proposed estimated impervious surface for Parcel A of 89%. The current estimated impervious surface on the .92-acre parcel is 43% (17,000 square feet). The building was built in 1920, and the drive areas are prior to the adoption of the shoreland ordinance; therefore, this is a legal non-conformity in its present state.
4. A city may grant a variance if enforcement of a zoning ordinance provision, as applied to a particular piece of property, would cause the landowner "practical difficulties." For the variance to be granted, the applicant must satisfy the statutory three-factor test for practical difficulties (Minn. Statute 462.357, subd. 6). All three factors must be satisfied to constitute practical difficulties. The factors are as follows:

Reasonableness

The property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a specific, reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.

Applicant's Response: Variance would be to allow building there.

Uniqueness

The landowner's situation arose out of circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the piece of property and economic considerations alone cannot create practical difficulties.

Applicant's Response: Within 1,000 ft of Lake Shore.

Essential character

The variance, if granted, will not alter the essential character of the locality. This factor generally contemplates whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

Applicant's Response: It will not be any of the above.

Also, variances are only permitted when:

- They are in harmony with the general purposes and intent of the ordinance, and
- The terms of the variance are consistent with the comprehensive plan.

Engineer Review Comments:

There shall be no increase in the rate of storm water off the site for any development.

MN DNR Review Comments:

If application is approved, consider having property owner implement an onsite Stormwater retention with the remaining area non impervious area. The square footage of the impervious surface of Lot B indicate that there will be an additional 11,000 gallons of stormwater leaving site during a 1-inch rain event. This will reduce the surge on the city's stormwater system and adjacent properties.

FINDINGS AND RECOMMENDATIONS

The following provides findings and recommendations:

1. The applicant shall submit proof of title (current abstract of title or title commitment).
2. The applicant shall submit a revised Certificate of Survey to include the following:
 - a. All encroachments.
 - b. Easements of record.
 - c. The boundary and legal description of any proposed easements on the property. Add drainage and utility easement at least ten (10) feet in width along all property lines.
3. Approve minor subdivision contingent on revisions being met and as cited above (1 & 2).
4. A variance from the 25% impervious surface requirement of the Shoreland Ordinance shall be considered for both Parcel A and Parcel B by the Planning Commission and City Council. The Planning Commission and City Council should adopt findings of fact either in support or denial of the variance.
5. Site plan review and approval is required prior to development.
6. There shall be no increase in the rate of storm water off the site for any development.
7. Stormwater retention shall be implemented on-site within pervious areas.
8. All costs associated with the extension of utilities are the responsibility of the applicant.
9. City development fees may apply, including but not limited, to park dedication, and water and sewer access charges.

c: Greg Anderson, SEH

Exhibit A

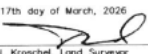
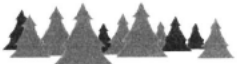
CERTIFICATE OF SURVEY FOR COLE NEWMAN PART OF SECTION 33, TOWNSHIP 39, RANGE 21, PINE COUNTY, MINNESOTA <u>Existing Property Description:</u> That part of the Original Townsite of Pine City described as follows: All that land lying South of the South right-of-way line of 1st Avenue; West of the West right-of-way line of 3rd Street; North of the North right-of-way line of 2nd Avenue; and East of the East right-of-way line of the Burlington Northern Railroad, Pine City, Minnesota, lying in and being a part of the West Half of the Northeast Quarter of Section 33, Township 39, Range 21, Pine County, Minnesota. AND The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota. <u>Description for Parcel A:</u> That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows: Beginning at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence north along said east right-of-way line to the intersection with the south right-of-way line of First Avenue, extended west; thence east, along said south right-of-way line of First Avenue extended, to the point of beginning. AND The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota. <u>Description for Parcel B:</u> That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows: Commencing at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet to the point of beginning of the property to be described; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence south along said east right-of-way line to the intersection with the north right-of-way line of Second Avenue, extended west; thence east, along the north right-of-way line of Second Avenue extended, to the west right-of-way line of Third Street; thence north along the west right-of-way line of Third Street to the point of beginning. <u>LEGEND.</u> ✕ DENOTES MAG SPIKE FOUND ● DENOTES 1/2" IRON REBAR FOUND, MARKED KROSCHER 44490 ● DENOTES 1/2" REBAR SET, MARKED KROSCHER 44490 <u>Notes to Survey:</u> 1. For the purposes of this survey, existing easements of record were not researched. 2. The east right-of-way line of the BNSF Railway is 50 feet east of the center of the main tracks, as shown on Northern Pacific Railway Station Map, Pine City, V-2, S-L 13A. 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. Dated this 17th day of March, 2026 By:  Tyler J. Kroschel, Land Surveyor Minnesota License No. 44490  Kroschel Land Surveyors, Inc. 1639 Main Street North, Suite 6, Pine City, MN 55063 Phone: 320-629-3267 tyler@kroschelsurvey.com
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Exhibit A

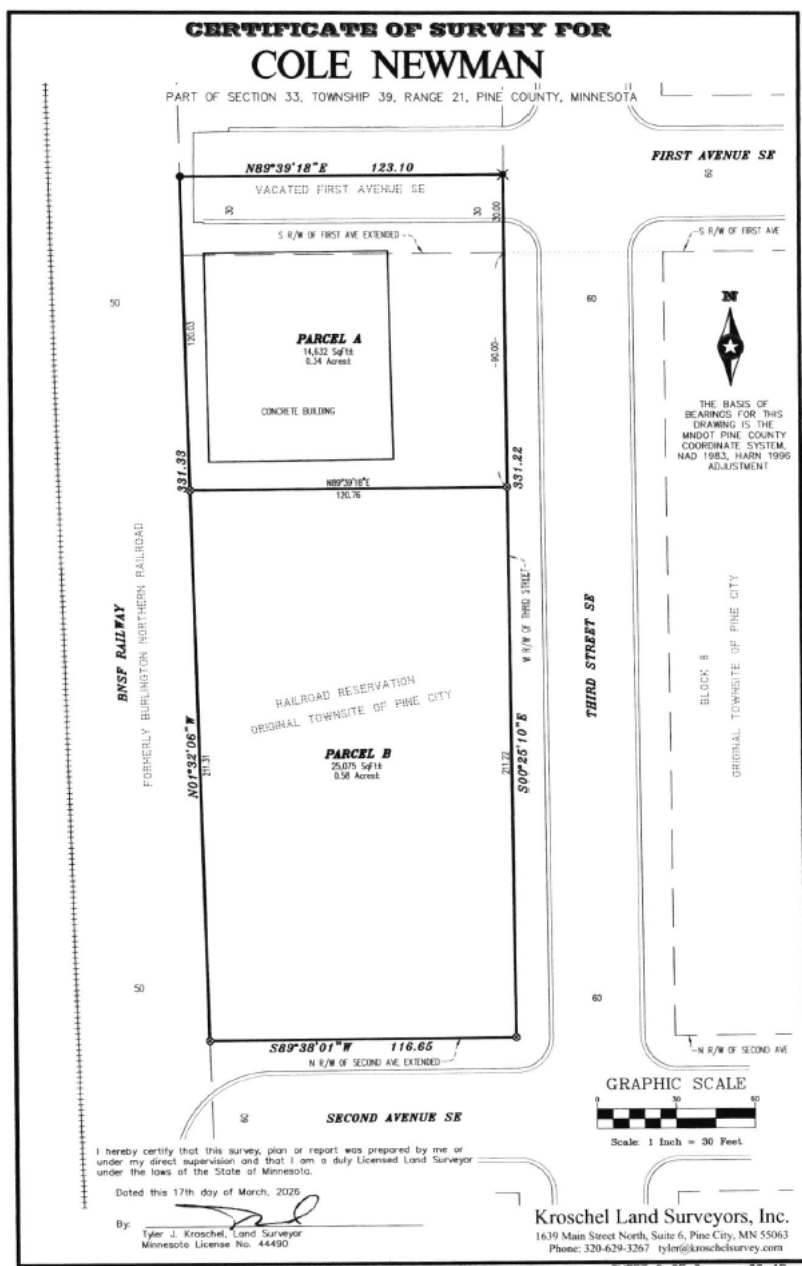


Exhibit B Site Plan Drawing

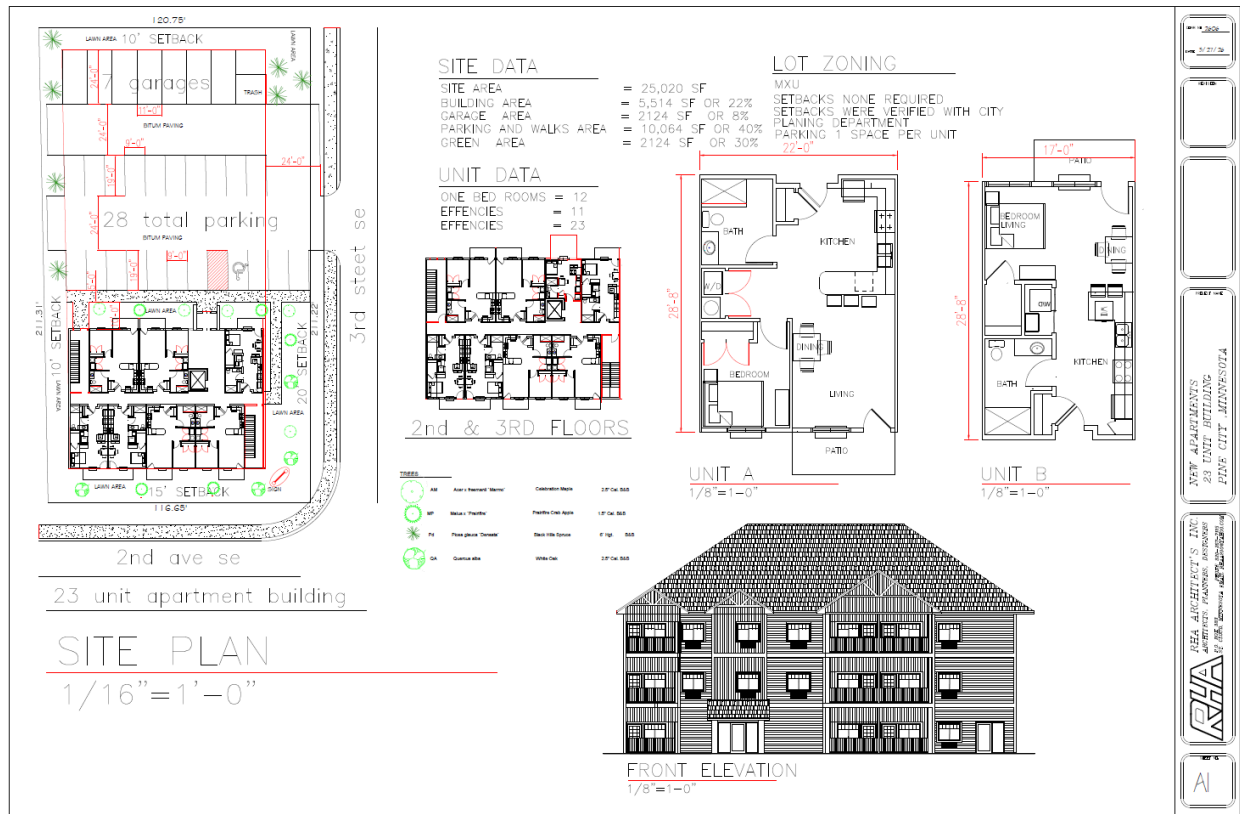
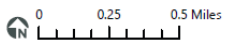


Exhibit C Future Land Use Map, Comprehensive Plan



Data Sources:
Pine City
Pine County
NW1



Future Land Use Map

2024-2034 Comprehensive Plan

City of Pine City
Pine County, Minnesota

Exhibit D Zoning Map of Property



Exhibit E Aerial of Property



Exhibit F Existing Commercial Building



**CITY OF PINE CITY, MINNESOTA
CITY COUNCIL**

RESOLUTION 2026-

***A RESOLUTION APPROVING A MINOR SUBDIVISION
CERTIFICATE OF SURVEY FOR COLE NEWMAN***

WHEREAS, Cole Newman, Eagle Ridge Estates, LLC, owner, hereinafter referred to as “applicant” has applied for a minor subdivision on the property located at 300 1st Avenue SE, Pine City, Minnesota, PID 42.0217.000, and legally described in **Exhibit A**:

(the “Subject Property”)

WHEREAS, City Code § 13.84.020(a)(2) allows the City Council to approve minor subdivisions that do not create more than three lots and do not result in any zoning violations; and

WHEREAS, the applicant has submitted a Certificate of Survey proposing to create two lots; and

WHEREAS, the purpose of the minor subdivision is to facilitate development of a proposed apartment building and related uses (detached garages, and parking); and

WHEREAS, the Pine City Planning Commission held a public hearing on April 22, 2026, to take public comment and review the minor subdivision; and

WHEREAS, the zoning designations of the Subject Property are Mixed-Use District (MXU) and Shoreland Zoning District; and

WHEREAS, the request is being processed in conjunction with an application for a variance from the impervious surface requirements of the Shoreland Zoning District; and

WHEREAS, city staff and engineer have reviewed the request and find that the minor subdivision will comply with all applicable requirements of the Mixed-Use District (MXU), including minimum lot size, width, and dimensional standards, and that no zoning nonconformities will be created; and

WHEREAS, the City Council has reviewed the application, staff recommendations, and all supporting materials and finds that the lot combination is consistent with Minnesota Statutes, the Pine City Zoning Ordinance, and the criteria for minor subdivisions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINE CITY, MINNESOTA, that the minor subdivision is hereby approved with the following conditions:

1. The applicant shall submit proof of title (current abstract of title or title commitment).
2. The applicant shall submit a revised Certificate of Survey to include the following:

- a. All encroachments.
 - b. Easements of record.
 - c. The boundary and legal description of any proposed easements on the property. Add drainage and utility easement at least ten (10) feet in width along all property lines.
3. The approved minor subdivision/Certificate of Survey shall be recorded with Pine County.
4. The public sidewalk shall meet city specifications and be reviewed and approved by the city engineer. Construction and costs of the public sidewalk will need to meet the city's ordinances and policies.
5. Site plan review and approval meeting city ordinances is required prior to development.
6. There shall be no encroachment of structures, including but not limited to buildings, signage, sidewalks, parking, and drives areas within the drainage and utility easements.
7. There shall be no increase in the rate of storm water off the site for any development.
8. Stormwater retention shall be implemented on-site within pervious areas.
9. All costs associated with the new sidewalk and extension of utilities are the responsibility of the applicant.
10. City development fees may apply, including but not limited, to park dedication, and water and sewer access charges.
11. The applicant shall have utility locates completed prior to construction activity.
12. The applicant shall comply with the MN State Building Code and obtain a building permit prior to construction.

Adopted by the Council this 6th day of May, 2026.

By: _____
Kent Bombard, Mayor

ATTEST:

Marcy Peterson, City Administrator

STATE OF MINNESOTA
COUNTY OF PINE

This instrument was acknowledged before me on _____ by
_____ of City of Pine City a Municipal Corporation under the laws of
Minnesota on behalf of the Municipal Corporation

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Drafted by:
City of Pine City
1015 Hillside Ave SW, Ste. 2
Pine City, MN 55063

Exhibit A

Existing Legal Description:

That part of the Original Townsite of Pine City described as follows:

All that land lying South of the South right of way line of 1st Avenue; West of the West right of way line of 3rd Street; North of the North right of way line of 2nd Avenue; and East of the East right of way line of the Burlington Northern Railroad, Pine City, Minnesota, lying in and being a part of the West Half of the Northeast Quarter of Section 33, Township 39, Range 21, Pine County, Minnesota.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Proposed Legal Descriptions:

Parcel A:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Beginning at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence north along said east right-of-way line to the intersection with the south right-of-way line of First Avenue, extended west; thence east, along said south right-of-way line of First Avenue extended, to the point of beginning.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Parcel B:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Commencing at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet to the point of beginning of the property to be described; thence

west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence south along said east right-of-way line to the intersection with the north right-of-way line of Second Avenue, extended west; thence east, along the north right-of-way line of Second Avenue extended, to the west right-of-way line of Third Street; thence north along the west right-of-way line of Third Street to the point of beginning.

**CITY OF PINE CITY, MINNESOTA
CITY COUNCIL**

RESOLUTION 2026-

***A RESOLUTION APPROVING VARIANCES FOR IMPERVIOUS SURFACE FOR
300 1ST Avenue SE, PID 42.0217.000***

WHEREAS, Cole Newman, Eagle Ridge Estates, LLC, owner, hereinafter referred to as “applicant” has applied for a variance from the maximum impervious surface standard established in Pine City Code on the property located at 300 1st Avenue SE, Pine City, Minnesota, PID 42.0217.000, and legally described in **Exhibit A**:

(the “Subject Property”)

WHEREAS, the Subject Property is within the Shoreland Zoning District where impervious surfaces of lots must not exceed twenty-five percent (25%) of the lot area; and

WHEREAS, proper notice of the public hearing to consider the variance request has been given to commissioner of the Minnesota Department of Natural Resources (DNR) or the commissioner’s designated representative; and

WHEREAS, the Pine City Planning Commission held a public hearing on April 22, 2026, to take public comment and review an application for a variance; and

WHEREAS, the Pine City Planning Commission recommended the City Council approve the requested variance with the following conditions:

1. All laws, rules, and regulations shall be complied with, and all necessary permits obtained.
2. A minor subdivision in the form of a Certificate of Survey shall be completed and approved.
3. Drainage and Utility Easements of ten feet along the perimeter of all property lines shall be included on the minor subdivision/Certificate of Survey.
4. There shall be no increase in the rate of storm water off the site for any development.
5. Stormwater retention shall be implemented on-site within pervious areas.
6. Site plan review and approval is required prior to development.

WHEREAS, the Planning Commission desires to review applications fairly and justly for variances and has the following findings of fact:

1. The land use map of the City Comprehensive Plan guides the Subject Property for Lakeside Commerce.
2. The zoning designation of the Subject Property is MXU Mixed Use District.
3. The reason for the variance request is to subdivide the Subject Property from one lot to two lots and maintain an existing commercial building on proposed Parcel A and develop a new apartment building with related uses, including detached garages, and parking and drive aisle areas on proposed Parcel B, which are permitted uses within the MXU Mixed Use District
4. The Subject Property is surrounded by the following existing land uses:
 - a. Vacant to the north
 - b. Commercial to the south
 - c. Single-family residential to the east
 - d. Railway line to the west
5. The variance would be in keeping with the spirit and intent of city code, would be consistent with the Comprehensive Plan, and would not essentially alter the character of the neighborhood, or adversely affect the environmental quality of the area.
6. The variance would not allow any use that is not permitted under the city code for a property in the zoning district where the affected applicant's land is located.
7. The variance would not impair an adequate supply of light and air to adjacent properties.
8. The variance would not increase congestion in the public rights-of-way.
9. The variance would not increase the danger of fire or endanger public safety.
10. The variance would not cause an unreasonable strain upon existing municipal facilities and services.
11. The variance would not have a negative direct or indirect fiscal impact upon the City, County or School District.
12. The proposed Parcel A has an estimated impervious surface coverage of eighty-nine percent (89%) according to Pine County Beacon GIS due to an existing vacant commercial building and parking and drive areas (paved and gravel) that would remain.
13. The application proposes seventy percent (70%) impervious surface coverage for the proposed Parcel B for development of a new apartment building, detached garages, sidewalk, parking and drive aisle areas.
14. Enforcement of the impervious surface requirement would cause the applicant practical difficulties.
15. The proposed uses to allow the existing commercial building and parking and drive areas to remain, while creating a new lot for an apartment building, detached garages, parking lot, and drive aisles are reasonable uses.

16. The increase in impervious surface coverage will not alter the essential character of the locality as apartment buildings within the community have increased lot coverage due to the related accessory uses, including the parking lot and drive aisles needed to accommodate higher density residential.
17. Shoreland means land located within the following distances from public water: 1,000 feet from the ordinary high-water level of a lake, pond, or flowage.
18. The Subject Property is approximately 850 feet from the ordinary high-water level of Cross Lake.
19. The landowner's situation arose out of circumstances unique to the property and not caused by the landowner.

NOW, THEREFORE, BE IT RESOLVED THAT: the City of Pine City Council, Pine County, State of Minnesota, as follows

1. Based on the Findings of Facts, the following variance on the Subject Property is hereby granted:
 - a. A variance of sixty-four percent (64%) from the impervious surface requirement of the Shoreland Zoning Ordinance allowing up to eighty-nine percent (89%) total impervious surface for Parcel A as described in Exhibit B.
 - b. A variance of forty-five percent (45%) from the impervious surface requirement of the Shoreland Zoning Ordinance allowing up to seventy percent (70%) total impervious surface for Parcel B as described in Exhibit B.
2. Site plan review and approval meeting city ordinances is required prior to development.
3. There shall be no increase in the rate of storm water off the site for any development.
4. Stormwater retention shall be implemented on-site within pervious areas.
5. Drainage and Utility easements of ten (10) feet along all property lines shall be included on the minor subdivision/Certificate of Survey.
6. The Minor Subdivision in the form of a Certificate of Survey shall be reviewed and approved by the City.
7. There shall be no encroachment of structures, including but not limited to buildings, signage, sidewalks, parking, and drives areas within the drainage and utility easements.
8. The applicant shall have utility locates completed prior to construction activity.
9. The applicant shall comply with the MN State Building Code and obtain a building permit prior to construction.

Adopted by the Council this 6th day of May, 2026.

By: _____
Kent Bombard, Mayor

ATTEST:

Marcy Peterson, City Administrator

STATE OF MINNESOTA

COUNTY OF PINE

This instrument was acknowledged before me on _____ by
_____ of City of Pine City a Municipal Corporation under the laws of
Minnesota on behalf of the Municipal Corporation

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Drafted by:
City of Pine City
1015 Hillside Ave SW, Ste. 2
Pine City, MN 55063

Exhibit A

Legal Description

That part of the Original Townsite of Pine City described as follows:

All that land lying South of the South right of way line of 1st Avenue; West of the West right of way line of 3rd Street; North of the North right of way line of 2nd Avenue; and East of the East right of way line of the Burlington Northern Railroad, Pine City, Minnesota, lying in and being a part of the West Half of the Northeast Quarter of Section 33, Township 39, Range 21, Pine County, Minnesota.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

Exhibit B

Legal Descriptions

Parcel A:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Beginning at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence north along said east right-of-way line to the intersection with the south right-of-way line of First Avenue, extended west; thence east, along said south right-of-way line of First Avenue extended, to the point of beginning.

AND

The South Half of that part of First Avenue Southeast lying East of the Easterly right-of-way line of the railroad and West of Third Street SE, all in the Original Townsite of Pine City, Pine County, Minnesota.

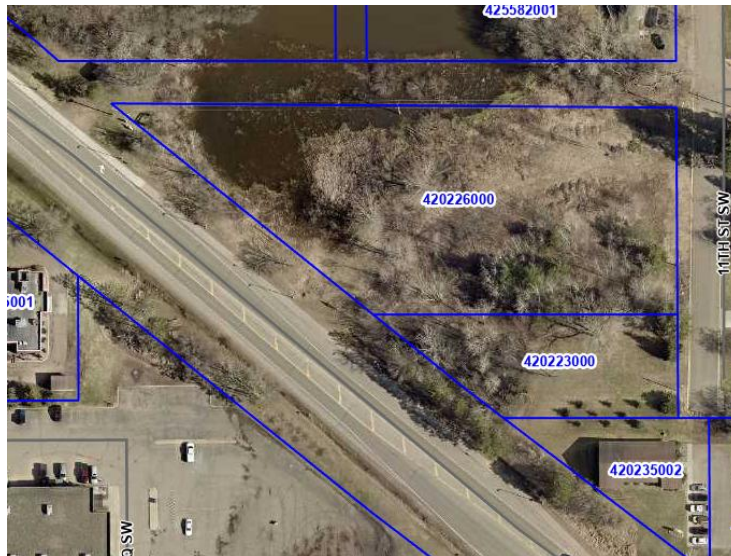
Parcel B:

That part of the Railroad Reservation, as shown on the recorded plat of the Original Townsite of Pine City, Pine County, Minnesota, described as follows:

Commencing at the intersection of the west right-of-way line of Third Street and the south right-of-way line of First Avenue, extended west; thence south along the west right-of-way line of Third Street a distance of 90 feet to the point of beginning of the property to be described; thence west, parallel with the south right-of-way line of First Avenue a distance of 120.76 feet, to the east right-of-way line of the BNSF Railway; thence south along said east right-of-way line to the intersection with the north right-of-way line of Second Avenue, extended west; thence east, along the north right-of-way line of Second Avenue extended, to the west right-of-way line of Third Street; thence north along the west right-of-way line of Third Street to the point of beginning.



Regarding: Pine County Holding Rezone Request – 42.0226.000 & 42.0223.000



Description of Request: The applicant's property (PID: 42.0226.000 & 42.0223.000) is currently zoned GB, General Business District. The applicant is requesting approval of a rezone to build a multi-use building for commercial and residential. The property owner is requesting to be rezoned to **Mixed Use District (MXU)** as a **Commercial Apartment** is a permitted use.

Staff Recommendation: Based on the applicable evaluation criteria and staff findings, approval is recommended for the proposed rezone request, subject to the condition that the final parcel after being rezoned is combined in compliance with City of Pine City Ordinance 13.84.010 Amendments and Rezoning.

City of Pine City

1015 Hillside Ave SW., Ste. 2, Pine City, Minnesota 55063-1619

Phone: 320.629.2575 | E-mail: info@pinecitygov.com | Website: pinecity.govoffice.com

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, familial status, sexual orientation, and reprisal. An equal opportunity employer/contractor.



13.84.010 (c) *Processing Procedures:*

The applicant shall submit the application and accompanying material. Upon determination that the information is complete, the City shall schedule a public hearing before the Planning Commission. Legal notice shall be provided in accordance with Minnesota Statutes. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bonafide attempt has been made.	<i>Complete application with all supporting documentation was submitted. Notice to the public via the newspaper was made on April 3, 2026. Surrounding residents were mailed a letter on April 3, 2026.</i>
The Planning Commission shall hold a public hearing. The applicant or representative of the applicant shall be present at the public hearing.	<i>Public Hearing takes place April 22, 2026 at 5:00pm.</i>
The Planning Commission shall consider possible adverse effects of the proposed amendment or conditional use. Its judgment shall be based upon, but not limited to, the following general factors: Relationship to the City's Growth Management System.	<i>The proposed rezoning to Mixed Use District (MXU) supports the City's growth management objectives by encouraging compact, efficient development that integrates residential and commercial uses. This type of development promotes walkability, reduces land use conflicts, and aligns with long-term planning goals for mixed-use corridors.</i>
The geographical area involved.	<i>The subject property is located in an area characterized by a mix of commercial and residential uses, making it suitable for transition to a mixed-use designation. The site's location supports redevelopment at a higher intensity consistent with surrounding land use patterns.</i>
Whether the use will tend to or actually depreciate the area in which it is proposed.	<i>The proposed mixed-use development is not expected to depreciate surrounding property values. Mixed-use buildings are generally considered a positive land use that can enhance economic vitality and improve neighborhood aesthetics when properly designed and regulated.</i>
The character of the surrounding area.	<i>The surrounding area includes a blend of residential and commercial uses. There is a dental office located to the south and east of the property, homes to the north along with other apartment buildings, and gas stations to the west. The proposed MXU zoning is consistent with this mixed character and represents a logical extension of existing land use patterns.</i>

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The demonstrated need for the use.	<i>There is an ongoing need for both residential housing and commercial space within the community. Mixed-use developments help address both needs simultaneously, providing opportunities for housing diversification and local business growth.</i>
The public need for additional land space for the requested use in the location requested.	<i>The subject property is appropriately located to accommodate mixed-use development due to its access, visibility, and proximity to existing services. Rezoning this parcel helps meet the community's need for additional mixed-use development in a suitable location.</i>
Compatibility of adjacent land uses.	<i>The proposed MXU zoning is compatible with adjacent land uses. Mixed-use districts are specifically intended to serve as transitional zones between purely commercial and residential areas, thereby reducing potential land use conflicts.</i>
The possible presence and effects of noise, odors or other nuisances.	<i>Potential impacts such as noise, lighting, and activity levels are typical of mixed-use developments and can be mitigated through compliance with zoning performance standards, site plan review, and applicable building and fire codes. No significant adverse impacts are anticipated.</i>
Availability in the present or near future of necessary utilities and public services.	<i>The property is currently served, or can be adequately served, by public utilities including water, sanitary sewer, and transportation infrastructure. No deficiencies in public services have been identified that would preclude the proposed rezoning.</i>
The precedents and possible effects of such precedents, which might likely result from approval or denial of the petition.	<i>Approval of this rezoning would be consistent with sound planning principles and prior City actions supporting mixed-use development in appropriate locations. It does not constitute spot zoning, as it aligns with surrounding land uses and broader planning objectives.</i>
Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or is an error in the original ordinance.	<i>The requested zoning change is justified by evolving land use patterns and development trends that favor mixed-use development. The current GB zoning does not fully reflect the highest and best use of the property given its context, and the MXU designation better aligns with current conditions and future planning goals.</i>

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The Planning Commission shall make a finding of fact and recommend such actions relating to the request to the City Council.	
Upon receiving the report and recommendation of the Planning Commission, the City Council shall either approve or disapprove the request as recommended by the Planning Commission, based upon whether the application meets the requirements stated in this chapter.	

Staff recommendation is to approve the rezone request to Mixed Use District (MXU): Commercial Apartment which is a permitted use, but with conditions.

Recommended conditions:

1. Prior to issuance of any building permit, the subject parcels (PID 42.0226.000 and 42.0223.000) shall be legally combined into a single parcel through a recorded instrument or subdivision process, as applicable, in accordance with City regulations and authority granted under Minnesota Statutes § 462.358. Proof of recording shall be submitted to the City.
2. Prior to issuance of any building permit, the applicant shall obtain site plan approval in accordance with the Pine City Zoning Ordinance, as authorized by Minnesota Statutes § 462.357. The site plan review shall evaluate compliance with all applicable zoning controls, including but not limited to building placement, access, parking, landscaping, lighting, utilities, and stormwater management. No construction shall occur until such approval is granted.
3. All construction shall comply with the Minnesota State Building Code, including applicable provisions governing mixed occupancy structures.
4. The development shall comply with the Minnesota State Fire Code, including requirements for fire separation, fire suppression systems, alarms, and emergency access, as applicable.
5. The development shall comply with the Americans with Disabilities Act and the Minnesota Accessibility Code (Chapter 1341), as enforced through the State Building Code.
6. The use and development of the property shall comply with all applicable provisions of the Pine City Zoning Ordinance for the Mixed Use District (MXU), as authorized under Minnesota Statutes § 462.357.
7. The property shall be served by adequate public utilities, including water and sanitary sewer, consistent with City standards. Any required extensions or improvements shall be constructed in accordance with City specifications and applicable regulations.

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8. The applicant shall comply with all applicable stormwater management and environmental regulations, including permitting requirements of the Minnesota Pollution Control Agency under the NPDES/SDS Construction Stormwater Program, if applicable.
9. Erosion and sediment control measures shall be implemented and maintained in compliance with state standards and any applicable permits during all phases of site disturbance.
10. The applicant shall obtain all required local, state, and federal permits prior to construction, including but not limited to building, grading, utility, and stormwater permits.
11. Off-street parking, loading, and site access shall be designed and constructed in compliance with applicable City standards and reviewed as part of the site plan approval process.

City of Pine City

CHAPTER 13.13

REZONING OF PROPERTY – PID 42.0226.000 & 42.0223.000

13.13.010 Amendment Of Zoning Map

The official zoning map of the City is hereby amended to rezone the following described property from General Business (GB) to Mixed Use District (MXU):

Parcel Identification Numbers: 42.0226.000 and 42.0223.000

13.13.020 Findings

In approving this rezoning, the City Council makes the following findings:

- (a) The applicant submitted a complete application in accordance with City Zoning Ordinance 13.84.010 and applicable Minnesota Statutes.
- (b) Proper notice of the public hearing was given in accordance with Minnesota law.
- (c) The Planning Commission held a public hearing on April 22, 2026 and forwarded a recommendation to the City Council.
- (d) The proposed rezoning is consistent with the City's comprehensive planning and growth management objectives.
- (e) The subject property is located in an area characterized by a mix of residential and commercial uses and is suitable for Mixed Use District designation.
- (f) The rezoning will not negatively impact surrounding property values and is compatible with adjacent land uses.
- (g) There is a demonstrated need for additional residential and commercial development within the City.
- (h) The property is adequately served by public utilities and infrastructure.
- (i) The rezoning is consistent with sound planning practices and does not constitute spot zoning.

(j) The rezoning is justified by changing land use conditions and represents the highest and best use of the property.

13.13.030 Conditions Of Approval

The rezoning is approved subject to the following conditions:

- (a) Prior to issuance of any building permit, the subject parcels shall be legally combined into a single parcel in accordance with City regulations and Minnesota Statutes § 462.358. Proof of recording shall be submitted to the City.
- (b) Prior to issuance of any building permit, the applicant shall obtain site plan approval in accordance with Pine City Zoning Ordinance 13.84.060 and Minnesota Statutes § 462.357.
- (c) All construction shall comply with the Minnesota State Building Code.
- (d) The development shall comply with the Minnesota State Fire Code.
- (e) The development shall comply with the Americans with Disabilities Act and Minnesota Accessibility Code.
- (f) The use and development shall comply with all applicable provisions of the Mixed Use District (MXU).
- (g) The property shall be served by adequate public utilities. Any required improvements shall comply with City standards.
- (h) The applicant shall comply with all applicable stormwater management regulations, including MPCA requirements where applicable.
- (i) Erosion and sediment control measures shall be implemented during all phases of construction.
- (j) The applicant shall obtain all required permits prior to construction.
- (k) Off-street parking, loading, and site access shall comply with City standards and be reviewed as part of site plan approval.

13.13.040 Effective Date

This ordinance shall take effect upon its passage and publication according to law.

Adopted by the Council this 6th day of May, 2026.

Kent Bombard, Mayor

ATTEST

Marcy Peterson, City Administrator

STATE OF MINNESOTA }
COUNTY OF PINE }

This instrument was acknowledged before me on _____ by Kent Bombard, Mayor
(Date)
of City of Pine City a Municipal Corporation under the laws of Minnesota on
behalf of the Municipal Corporation

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK):

SIGNATURE OF NOTARY PUBLIC

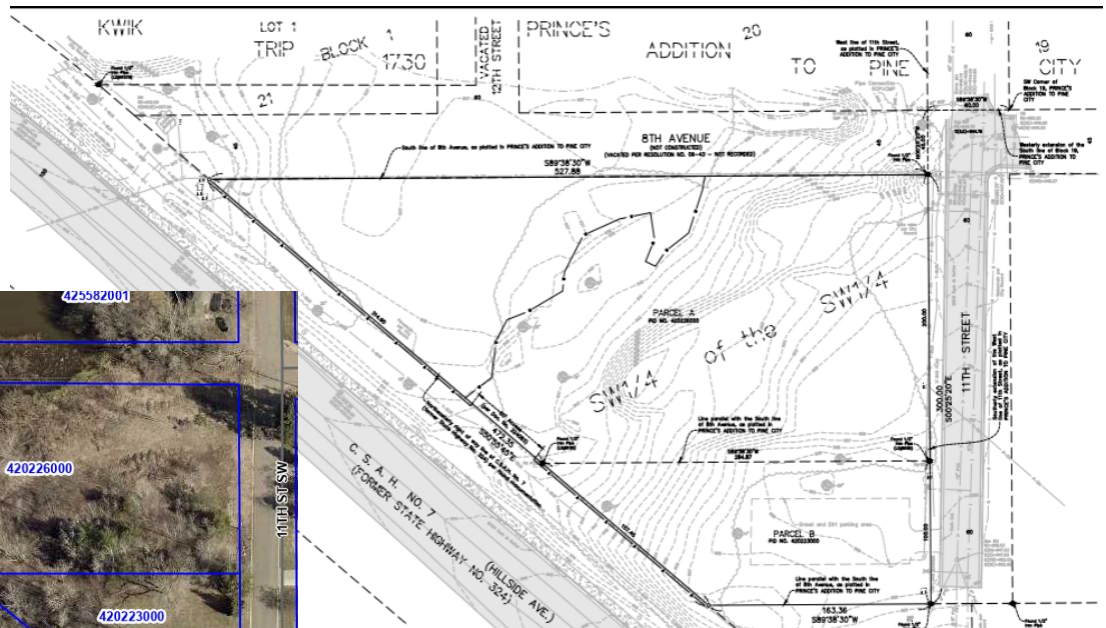
Drafted by: City of Pine City, 1015 Hillside Ave SW, Ste. 2, Pine City, MN 55063



Pine City
North. Nice and close.

**CITY OF PINE CITY
STAFF MEMO**

**Regarding: Pine County Holding Lot Combination Request – 42.0226.000 &
42.0223.000**



Description of Request: The applicant is seeking approval of a lot combination involving two existing parcels (PID: 42.0226.000 and 42.0223.000). The proposal will result in one combined parcel to facilitate future development.

This request is being made in conjunction with a rezoning application. The applicant's property is currently zoned GB, General Business District, and the applicant is requesting approval to rezone the property to Mixed Use District (MXU) to allow construction of a multi-use building consisting of commercial and residential uses. A Commercial Apartment is a permitted use within the MXU district.

The applicant has provided all necessary information for a complete application.

Background Information: The proposed lot combination is necessary to allow the site to be developed as a single, cohesive project. Combining the parcels eliminates internal lot lines and

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ensures compliance with zoning, building, access, and utility requirements associated with the proposed mixed-use development.

The request is being reviewed in conjunction with a rezone application and is processed in accordance with City Code and Minnesota Statutes governing subdivision and zoning authority.

Staff Recommendation: Based on the applicable criteria and staff findings, approval of the lot combination is recommended, subject to the conditions listed below.

Codes Affected:

- **13.84.020 Minor Subdivision (a)(2)** In the case of a request to subdivide or reconfigure property which will not create more than three new lots, and the newly created property lines will not cause any resulting lot to be in violation of these regulations or the Zoning Code, the decision may be approved by the governing body.
 - **Finding:** The proposed combination results in one parcel and does not create any zoning nonconformities.
- **13.20.040 Site Performance Standards:** The resulting parcel will be required to comply with all applicable dimensional and performance standards of the Mixed-Use District (MXU) upon approval of the rezone.
 - Finding: Compliance with setbacks, building placement, parking, and other site requirements will be verified during site plan review.
- Minimum lot size: 5,000 square feet (0.11 acre).
- Minimum lot width: 50 feet. ***This minimum lot width is currently met as the minimum lot width as a combined parcel is roughly 295 feet.***
- Minimum front yard: Zero feet.
- Minimum side yard: Zero feet.
- Minimum rear yard: Zero feet.
- Maximum building height: Six stories or 90 feet.



Recommended Conditions:

1. The applicant shall complete the legal combination of the parcels through a recorded instrument in accordance with Minnesota Statutes § 462.358. Proof of recording shall be submitted to the City prior to issuance of any building permits.
2. Prior to issuance of any building permit, the applicant shall obtain City approval of a site plan in accordance with the Pine City Zoning Ordinance and authority granted under Minnesota Statutes § 462.357.
3. The use and development of the property shall comply with all applicable provisions of the Mixed Use District (MXU) upon approval of the rezoning.
4. The parcels shall be combined prior to or concurrent with development so that all improvements occur on a single legal parcel.
5. The property shall be served by adequate public utilities, including water and sanitary sewer, consistent with City standards. Any required improvements shall be completed in accordance with City specifications.
6. Prior to any site disturbance, the applicant shall submit a wetland delineation if wetlands are present or suspected on the property. Any impacts to wetlands shall comply with the Minnesota Wetland Conservation Act (Minn. Stat. § 103G.222) and be approved by the appropriate Local Government Unit (LGU).
7. The applicant shall obtain all required permits related to wetland impacts, including any approvals from the LGU, Board of Water and Soil Resources (BWSR), and, if applicable, the U.S. Army Corps of Engineers.
8. If any portion of the property is located within a designated 100-year floodplain, development shall comply with Minnesota Statutes § 103F, Minnesota Rules Chapter 6120, and all applicable local floodplain ordinances.
9. Any structures within the floodplain shall meet Base Flood Elevation (BFE) requirements and demonstrate no increase in flood elevations, if applicable.
10. The applicant shall comply with all applicable stormwater management requirements, including permitting through the Minnesota Pollution Control Agency (MPCA) NPDES/SDS Construction Stormwater Program, if applicable.
11. The applicant shall obtain all required local, state, and federal permits prior to construction.

**CITY OF PINE CITY, MINNESOTA
CITY COUNCIL**

**RESOLUTION 2026-
*APPROVAL OF Lot Combination – PIDs: 42.0226.000 & 42.0223.000***

WHEREAS, Pine County Holdings, LLC– Thomas Foster, the applicant and representative, has requested approval of a lot combination involving two existing parcels identified as Pine County Parcel Identification Numbers 42.0226.000 and 42.0223.000, and legally described in Exhibit A

| (“Subject Property”); and

WHEREAS, the Pine City Planning Commission held a public hearing on April 22, 2026 to take public comment and review the Certificate of Survey for Pine County Holdings, LLC for the lot combination of the Subject Property; and

WHEREAS, the purpose of the lot combination is to eliminate an internal lot line and create one unified parcel to facilitate development of a proposed mixed-use project; and

WHEREAS, the request is being processed in conjunction with an application to rezone the Property from General Business (GB) to Mixed Use District (MXU), a district in which commercial apartments are permitted; and

WHEREAS, Minnesota Statutes § 462.358 grants municipalities subdivision authority, including the authority to approve lot combinations when consistent with local subdivision regulations; and

WHEREAS, Minnesota Statutes § 462.357 grants municipalities zoning authority, including the authority to require compliance with zoning district performance standards for future development; and

WHEREAS, City Code § 13.84.020(a)(2) allows the City Council to approve minor subdivisions and lot reconfigurations that do not create more than three lots and do not result in any zoning violations; and

WHEREAS, staff has reviewed the request and finds that the resulting combined parcel will comply with all applicable requirements of the Mixed Use District (MXU), including minimum lot size, width, and dimensional standards, and that no zoning nonconformities will be created; and

WHEREAS, the City Council has reviewed the application, staff recommendations, and all supporting materials and finds that the lot combination is consistent with Minnesota Statutes, the Pine City Zoning Ordinance, and the criteria for minor subdivisions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINE CITY, MINNESOTA, that the lot combination of parcels 42.0226.000 and 42.0223.000 is hereby approved, subject to the following conditions:

1. The applicant shall submit proof of title (current abstract of title or title commitment).
2. The applicant shall verify all encumbrances on property and revise Certificate of Survey accordingly.
3. The applicant shall complete the legal combination of the parcels through a recorded instrument consistent with Minnesota Statutes § 462.358. Proof of recording shall be submitted to the City prior to site plan approval.
4. Prior to issuance of any building permit, the applicant shall obtain site plan approval in accordance with the Pine City Zoning Ordinance 13.84.060 and Minnesota Statutes § 462.357.
5. Development of the Property shall comply with all provisions of the Mixed Use District (MXU) following approval of the associated rezoning request.
6. The Property shall be served by municipal water and sanitary sewer. Any required upgrades or extensions shall follow City standards and specifications.
7. The applicant shall submit a wetland delineation. Any impacts shall comply with the Minnesota Wetland Conservation Act (Minn. Stat. § 103G.222) and obtain approval from the Local Government Unit (LGU). A WCA permit must be obtained for impacts to the wetland and must be issued prior to site plan approval.
8. If applicable, development within a floodplain shall comply with Minnesota Statutes § 103F, Minnesota Rules Chapter 6120, and all applicable local ordinances, including Base Flood Elevation (BFE) requirements.
9. The applicant shall comply with all stormwater management requirements, including obtaining an NPDES/SDS Construction Stormwater Permit from the Minnesota Pollution Control Agency (MPCA), if applicable.
10. The applicant shall obtain all required local, state, and federal permits prior to construction.

Adopted this ____ day of _____, 2026, by the City Council of the City of Pine City, Minnesota.

By: _____
Kent Bombard, Mayor

ATTEST:

Marcy Peterson, City Administrator

STATE OF MINNESOTA

COUNTY OF PINE

This instrument was acknowledged before me on _____ by Kent
Bombard, Mayor of City of Pine City a Municipal Corporation under the laws of Minnesota on
behalf of the Municipal Corporation

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Drafted by:
City of Pine City
1015 Hillside Ave SW, Ste. 2
Pine City, MN 55063

Exhibit A

EXISTING PROPERTY DESCRIPTION: **PER DOC. NO. A567021**

PARCEL A (PID NO. 420226000)

The part of the Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) of Section Thirty-three (33), Township Thirty-nine (39), Range Twenty-one (21), Pine County, Minnesota, lying West of the West line of 11th Street extended Southerly as platted in the recorded plat of Prince's Addition to Pine City, Minnesota, and lying North of a line run parallel with and 300 feet South of the South line of 8th Avenue as platted in the recorded plat of Prince's Addition to Pine City, Minnesota, and lying Northeasterly of the Northeasterly right of way line of State Highway No. 324;

EXCEPT THE FOLLOWING PARCEL:

The part of the Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) of Section Thirty-three (33), Township Thirty-nine (39), Range Twenty-one (21), Pine County, Minnesota, described as commencing at the Southwest corner of Block 19 of the recorded plat of Prince's Addition to Pine City, Minnesota; thence West along the Westerly extension of the South line of said Block 19 a distance of 60 feet to the West line of 11th Street according to said plat; thence South along the Southerly extension of the West line of said 11th Street 45 feet to the South line of 8th Avenue as platted in said Prince's Addition; thence continuing South along the Southerly extension of the West line of said 11th Street 200.00 feet to the point of beginning of the property to be described; thence continuing South along the Southerly extension of the West line of said 11th Street 100.00 feet; thence West parallel with the South line of said 8th Avenue 163.36 feet to the Northeasterly right of way line of State Highway No. 324; thence Northwesterly along said right of way line 157.45 feet to the intersection with a line run West parallel with the South line of said 8th Avenue from the point of beginning; thence East along said line 284.87 feet to the point of beginning.

Pine County, Minnesota

AND ALSO:

PARCEL B (PID NO. 420223000)

The part of the Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) of Section Thirty-three (33), Township Thirty-nine (39), Range Twenty-one (21), Pine County, Minnesota, described as commencing at the Southwest corner of Block 19 of the recorded plat of Prince's Addition to Pine City, Minnesota; thence West along the Westerly extension of the South line of said Block 19 a distance of 60 feet to the West line of 11th Street according to said plat; thence South along the Southerly extension of the West line of said 11th Street 45 feet to the South line of 8th Avenue as platted in said Prince's Addition; thence continuing South along the Southerly extension of the West line of said 11th Street 200.00 feet to the point of beginning of the property to be described; thence continuing South along the Southerly extension of the West line of said 11th Street 100.00 feet; thence West parallel with the South line of said 8th Avenue 163.36 feet to the Northeasterly right of way line of State Highway No. 324; thence Northwesterly along said right of way line 157.45 feet to the intersection with a line run West parallel with the South line of said 8th Avenue from the point of beginning; thence East along said line 284.87 feet to the point of beginning.

Pine County, Minnesota

PROPOSED COMBINED PROPERTY DESCRIPTION:

The part of the Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) of Section Thirty-three (33), Township Thirty-nine (39), Range Twenty-one (21), Pine County, Minnesota, lying West of the West line of 11th Street extended Southerly as platted in the recorded plat of Prince's Addition to Pine City, Minnesota, and lying North of a line run parallel with and 300 feet South of the South line of 8th Avenue as platted in the recorded plat of Prince's Addition to Pine City, Minnesota, and lying Northeasterly of the Northeasterly right of way line of State Highway No. 324.

CHAPTER 12.20 SPECIAL EVENTS

12.20.010 Purpose; Definitions

12.20.020 Licenses

12.20.030 Application

12.20.040 Grant Or Denial Of License

12.20.050 Revocation

12.20.060 Liability Insurance

12.20.010 Purpose; Definitions

- (a) *Purpose.* The following chapter shall set forth the regulation of Special Events within the City right-of-way parks, or other City property.
- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Special event means any private or public gathering within a street, park, other publicly-owned land, other than the routine uses the City intends for that particular land, or which may constrain such routine uses by others. These Special Event uses may include a consumption of food, beverage or alcohol as part of the event. Any consumption, distribution, or sale of alcohol shall also be subject to the provisions of PCC Title 5.

(Prior Code, § 505.01)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.020 Licenses

No person shall conduct a Special Event in this City unless a license has been procured from the City. The fees for the licenses shall be as set in the salary and fees schedule adopted by the Council. However, the Council may grant a license without charge where it is satisfied that the applicant is a nonprofit and the event provides a public rather than private benefit.

(Prior Code, § 505.02)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.030 Application

Any person desiring a license to hold or conduct a Special Event shall apply on forms furnished by the City. The application shall set forth the name and address of the person, or organization that is conducting the event; time and place where the event is to be held, including a detailed map and a clear description of right-of-way street closures and where alcoholic beverages will be served; proof of insurance; and any other information the City may request.

(Prior Code, § 505.03)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.040 Grant Or Denial Of License

The City shall refer the application to the Council, which may grant the license if all requirements are met.

- (a) If the license is issued, it shall be posted in a visible location at the premises where the event is to take place. The person named in the license shall be responsible for the manner in which the event is conducted.
- (b) The City may deny a Special Event permit due to any past violation, including acts of violence, inappropriate and or hostile conduct, damage to City-owned or neighboring property, failure to keep space clean/orderly, failure to comply with City's alcohol and beer ordinance, and violations of the City's noise or other ordinance.

(Prior Code, § 505.04)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.050 Revocation

Special Event licenses are subject to revocation by the City. When City Staff or Law Enforcement determines that an event is in violation of its license or of any law or ordinance, that officer may immediately revoke the Special Events license and order all persons present at the premises where the violation is occurring, other than the owner or tenants, to disperse immediately.

(Prior Code, § 505.05)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

12.20.060 Liability Insurance

- (a) *Liability insurance required.* The applicant or sponsor of a Special Event must possess or obtain liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the Special Event. A Certificate of Insurance must be filed with the City prior to issuance of the Special Events permit. The Certificate of Insurance must name the City, its officials, employees and agents as additional insureds. Insurance coverage must be maintained for the duration of the Special Event.
- (b) *Minimum limits.* Insurance coverage must be a commercial general liability policy acceptable to the City, with limits of at least \$1,500,000.00. If alcoholic beverages are to be sold or distributed at the special event, the policy must also include an endorsement for liquor liability. The City Council may require additional endorsements depending upon the type of Special Event and proposed activities.

(Prior Code, § 505.06)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

5.35.010 Purpose and Findings

A. Purpose. The City Council finds that special events can substantially affect public health, safety, peace, and welfare; use of public property and rights-of-way; traffic circulation; noise; and demand for City services. The purpose of this chapter is to establish a uniform, content-neutral permitting process and operational standards for special events.

B. Findings. Coordinated review by City departments and clear, objective conditions are necessary to mitigate impacts and protect access for emergency services. This chapter shall be administered in a content-neutral manner and shall not be applied based on the viewpoint or subject matter of speech.

5.35.020 Authority

A. This chapter is adopted pursuant to the City's general police powers and other authority provided to Minnesota statutory cities under state law, including but not limited to Minnesota Statutes Chapter 412.

B. The City Council may adopt administrative procedures, objective review standards, forms, and fee schedules by resolution consistent with this chapter.

5.35.030 Definitions

For purposes of this chapter:

- A. Any organized activity, open to the public or a large segment thereof, staged for entertainment, celebration, fundraising, expressive activity, or similar purposes, that:
 - 1. Occurs on public property or requires closure or obstruction of any street, sidewalk, trail, or public facility; or
 - 2. Utilizes amplified sound on public property; or
 - 3. Expects attendance of 100 or more persons at any time; or
 - 4. Requires City services or equipment; or
 - 5. Involves the service or sale of alcoholic beverages; or
 - 6. Presents objective and articulable impacts to traffic control, emergency access, sanitation, or public safety under written standards adopted by the City.
- B. "Applicant" means the individual or sponsoring organization responsible for the event.

C. “Public Property” includes City parks, streets, sidewalks, public facilities, and other City-owned property.

D. “Amplified Sound” means sound produced or enhanced by electronic amplification equipment.

E. “City Services” means police, fire, EMS, public works, sanitation, and other City staffing or equipment.

5.35.040 Permit Required; Exemptions

A. Permit Required. No person or organization shall conduct a special event without first obtaining a special event permit.

B. Exemptions.

1. City-sponsored events.
2. Spontaneous First Amendment assemblies that do not require advance street closure, exclusive use of public space, or City services beyond those routinely provided.
3. Private gatherings entirely on private property with fewer than 100 attendees and no impact on public rights-of-way or City services.
4. Funeral processions receiving law enforcement escort per department policy.

Nothing in this chapter shall be interpreted to regulate speech based on content or viewpoint.

C. Separate Licenses. This permit does not replace any required licenses under Minnesota law, including temporary intoxicating liquor licenses pursuant to Chapter 340A.

5.35.050 Application; Submittal Requirements; Timeline

A. Form. Applications shall be submitted on the City’s Special Event Permit Application form as approved by the City Administrator; the form and related guidelines are incorporated by reference into this chapter.

B. Required Attachments. Applicants shall provide:

1. A site/route map showing barricades, street route plans, perimeter/security fencing, and identifying any areas where alcoholic beverages will be served or sold.

2. Public health plans, including water supply, solid waste collection, and toilet facilities.
3. Fire prevention, emergency medical service plans, and security plans.
4. Certificate of liability insurance naming the City, its officials, employees, and agents as additional insured; commercial general liability with minimum limits of **\$1,500,000** per occurrence; liquor liability endorsement if alcoholic beverages will be sold or distributed.
5. Proof of nonprofit status (if applicable).

C. Residential Street Closure Notification. For events in residential areas requiring street closure, the applicant shall pay all costs for the City to mail a letter to residents within 300 feet of the proposed location.

D. Timeline. Applications shall be submitted no fewer than thirty (30) days prior to the event start date. The City Administrator may accept later filings for good cause if City staffing and safety review remain feasible.

5.35.060 Review; Approval; Conditions

A. Interdepartmental Review. The application shall be circulated to the Clerk, Planning, Public Works, Fire & Life Safety, and City Administrator; Police/EMS review shall be included as applicable.

B. Approval Criteria. The City may approve, approve with conditions, or deny the application based solely on objective criteria including:

- Public safety and emergency access
- Traffic circulation and street capacity
- Sanitation and waste management
- Noise control standards
- Protection of public property
- Compliance with applicable state and local laws
- Availability of City staffing and equipment

C. Conditions. Reasonable conditions may be imposed, including time-of-day limits, maximum attendance, route adjustments, noise limits, security staffing, fencing or barricades, ADA accessibility, waste/recycling service levels, and insurance endorsements.

5.35.070 Fees and Costs

A. Application Fee. As set by Council adopted fee schedule.

B. City Service Charges. Applicants shall reimburse the City for actual, reasonable, and documented costs of staffing, equipment, and materials required due to the event, pursuant to a fee schedule adopted by Council.

C. Barricades and Safety Cones. Applicants may contact Public Works to arrange use of barricades/safety cones for street closures; pickup shall occur at 1205 Airwaves Rd NE with at least forty-eight (48) hours prior notice; equipment must be returned by the next working day; sponsoring organizations are responsible for damage/replacement costs; the approved permit application must be presented at pickup; availability is not guaranteed unless scheduled with Public Works.

5.35.080 Operational Standards

A. Hours and Noise. Events shall comply with PCC § 8.20.050 (Noise Violations). Operation of amplified sound or music devices between 10:00 p.m. and 7:00 a.m. in a manner plainly audible at the property line (or 50 feet if outdoors) is prima facie evidence of a violation; the City may set additional time/place/manner limits by permit condition.

B. Alcohol. If alcohol is served or sold, the applicant must obtain required City and State approvals; liquor liability insurance endorsement is required pursuant to 5.35.050(B)(4).

C. Food Service. If food is served, the applicant must obtain applicable food/health licenses and comply with public health standards.

D. Sanitation and Toilets. Adequate waste/recycling and toilet facilities shall be provided consistent with the approved public health plan.

E. Security and Emergency Access. Event layout shall maintain emergency vehicle access and implement approved security and fire/life safety measures.

F. Accessibility. Events must be accessible to individuals with disabilities.

G. Site Restoration. Applicants shall clean up and restore public property to pre-event condition.

5.35.090 Insurance and Indemnification

A. Insurance. Minimum coverage and endorsements shall be maintained per 5.35.050(B)(4) for the duration of the event.

B. Indemnification. The applicant shall defend, indemnify, and hold harmless the City, its officials, employees, and agents from claims arising out of or related to the event, to the extent permitted by law and excluding claims arising from the City's gross negligence or willful misconduct.

5.35.100 Modifications; Transfer; Cancellation

A. Modifications. Material changes require prior written approval; the City may modify permit conditions for safety.

B. Non-Transferability. Permits are not transferable.

C. The City may cancel or suspend a permit due to emergency conditions, severe weather, or objectively documented public safety concerns that cannot be mitigated through reasonable permit conditions.

5.35.110 Denial; Revocation; Appeals

A. Denial. A permit may be denied if approval criteria are not met, the application is incomplete, or the event would unreasonably endanger public safety/welfare.

B. Revocation. Grounds include misrepresentation, violation of permit terms, unsafe conditions, or unlawful conduct.

C. Appeals. The applicant may appeal denial or revocation to the City Council within ten (10) days of written notice. The Council shall hold a hearing and issue a written decision with findings based on the record within thirty (30) days after the appeal is filed.

5.35.120 Administration; Delegation

A. The City Administrator or Deputy Clerk (or designee) is authorized to administer this chapter and issue permits consistent with its terms. Final legislative authority remains with the City Council. Administrative decisions are subject to appeal under Section 5.35.110.

B. Departments (Clerk, Planning, Public Works, Fire & Life Safety, Fire Department) may establish checklists and standards to implement this chapter.

12.36.020 Exceptions (k) Mobile food units. is a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location. The unit can operate no more than 21 days annually at any one place unless it is operated at the site of and in conjunction with a permanent business licensed under Minn. Stats. Ch. 157 or 28A. All mobile food units must be operated in compliance with the Minnesota Food Code.

No mobile food unit shall be kept, stored, or maintained on a residentially zoned property in violation of any ordinance or regulation.

Mobile food units shall be allowed to operate in all districts with a valid license. Mobile food units may be allowed in all zoning districts if the use of the existing property is commercial and not residential in nature.

If at any time the mobile food unit generates complaints, the City Council may review the license and determine if the license should be revoked.

Chapter 5.40 – Mobile Food Units

5.40.010 Purpose

To protect public health, safety, and welfare by regulating the time, place, and manner in which mobile food units operate within the City of Pine City, ensuring compliance with applicable state food licensing laws, fire safety standards, accessibility requirements, and local zoning regulations.

5.40.020 Authority

This chapter is adopted pursuant to the City's general police powers under Minnesota Statutes § 412.221 and other applicable state laws. Nothing in this chapter is intended to conflict with or supersede state food licensing authority under Minnesota Statutes Chapter 157.

5.40.030 Definitions

"Mobile Food Unit" means a food service establishment mounted on a motor vehicle or trailer, designed to be readily movable, and licensed by the Minnesota Department of Health or a delegated agency under Minnesota Statutes Chapter 157.

5.40.040 License Required

No person shall operate a mobile food unit within the City without first obtaining a local mobile food unit license under this chapter.

5.40.050 Application Requirements

Applications shall include:

- a) Applicant and business information.
- b) Proposed location(s) and dates of operation.
- c) Proof of valid Minnesota Department of Health mobile food unit license (or delegated agency license).
- d) Certificate of Commercial General Liability Insurance naming the City as additional insured, minimum coverage of \$2,000,000 per occurrence.
- e) Property owner written permission (if on private property).
- f) Payment of license fee as set by Council adopted fee schedule.
- g) Verification that the proposed location complies with City zoning regulations.

Applicants shall certify that operations will comply with applicable accessibility requirements under the Americans with Disabilities Act, including maintaining accessible customer service areas and routes where required.

5.40.060 Safety and Compliance

All mobile food units must:

- a) Comply with applicable provisions of the Minnesota State Fire Code, including but not limited to Sections 319, 607, and 904.12.
- b) Provide portable fire extinguishers in accordance with MSFC Section 906.4.
- c) Maintain a minimum 10-foot clearance from buildings, vehicles, and combustible materials unless otherwise approved by Fire & Life Safety.
- d) Allow Fire & Life Safety inspection prior to or during operation.

- e) Maintain emergency access lanes as required by the Fire Code.

5.40.070 Operational Standards

Mobile food units shall:

- a) Not obstruct public sidewalks, fire hydrants, or required accessible routes.
- b) Maintain pedestrian access consistent with ADA accessibility standards.
- c) Dispose of waste and wastewater in compliance with state and local regulations.
- d) Not discharge grease or wastewater onto public or private property.
- e) Operate only during hours permitted under applicable zoning regulations.

5.40.080 License Term and Non-Transferability

Licenses are valid for one year from issuance and expire no later than 12 months after approval. Licenses are non-transferable and apply only to the named licensee.

5.40.090 Display of License

The local license shall be displayed in a visible location on the mobile food unit during operation.

5.40.100 Enforcement

No operation shall occur until proof of insurance and state food licensing is verified.

The City may suspend or revoke a license for:

- a) Material misrepresentation in the application.
- b) Violation of fire safety standards.
- c) Failure to maintain required insurance.
- d) Operation without a valid state food license.
- e) Violation of zoning regulations.
- f) Repeated violations of City code.

Due Process Provision: Except in cases posing an immediate threat to public health or safety, suspension or revocation shall occur only after written notice and an opportunity to be heard.

Immediate suspension may occur if necessary to address imminent life-safety hazards.

Appeals may be made to the City Council within ten (10) days of written notice. The Council shall issue a written decision after hearing.

5.40.110 Fees

Fees shall be established by Council and published in the City's fee schedule.

RE: Questions on PID 42.0242.000

From Aaron Gunderson <Aaron.Gunderson@pinecountymn.gov>

Date Wed 3/4/2026 1:27 PM

To Tabitha Pickett <tpickett@PINECITYMN.GOV>; Condiff, Kelly (DNR) <kelly.condiff@state.mn.us>; mark@rumrivercc.com <mark@rumrivercc.com>

Cc Adam Zemek <azemek@PINECITYMN.GOV>; Marcy Peterson <mpeterson@PINECITYMN.GOV>

Good afternoon,

On multiple occasions the owner, Mr. Bertrand, has requested from county engineering, a “letter of support” of a reduction to county road setback. I’ve told the owner the County will not provide a letter of support. Because his request has to do with private land outside the road right of way, we have no jurisdiction and neither support nor oppose his request – perhaps he interprets non-opposition as support?

Pine County’s interest is limited to the road right of way only - which extends 33 ft north from the centerline of Cross Lake Rd. A driveway is already in place so an owner does not need permission from the County - provided the right of way is not encroached on.

In 2021 the parcel was county owned. Prior to the 2021 public land auction, an attempt was made by Pine Co. Land Dept. to make the lot buildable. Variance request was denied. Parcel was sold on public auction as an unbuildable lot and purchased by Kamram Mortezaee, for \$39,900.

In 2023 the parcel was sold by Mr. Mortezaee as an unbuildable lot to current owner, John Bertrand for \$52,000.

The 2021 county variance request and the county’s non-interest in matters outside the road right of way should not be interpreted as support.

The decision is completely up to the city. I’m not a zoning expert but it seems pretty clear...The lot doesn’t meet setbacks. City setbacks match state law. A city can’t legally allow a variance from state law. DNR did not allow a variance. The only remaining path forward for the owner is unlawful. To push for a variance application in hopes an elected official will direct staff to do something not allowed by law.

Thanks

Aaron Gunderson
Assistant County Engineer
Pine County Public Works
320-216-4209



City of Pine City | 1015 Hillside Ave SW, Ste. 2 | Pine City, MN 55063 | Phone 320-629-2575
Email: info@pinecitymn.gov | Website: pinecity.govoffice.com

Resident's Request to be put on an Agenda Form (other than Open Forum)

Date: 4/16/2026

Name: John Bertrand

Mailing Address: 3318 Fillmore St NE, Minneapolis, MN 55418

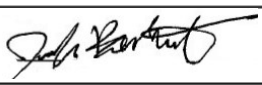
Phone Number: 612-203-2655

Email Address: jackbertrand@live.com

Please check which Agenda you would like to be added to:

- ☐ Council
- ☐ Parks & Rec
- ☐ Public Works
- ☐ Ordinance
- ☐ EDA
- ☐ HRA
- ☒ Planning
- ☐ Liquor

Please provide a brief description for the purpose of your request: We will be asking for a variance to the 50'
building setback from the county highway right of way.

Signature: 

Office Use Only:

Date Received: _____ Agenda Date: _____

Employee Accepting Request: _____

Date Mailed or given Agenda: _____

City of Pine City

1015 Hillside Ave SW, Suite 2, Pine City, Minnesota 55063-1619 | Phone: 320.629.2575

E-mail: info@pinecitygov.com | Website: pinecity.govoffice.com



To: Pine City City Council

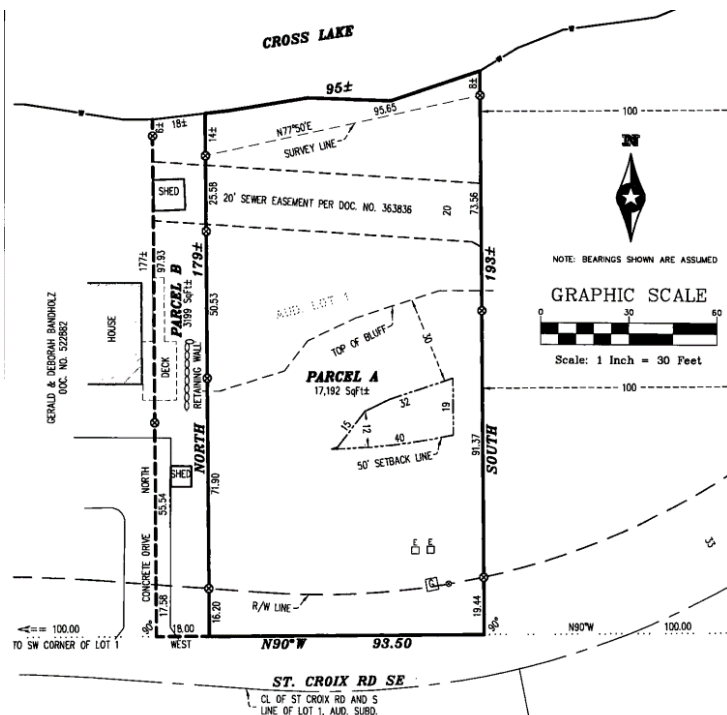
From: Kate Eiynek, City Planner
Lucas Jones, PE

Project: 445 St. Croix Rd. SE – Pine County
P21-08-420242000

Subject: County Road Setback Variance (after Minor Subdivision)

Date: May 27, 2021

Request: A shoreland variance request from Pine County Land Department to consider allowing a reduced setback from the County road, located at tax forfeited lot, in the Shoreland and (One and) Two Family Residential Districts (R-2), also referred to as parcel #42.0242.000.



Background:

The City Council January 6th, 2021: Pine County Land Department, Minor Subdivision Request - 445 Saint Croix Road SE, PID 42.0242.000. Sauter explained that the subdivision was actually a land line adjustment to bring the neighboring property, 425 Saint Croix Road SE, PID 42.0239.000 in accord with actual use and that the remaining lot would not be a buildable lot.

APPROVED the minor subdivision request for Pine County Land Department to subdivide a tax forfeited property located at 445 Saint Croix Road SE, also referred to as parcel 42.0242.000 within the One and Two Family Residential (R-2) and Shoreland overlay district, to split the property into two parcels in order to meet structural set-backs the neighboring

property located at 435 Saint Croix Road SE, also referred to as parcel 42.0237.000 also within the R-2 and Shoreland districts.

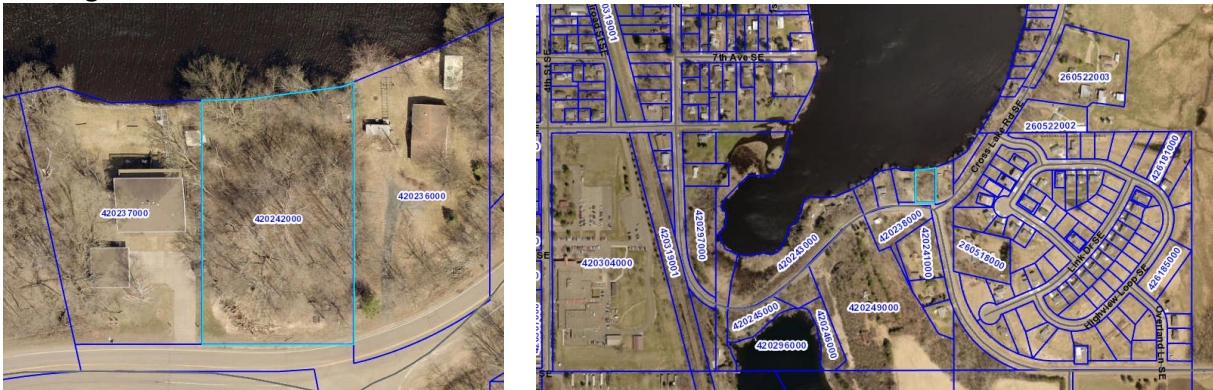
1. Parcel B (3,199 Sq.ft.) must be combined with parcel 42.0237.000
2. Consider any possible future Variance requests to build on Parcel A at the time of application.
3. Consider formally identifying Parcel A limitations.

At the time of the minor subdivision request it was noted and under consideration to:

1. Recommend the appiccate revise the subdivision:

- a. Taking into account shoreland regulations and the topography of the properties involved and City's existing regulations for improvements, it is Staff's recommendation that the proposed minor subdivision should be revised to include all of the property to the west as part of a major subdivision. The revised subdivision should show all of Parcel #420237000 plus the proposed 18' of Parcel as a combined single recorded tax parcel, as is proposed by the applicant. Parcel B as proposed by the applicant should be renamed Outlot A in the major subdivision.
- b. At the request of the applicant, the newly created Outlot A would not be considered a buildable lot. Any future improvements to Outlot A would require replatting by an applicant. This recommendation allows the property owner to the west (420237000) to avoid moving/removing improvements that encroach on parcel 420242000.
- c. This recommendation also shows the applicant's requested major subdivision as the action that is reducing the limits of the previously platted property, parcel 420242000, and potentially impacting the ability to improve the property.

Existing Site:



December 2020 application for subdivision:

The applicant, Greg Beck on behalf of Pine County, proposes to clear up the lot line and set-backs before selling this previously tax forfeited property as a buildable lot. This request should give the neighbors to the west the proper setbacks for their encroaching buildings and they intend to combine the new lot with their existing lot.

May 2021 Application for variance:

Description of Variance:

Requesting a 20-foot building/structure setback from the right-of-way line of County Road 8. Variance request from Section 10.7000.0150 (section d.) requiring a 50-foot setback from right-of-way line of a county highway and from Section 10.200.0520 requiring a minimum front yard of 30 feet.

Reason of Request:

To create a buildable parcel; currently the parcel is not buildable. Section 10.7000.0150 (section d.) requires a 30-foot bluff setback and a 50-foot right-of-way setback which does not allow for a building site on the property. In 2018 the parcel became tax-forfeited. Pine County would like to offer the parcel for sale this year with an approved buildable site.

Pine City's Municipal Development Ordinance:

SECTION 10.300.0000. SUBDIVISION DESIGN Page 66 SECTION 10.400.0200: DWELLING UNIT RESTRICTIONS—DESIGN STANDARDS SECTION 10.400.0210. General Statement. No new lot, yard, or other open space shall be reduced in area or dimension so as to make such lot, yard or open space less than a minimum required by this Ordinance. If the existing yard or other open space is less than the minimum required, it shall not be further reduced. SECTION 10.400.0220. Lot Area Requirements. The minimum lot area requirements shall be as set forth within the district provisions of this Ordinance. A. Lot Area Exception: A lot of record existing upon the effective date of this Code which does not meet the area or width requirements of this Ordinance may be utilized provided the measure of such area or width are within sixty (60) percent of the requirements of this Ordinance and that due to ownership patterns, the combining of adjacent lots to meet the requirements of this Ordinance is not possible. SECTION 10.400.0225. Building Size and Architectural Requirements. The following building size and architectural standards shall apply to all districts unless otherwise specified... 1. Dwellings shall exceed 18 feet in width and shall be over thirty (30) feet in length. 2. Dwellings shall be placed on a permanent foundation forming a complete enclosure under exterior walls. 3. Exterior and foundation walls shall have the appearance of wood or masonry regardless of their actual composition.	During January 2021 subdivision, it was understood that the remaining lot would not be a buildable lot. This is not due to the minor subdivision, but rather its original platting.
SECTION 10.200.0515. Purpose. The purpose of the R-2 (One and) Two-Family Residential District is to promote stable, quality, multiple-occupancy residential development at slightly increased densities. Individual ownership of the two family or duplex units is encouraged. This district may include neighborhoods, or, when in accordance with the intent of the Comprehensive Plan, may provide a buffer or transition district between lower density residential areas and higher or non-residential areas, or major thoroughfares.	
SECTION 10.200.0500: R-2 (ONE AND) TWO-FAMILY RESIDENTIAL DISTRICT SECTION 10.700.0130. SHORELAND CLASSIFICATION SYSTEM AND LAND USES ... D. Placement, Height, and Design of Structures. Placement of Structures and Sewage Treatment Systems on Lots. When more than one setback applies to a site, structures and facilities must be located to meet all setbacks, and comply with the following OHWL setback provisions. The structure setback standards for sewered properties can only be used if publicly owned sewer system service is available. OHWL Setbacks: Structures, impervious surfaces, and sewage treatment systems must meet setbacks from the Ordinary High-Water Level (OHWL), except that one water-oriented accessory structure or facility, designed in accordance with Section 10.700.0160.C of this ordinance, may be set back a minimum distance of ten (10) feet	To create a buildable parcel; currently the parcel is not buildable. Section 10.7000.0150 (section d.) requires a 30-foot bluff setback and a 50-foot right-of-way setback which does not allow for a

from the OHWL: b. Setback averaging. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone; d. Additional structure setbacks. Structures must also meet the following setbacks, regardless of the waterbody classification: e. Bluff Impact Zones. Structures, impervious surfaces, and accessory facilities, except stairways and landings, must not be placed within bluff impact zones. <u>D. Stormwater Management.</u> 1. General Standards: a. When possible, existing natural drainageways, and vegetated soil surfaces must be used to convey, store, filter, and retain stormwater runoff before discharge to public waters. b. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized as soon as possible and appropriate facilities or methods used to retain sediment on the site. c. When development density, topography, soils, and vegetation are not sufficient to adequately handle stormwater runoff, constructed facilities such as settling basins, skimming devices, dikes, waterways, ponds and infiltration may be used. Preference must be given to surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities. 2. Specific Standards: a. Impervious surfaces of lots must not exceed 25 percent of the lot area. b. When constructed facilities are used for stormwater management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation district or the Minnesota Stormwater Manual, as applicable. c. New constructed stormwater outfalls to public waters must be consistent with Minnesota Rules, part 6115.0231.	building site on the property.
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Draft Findings of Fact:

1. The parcel is located in the R-2 (One and) Two-Family Residential District.
2. The plat of the parcel did not take into account setbacks.
3. The purpose of the R-2 (One and) Two-Family Residential District is to promote stable, quality, multiple-occupancy residential development at slightly increased densities. Individual ownership of the two family or duplex units is encouraged. This district may include neighborhoods, or, when in accordance with the intent of the Comprehensive Plan, may provide a buffer or transition district between lower density residential areas and higher or non-residential areas, or major thoroughfares.

4. Harmony with the general purposes and intent of the official control: Property line setbacks are intended to create separation among adjacent structures and provide room for future repairs and maintenance.
5. There are “practical difficulties” in complying with the official control (the applicant proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality): The Applicant is proposing to construct a dwelling structure on the property. The Applicant’s proposal to construct a dwelling is a reasonable use of the Land in the R-2 District. The Applicant will be required to obtain appropriate permits from the City Building Permits Department prior to construction of the building. The request appears unlikely to alter the essential character of the locality. However, the request and the plight of the landowner is due to circumstances created by the landowner, and Economic considerations alone do not constitute “practical difficulties.”
6. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. Residential Accessory Structures are a permitted use in the R-2 District. The request does not constitute a use variance.
7. Letter of support for reduction of county road setback provided by Pine County Public Works Director/City Engineer (Mark LeBrun, PE).
8. An additional driveway could cause additional congestion and safety concerns.

Recommendation:

Planning Commission Action: the Planning Commission recommends the City Council:

- Adopt the staff report into the record;
- Adopt the findings of fact;
- Accept the application, testimony, exhibits, and other evidence presented into the record; and recommends the City Council DENY A shoreland variance request from Pine County Land Department to consider allowing a reduced setback from the County road, located at tax forfeited lot, in the Shoreland and (One and) Two Family Residential Districts (R-2), also referred to as parcel #42.0242.000.

Alternatives:

2. Approval and revise finding of fact with modifications, alterations, or differing conditions; draft conditions for consideration:
 - a. Require additional information, review and recommendation from the Building Official, Fire Official, Property Survey, stormwater management plan and/or documentation that the development’s impervious surface will not in any way impair the hydrology of the area etc.
 - b. Require a buffer.
 - c. Modify construction designs (to minimize impact);
 - d. Require additional mitigation. Mitigation proportional to the impact, to meet the purpose of this ordinance, to protect adjacent properties, and the public interest

John Bertrand
jackbertrand@live.com
612-203-2655

Variance request – [13.88.010 Shorelands](#) - building within 50 ft of ROW
Parcel 420242000
East of 435 St Croix Rd SE

13.76.150 Building Size And Architectural Requirements

The following building size and architectural standards shall apply to all districts unless otherwise specified.

1. *Height exceptions.* The building height limits established shall not apply to belfries, cupolas, domes, spires, monuments, airway beacons, radio towers, flag poles, chimneys or flues; nor to elevators, water tanks, poles, towers and other structures for essential services; nor to similar structures for essential services; nor to similar structures extending above the roof of any building and not occupying more than 25 percent of the area of the roof.
2. *Architectural requirements.* The following architectural requirements shall apply to A-O (Agricultural and Open Space) and all residential districts except the MHP Manufactured Home Park District:
 1. Dwelling shall contain a total area of at least 401 square feet, unless it is on a nonconforming lot and will be a tiny home. Tiny home square footage will be 100-400 square feet.
 2. Dwellings shall be placed on a permanent foundation forming a complete enclosure under exterior walls.
 3. Exterior and foundation walls shall have the appearance of wood or masonry regardless of their actual composition.

(Prior Code, § 10.400.0225)

No longer includes length and width requirements – property is now buildable. Previous variance denial no longer applies – please see attached MSA Planning Report from 2021

HISTORY

Adopted _____ by _____ Ord. [21-10](#) on 10/6/2021
Amended by Ord. [2025-05](#) on 4/2/2025

13.88.010 Shorelands (MN [6120.2500](#))

(f)(4)

1. *Additional structure setbacks.* Structures must also meet the following setbacks, regardless of the waterbody classification:

<i>Setback from:</i>	<i>Setback (feet)</i>
Top of bluff	30
Unplatted cemetery	50
Right-of-way line of Federal, State, or County highway	50
Right-of-way line of town road, public street, or other roads not classified	20

There are 62 parcels with structures on Cross Lake between 8th Avenue and the Snake River

- 35 are closer than 50' of ROW – 56%
- 21 are closer than 30' of ROW – 34%

Mark LeBrun, City Engineer referred to Aaron Gunderson, Pine County Highway Department

- Does not oppose this variance – encourages development
- Has already installed our driveway because of the need for a culvert for Pine County utilities
- Suggested we create a driveway big enough to turn around in to exit driving forward for safety

Practical Difficulties – undue hardship

Reasonable: to have a garage and enough living space. MN statute 6120.3300 subpart 3(f) – 50 ft setback from highway was created to keep motorists safe by ensuring adequate line of sight on motorways at higher speeds. St Croix Rd is technically a highway but the speed limit in our section is 30 mph which would be consistent with roads/public streets under 6120.3300 which requires 20 ft setback. With adjacent structures all being within 50' of the setback, this would create a consistent line of site for motorists' safety in addition to the lower speed limit.

Unique: bluff and highway. Not caused by landowner.

Essential Character: more than half of the properties on this block have structures within 50' of ROW. Both adjacent structures are within 50' as well, creating uniformity.

Tyler Kroschel, the original surveyor used by the city in 2021 has been back to the property to confirm setbacks and will be used to confirm building plan setbacks if approved.



1015 Hillside Ave SW. Ste. 2

Pine City, MN 55063

320-629-2575

info@pinecitymn.gov

VARIANCE APPLICATION CHECK LIST

PROCEDURE FOR VARIANCE APPLICATION

The City Council may allow a departure from the terms of the zoning ordinance pertaining to setbacks, height or width of structures or the size of yard and open spaces where such departure will still be in harmony with the general purpose and intent of the ordinance. A variance may be granted if enforcement of the ordinance provision as applied to a particular piece of property would cause the landowner “practical difficulties.” For a variance to be granted, the applicant must satisfy a three-factor test for practical difficulties under state statute. All three factors must be satisfied to constitute practical difficulties. Complete and submit this checklist or attach a narrative answering the following questions, along with the official City land use application form, established fee and escrow, and data requirements listed below.

Explain the purpose of the variance:

The practical difficulties factors are as follows:

That the property owner proposes to use the property in reasonable manner but cannot do so under the rule of the ordinance Explain how this applies to your request:

That the landowner's problem is due to circumstances unique to the property not caused by the landowner. There are uniquely exceptional circumstances or conditions applying to the land, structure or building in question that do not generally apply to other properties in the same zoning district i.e. sloping topography or other natural features.

Explain how this applies to your request:

That if the variance is granted it will not alter the essential character of the locality meaning the structure will not be out of scale, out of place, or otherwise inconsistent with the surrounding area.

Explain how this applies to your request:

NOTE: Economic considerations alone shall not constitute practical difficulties. Rather, practical difficulties exist only when the three statutory factors are met. Additional conditions may be imposed to ensure compliance with the City Code and to protect adjacent properties.
VARIANCE APPLICATION DATA REQUIREMENTS The application shall contain two copies (8.5"x11" or 11"x17") of exhibits, which will include the following information: 1. Site Plan drawn at scale showing parcel, grading, landscaping and location of utilities, as applicable. A survey may be required to be submitted with the application in addition to a site plan. 2. Location of all buildings and their square footage. 3. Curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks. 4. Landscaping and screening plans. 5. Sanitary sewer and water plan with estimated use per day. 6. Drainage and grading plan; indicate soil type. 7. Any additional information reasonably required by the City Staff, Planning Commission or City Council.

Planning Commission Review

Before any variance is approved, the Planning Commission shall hold a public hearing after proper notice has been issued in accordance with ordinance. Following the hearing, the Planning Commission shall consider the request based on the criteria outlined above and within the Pine City Zoning and Subdivision Ordinances.

City Council Review and Decision

The City Council shall review the application after the Planning Commission has made its recommendation and will make a final determination to either approve or deny the application. In the granting of approval, the City Council may impose conditions regarding the location, character and other features of the proposed building, structure or use as it may deem necessary.

H MECHANICAL NOTES

- MECHANICAL CONSTRUCTION TO BE IN ACCORDANCE WITH MINNESOTA MECHANICAL CODE AND ANY APPLICABLE LOCAL CODES.
- ALL GAS APPLIANCES SHALL BE PROPERLY VENTED IN ACCORDANCE WITH MINNESOTA MECHANICAL CODE.
- PROVIDE A PRIMARY AND SECONDARY CONDENSATE DRAIN FOR EQUIPMENT LOCATED ABOVE A LIVING SPACE.
- AN APPROVED FUEL SHUTOFF VALVE SHALL BE INSTALLED IN THE SUPPLY PIPING SERVING EACH FUELED MECHANICAL UNIT. SHUTOFF VALVE SHALL BE PROVIDED IN AN ACCESSIBLE LOCATION AHEAD OF APPLIANCE CONNECTION TO PIPING.
- FURNACE ACCESS DOOR SHALL BE 22"x30" MINIMUM AND SHALL LOCATED TO GIVE ACCESS TO ALL CONTROLS.
- IN SHOWERS AND BATHTUBS, CONTROL VALVES MUST BE PRESSURE BALANCED OR THERMOSTATIC VALVES. PROVIDE CONTROLS AT SHOWER OR TUB FIXTURE.
- WALLS OF SHOWER AND BATHTUB FIXTURES SHALL BE OF A SMOOTH, HARD, NON-ABSORBENT MATERIAL AT THE SURFACE OVER A MOISTURE-RESISTANT UNDERLAYMENT. MATERIAL SHALL EXTEND MINIMUM 72" ABOVE DRAIN INLET AND 4" ABOVE SHOWER HEAD SUPPLY PIPE AT THE WALL.
- LOCATE VENTING SYSTEM TERMINATIONS 4' MINIMUM FROM ANY OPENING DOOR, WINDOW, OR GRAVITY AIR INLET. EXHAUST DUCTS SHALL TERMINATE 3' MINIMUM FROM ANY OTHER OPENING IN THE BUILDING.
- DRYER EXHAUST DUCT SHALL INCLUDE THE FOLLOWING: RIGID MATERIAL, SMOOTH INTERIOR SURFACE, MINIMUM 4" DIAMETER, MINIMUM 0.016" THICKNESS. PROVIDE A BACK-DRAFT DAMPER.
- BATHROOM EXHAUST DUCTS SHALL TERMINATE OUTSIDE THE BUILDING AND SHALL BE EQUIPPED WITH A BACKDRAFT DAMPENER.
- DIRECT VENT APPLIANCES SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. LOCATE VENTS ABOVE ANTICIPATED SNOW HEIGHT.
- IN ADDITION TO THE REQUIRED PRESSURE RELIEF VALVES ON WATER HEATERS, PROVIDE AN APPROVED EXPANSION TANK OR OTHER DEVICE DESIGNED FOR INTERMITTENT OPERATION FOR THERMAL EXPANSION CONTROL AT LOCATIONS WHERE THE BUILDING SUPPLY PRESSURE IS GREATER THAN THE REQUIRED RELIEF VALVE PRESSURE SETTING, OR WHEN ANY DEVICE IS INSTALLED THAT PREVENTS PRESSURE RELIEF THROUGH THE BUILDING SUPPLY. SIZE PER MANUFACTURER SPECIFICATIONS.
- AN R-12 WATER HEATER BLANKET IS REQUIRED FOR ALL WATER HEATERS WITH AN ENERGY FACTOR BELOW 0.58. NO COMPLIANCE CREDIT IS GIVEN FOR WATER HEATER INSULATION. STANDARD WATER HEATER COMPLIANCE IS ACHIEVED WITH A NON-RECIRCULATING STORAGE, GAS WATER HEATER WITH A 0.52 ENERGY FACTOR.
- KITCHEN RANGE HOOD TO PROVIDE MINIMUM 100CFM EXHAUST TO THE OUTSIDE OF THE BUILDING THROUGH A METAL DUCT WITH SMOOTH INTERIOR SURFACE.

F PLUMBING

- PLUMBING CONSTRUCTION TO BE IN ACCORDANCE WITH MINNESOTA PLUMBING CODE AND ANY APPLICABLE LOCAL CODES.
- AN APPROVED INTEGRAL FREEZE-LESS BACKFLOW PREVENTION DEVICE SHALL BE INSTALLED AT EXTERNAL HOSE BIBS.
- THE LOCATION FOR GAS SHUT-OFF VALVES FOR APPLIANCES SHALL BE WITHIN 3 FEET OF THE APPLIANCE SERVED.
- PROVIDE 100 SQUARE INCHES OF COMBUSTION AIR AT TOP AND BOTTOM OF WATER HEATER ENCLOSURE.
- TEMPERATURE/PRESSURE RELIEF VALVE DRAIN LINES SHALL BE GALVANIZED STEEL OR HARD DRAWN COPPER, AND SHALL TERMINATE OUTSIDE THE BUILDING FOOTPRINT. TERMINATION SHALL BE LOCATED BETWEEN 6 AND 24 INCHES ABOVE GRADE AND POINTED DOWN.
- WATER HEATER SHALL BE SECURED TO RESIST SEISMIC FORCES. PROVIDE A MINIMUM OF 4) ANCHORS TO PLATFORM OR STRUCTURAL FLOOR ELEMENTS AT FLOOR-MOUNTED UNITS. PROVIDE 4) ANCHORS TO WALL AT WALL-MOUNTED UNITS. UNITS EXCEEDING 400 POUNDS IN WEIGHT WITH A CENTER OF GRAVITY GREATER THAN 4'-0" ABOVE THE FINISHED FLOOR SHALL BE REVIEWED FOR SEISMIC OVERTURNING BY THE DESIGNER OF RECORD OR A LICENSED STRUCTURAL ENGINEER.
- PROVIDE MATERIALS TO PREVENT PLUMBING AND PIPING FIXTURES FROM FREEZING.
- WATER SUPPLY PIPING SHALL BE LOCATED 36" MIN BELOW GRADE TO PREVENT FREEZING.
- WATER PIPING SHALL BE GRADED TO DRAIN.
- BATHROOM EXHAUST FANS SHALL BE CAPABLE TO ADJUST HUMIDITY BETWEEN 50% AND 80% AND ADJUST BY AN AUTOMATIC OR MANUAL CONTROL.
- WATER CLOSETS NOT TO EXCEED 1.28 GPF.

- SINGLE SHOWERHEAD NOT TO EXCEED 1.8 GPM AT 80 PSI, CERTIFIED US EPA WATERSENSE.

- FAUCETS NOT TO EXCEED 1.2 GPM AT 60 PSI; MINIMUM FLOW RATE OF A RESIDENTIAL LAVATORY FAUCET SHALL NOT BE LESS THAN 0.8 GPM AT 20 PSI.

- KITCHEN FAUCETS NOT TO EXCEED 1.8 GPM AT 60 PSI, BUT MAY EXCEED TEMPORARILY, BUT NOT EXCEED 2.2 GPM, AND DEFAULT BACK TO 1.8 GPM.

- GAS PIPING PLANS AND CALCULATIONS SHALL BE A DEFERRED SUBMITTAL. GAS PIPE SIZING SHALL BE APPROVED BY BUILDING DEPARTMENT PRIOR TO INSTALLATION.

G GLAZING

- PROVIDE SAFETY GLAZING AT THE FOLLOWING LOCATIONS:
 - GLAZING IN ALL FIXED AND OPERABLE PANELS OF SEINGING SLIDING, AND BIFOLD DOORS.
 - GLAZING IN AN INDIVIDUAL OR OPERABLE PANEL, ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN A 24 INCH ARC OF THE DOOR IN A CLOSED POSITION AND WHOSE BOTTOM EDGE IS LESS THAN 60 INCHES ABOVE THE FLOOR OR WALKING SURFACE.
 - GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL THE FOLLOWING CONDITIONS:
 - THE EXPOSED AREA OF AN INDIVIDUAL PANE IS LARGER THAN 9 SQUARE FEET.
 - THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18 INCHES ABOVE THE FLOOR.
 - THE TOP EDGE OF THE GLAZING IS MORE THAN 36 INCHES ABOVE THE FLOOR.
 - ONE OR MORE WALKING SURFACES ARE WITHIN 36 INCHES OF THE GLAZING.
 - ALL GLAZING IN RAILINGS, INCLUDING STRUCTURAL BALLUSTER PANELS AND NON-STRUCTURAL INFILL PANELS
 - GLAZING IN ENCLOSURES FOR OR WALLSFACING HOT TUBS, WHIRLPools, SAUNAS, STEAM ROOMS, BATHTUBS, ANS SHOWERS, WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES MEASURED VERTICALLY ABOVE ANY STANDING OR WALKING SURFACE. EXCEPTION: GLAZING THAT IS MORE THAN 60 INCHES MEASURED HORIZONTALLY FROM THE WATER'S EDGE OF A HOT TUB, WHIRLPOOL, OR BATHTUB.
 - GLAZING IN WALLS AND FENCES ADJACENT TO INDOOR AND OUTDOOR SWIMMING POOLS, HOT TUBS, AND SPAS, WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE A STANDING OR WALKING SURFACE AND WITHIN 60 INCHES MEASURED HORIZONTALLY OF THE WATER'S EDGE. THIS SHALL APPLY TO ALL PANELS IN GLAZING.
 - GLAZING ADJACENT TO STAIRWAYS, LANDINGS, AND RAMPS WITHIN 36 INCHES MEASURED HORIZONTALLY OF A WALKING SURFACE WHEN THE EXPOSED SURFACE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE THE PLANE OF THE ADJACENT WALKING SURFACE.
 - GLAZING ADJACENT TO STAIRWAYS WITHIN 60 INCHES MEASURED HORIZONTALLY OF THE BOTTOM TREAD OF A STAIRWAY IN ANY DIRECTION WHEN THE EXPOSED SURFACE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE THE NOSE OF THE TREAD.

C SITE PLAN NOTES

- NOTE: REFER TO LOCAL CODE OF ORDINANCES FOR BEST MANAGEMENT PRACTICES (BMP'S) FOR MINIMUM EROSION AND SEDIMENT CONTROLS.
- ALL SOILS TRACKED ONTO PAVED ROADWAYS MUST BE CLEANED UP ON A DAILY BASIS. WHEN STREETS ARE WET OR DURING A RAIN EVENT THERE SHALL BE NO TRACKING OF SOILS ONTO THE STREET.
- PROVIDE ROCK BAGS (MINIMUM 2 PER SIDE) AT ALL DRAIN INLET LOCATIONS WITHIN 150' OF THE PROJECT SITE.
- PROVIDE INTERNAL FILTERS PLACED INSIDE EACH DRAIN INLET.
- PROVIDE TRASH BARS ACROSS THE BACK OF ALL DRAIN INLETS.
- STABILIZE ALL DISTURBED SOILS IN THE FRONT YARD AREAS WITHIN 15' OF THE BACK OF CURB OR SIDEWALK. (STRAW OR EROSION BLANKETS MAY BE USED FOR THIS APPLICATION)
- ALL PAINT, FUEL, CONSTRUCTION PRODUCTS ETC. SHALL BE STORED IN A COVERED LOCATION AWAY FROM SIDEWALKS AND STORM DRAIN INLETS.
- PORTABLE CHEMICAL TOILETS, IF PROVIDED ON THE SITE, MUST BE KEPT OFF STREETS AND SIDEWALKS AND AT LEAST 50' FROM THE NEAREST STORM DRAIN INLET.
- ALL TRASH MUST BE COLLECTED AND STORED PROPERLY. DO NOT LET ITEMS SUCH AS DRYWALL MUD BOXES, PAINT BUCKETS, CLEANING MATERIAL CONTAINERS ETC. COME IN TONTACT WITH ANY RAINFALL OR STORM WATER RUNOFF.
- PROVIDE A DESIGNATED AREA FOR CONCRETE WASHOUT. HAY BALES LINED WITH VISQUEEN MAY BE USED FOR THIS APPLICATION. ROLLAWAY BINS MAY ALSO BE USED. ALL CONCRETE WASHOUT SYSTEMS SHALL BE PLACED OFF OF THE PAVED STREETS.

D FINISHES

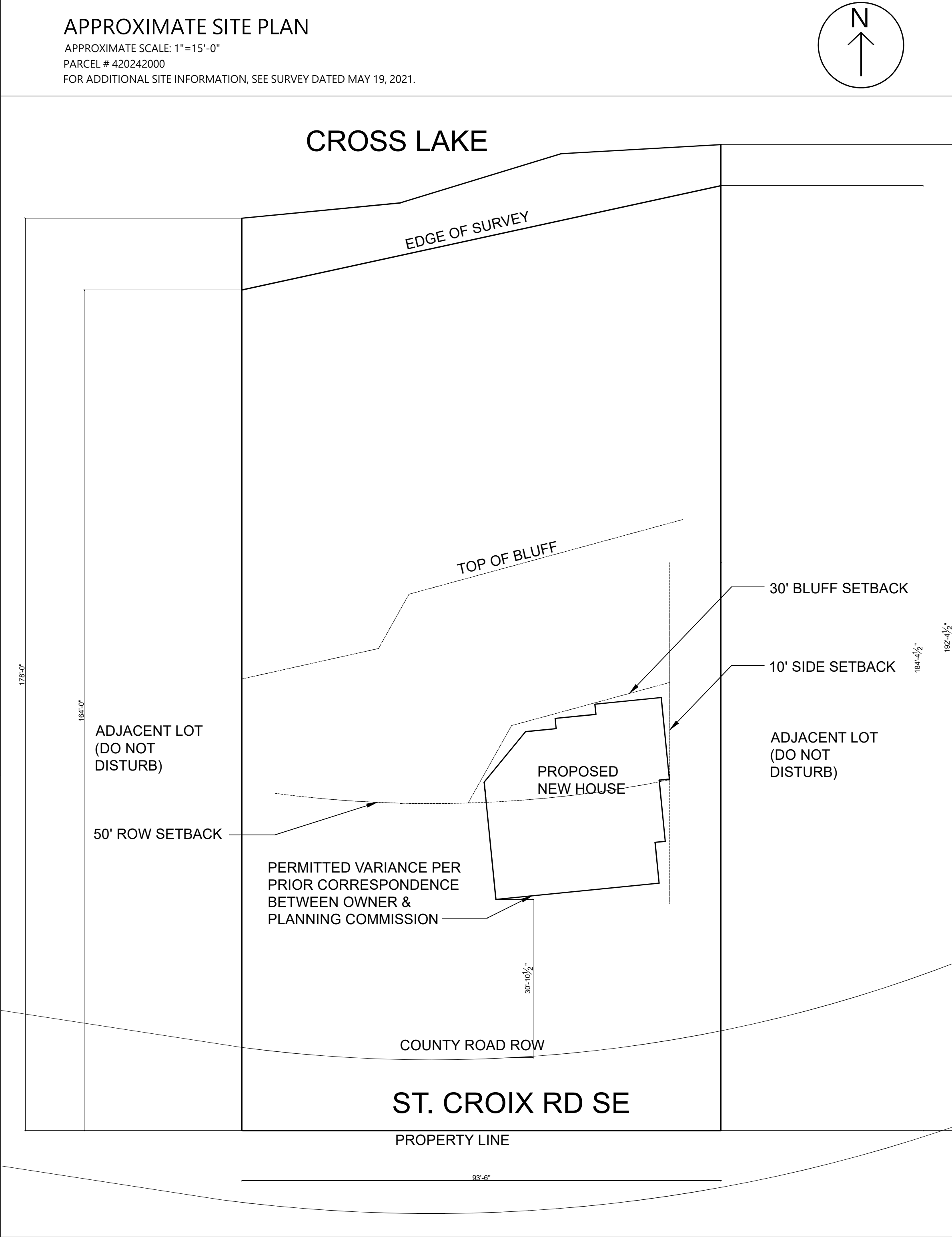
- MATERIAL AND FINISH COLORS SHALL BE AS FOLLOWS:
 - ROOF: ASPHALT SHINGLE
 - EXTERIOR WALLS: HORIZONTAL WOOD SIDING (PAINT COLOR: CREAM)
 - EXTERIOR WALLS AT GABLES: SHAKE BOARD (PAINT COLOR: CREAM)
 - ROOF TRIM & PORCH FRAMING COLOR: DARK GREEN
- PROVIDE CORROSION-RESISTANT FLASHING AT ALL DOORS AND WINDOWS.

E VENTING REQUIREMENTS

- ATTIC SHALL HAVE A MINIMUM OF 1 SQ FT OF VENTING PER 150 SQ FT OF ATTIC SPACE, MIN 50% ABOVE EAVE LEVEL
- ATTIC AREA: 1127 SF
VENTING AREA REQUIRED: 7.51 SF (1082 SQ IN)
541 SQ IN REQUIRED ABOVE EAVE LEVEL
541 SQ IN REQUIRED AT EAVE LEVEL
- PROVIDE 2" Ø HOLES OR MANUFACTURED VENTS TO ACHIEVE MINIMUM VENTILATION AREA IN EAVE BLOCKING. MANUFACTURED EAVE VENTS SHALL BE VULCAN VENTS OR TESTED EQUIVALENT THAT RESIST THE INTRUSION OF FLAME AND BURNING EMBERS.
- PROVIDE RIDGE VENTS OR A COMBINATION OF RIDGE VENTS AND GABLE END VENTS TO ACHIEVE MINIMUM VENTILATION AREA IN UPPER PORTION OF ROOF.
- VENTILATION OPENINGS FOR ENCLOSED ATTICS AND ENCLOSED EAVE SOFFIT SPACES SHALL BE FULLY COVERED WITH METAL WIRE MESH, VENTS, OR OTHER MATERIALS THAT COMPLY WITH MINNESOTA MECHANICAL CODE.
- VENTS MATERIAL TO BE CORROSION RESISTANT, NON-COMBUSTIBLE, AND IN COMPLIANCE WITH FIRE CODE REQUIREMENTS SECTION.
- BATHROOMS, WATER CLOSET COMPARTMENTS, AND OTHER SIMILAR ROOMS SHALL HAVE MINIMUM 3 SQUARE FEET OF GLAZING, HALF OF WHICH IS OPENABLE. GLAZING IS NOT REQUIRED WHEN ARTIFICIAL LIGHTING AND VENTILATION ARE PROVIDED. MINIMUM VENTILATION RATES SHALL BE 50 CUBIC FEET PER MINUTE FOR INTERMITTENT VENTILATION OR 25 CUBIC FEET PER MINUTE FOR CONTINUOUS VENTILATION. VENTILATION AIR SHALL BE EXHAUSTED DIRECTLY TO THE OUTSIDE.
- GABLE ATTIC VENTS AND FOUNDATION VENTS SHALL BE FULLY COVERED WITH METAL WIRE MESH OR NONCOMBUSTIBLE MATERIALS WITH MINIMUM OPENINGS OF 1/16", AND SHALL NOT EXCEED 1/8" OPENINGS.

APPROXIMATE SITE PLAN

APPROXIMATE SCALE: 1"=15'-0"
PARCEL # 420242000
FOR ADDITIONAL SITE INFORMATION, SEE SURVEY DATED MAY 19, 2021.



B DESIGN CRITERIA

BUILDING CODES:
2020 MINNESOTA RESIDENTIAL CODE
(2018 INTERNATIONAL RESIDENTIAL CODE)
2020 MINNESOTA ELECTRICAL CODE
2020 MINNESOTA MECHANICAL CODE
2020 MINNESOTA PLUMBING CODE
PINE COUNTY LOCAL CODE

SITE ELEVATION: APPROX. 945 FT.

OCCUPANCY CATEGORY: R-3
CONSTRUCTION TYPE: V-B

HOUSE CONDITIONED SQUARE FOOTAGE: 1607 SF
GARAGE SQUARE FOOTAGE: 646 SF

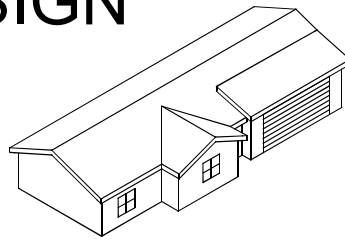
BUILDING FOOTPRINT: 1127 SF

GROUND SNOW LOAD: 50 PSF

A GENERAL NOTES

- SCOPE OF WORK: CONSTRUCTION OF A NEW TWO-STORY, (3) BEDROOM, (2.5) BATHROOM SINGLE-FAMILY RESIDENCE AT PARCEL # 420242000 (ADDRESS TBD) ON ST. CROIX RD SE, PINE CITY, MINNESOTA.
- THE DRAWINGS CONTAINED IN THIS SET SHALL NOT BE USED FOR CONSTRUCTION WITHOUT APPROVED APPLICABLE BUILDING PERMIT(S) FROM THE JURISDICTION IN WHICH THE BUILDING SHALL BE LOCATED.
- DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION ANYWHERE OTHER THAN THE SPECIFIED SCOPE OF WORK WITHOUT THE EXPLICIT CONSENT OF TDT CONCEPT DESIGN AND ALL AFFILIATED PARTIES.
- TDT CONCEPT DESIGN ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF EXISTING SITE INFORMATION. IT IS THE BUILDER'S RESPONSIBILITY TO VERIFY SITE CONDITIONS PRIOR TO CONSTRUCTION.
- DRAWINGS SHALL NOT BE SCALED. DIMENSIONS SHALL BE VERIFIED BY THE CONTRACTOR IN THE FIELD.
- CONTRACTOR TO COORDINATE MECHANICAL AND UTILITY SYSTEMS WITH STRUCTURAL ELEMENTS. ANY CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF ALL AFFECTED PARTIES.
- CONSTRUCTION SHALL COMPLY WITH ALL LOCAL CODES AND REGULATIONS.

TDT CONCEPT DESIGN



tdtappin@gmail.com
(707) 490-9475

NEW RESIDENCE

ST CROIX ROAD
PINE CITY, MN 55063

PROJECT # 2526

DRAWING DATE: 2026/03/01

REVISION HISTORY

Tyla Tappin
DESIGNER SIGNATURE

DRAWN BY: TDT

A1

GENERAL NOTES

PROGRESS SET - NOT FOR CONSTRUCTION

FLOOR PLAN NOTES

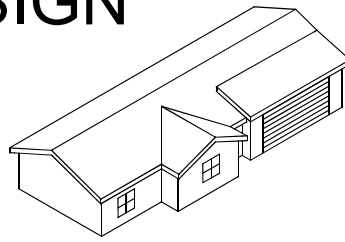
WALL DIMENSIONS ARE TO FACE OF OUTERMOST PLYWOOD OR DRYWALL UNLESS NOTED OTHERWISE.

CORNER POST DIMENSIONS ARE TO FACE OF POST UNLESS NOTED OTHERWISE.

EXTERIOR POSTS NOT AT CORNERS ARE DIMENSIONED TO CENTER OF POST.

ALL WINDOWS AND DOORS INCLUDE A 2" ALLOWANCE ON EACH SIDE FOR DOOR JAMBS. ACTUAL JAMB SIZE MAY VARY DEPENDING ON WINDOW AND DOOR FIXTURES SELECTED.

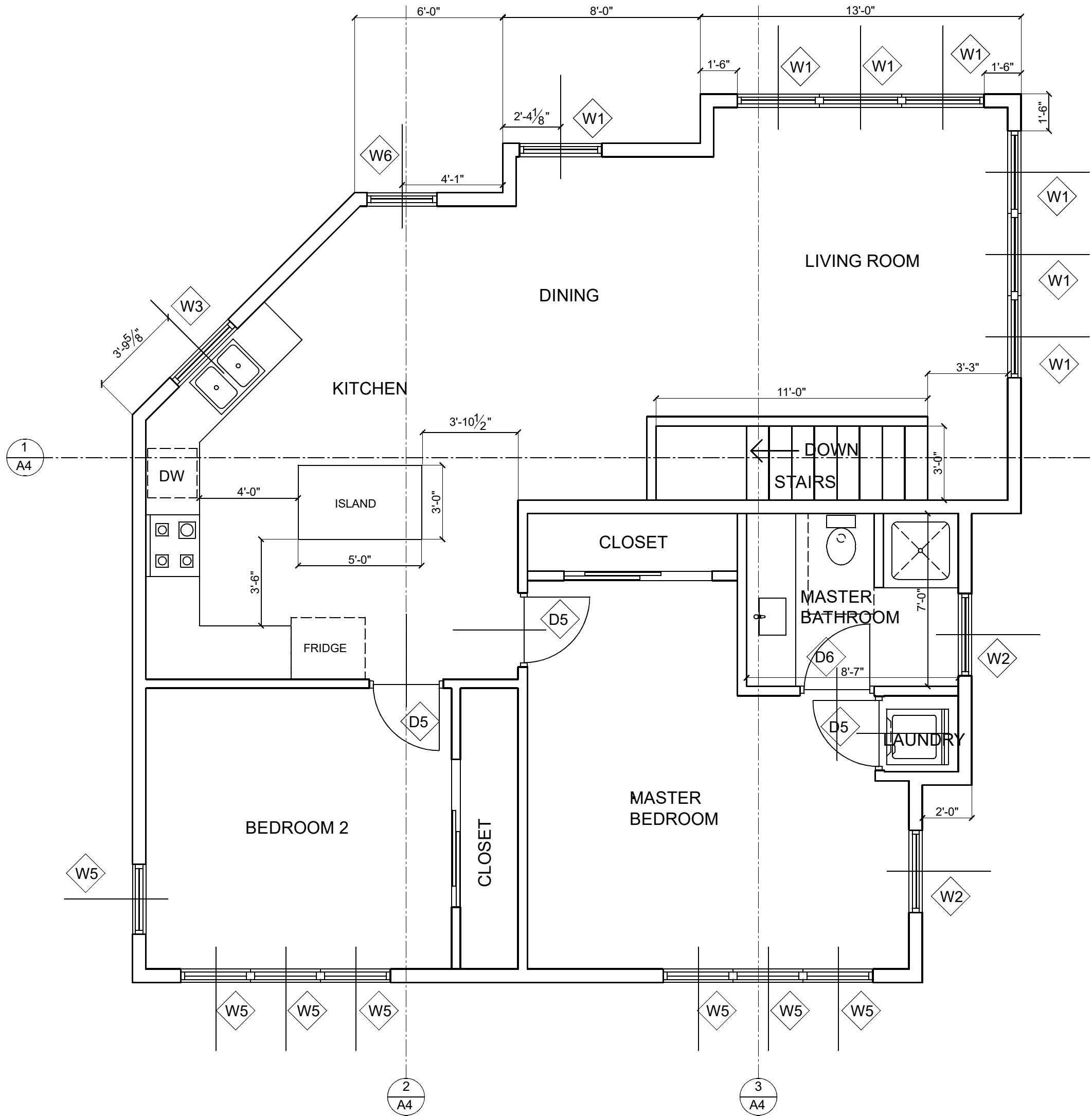
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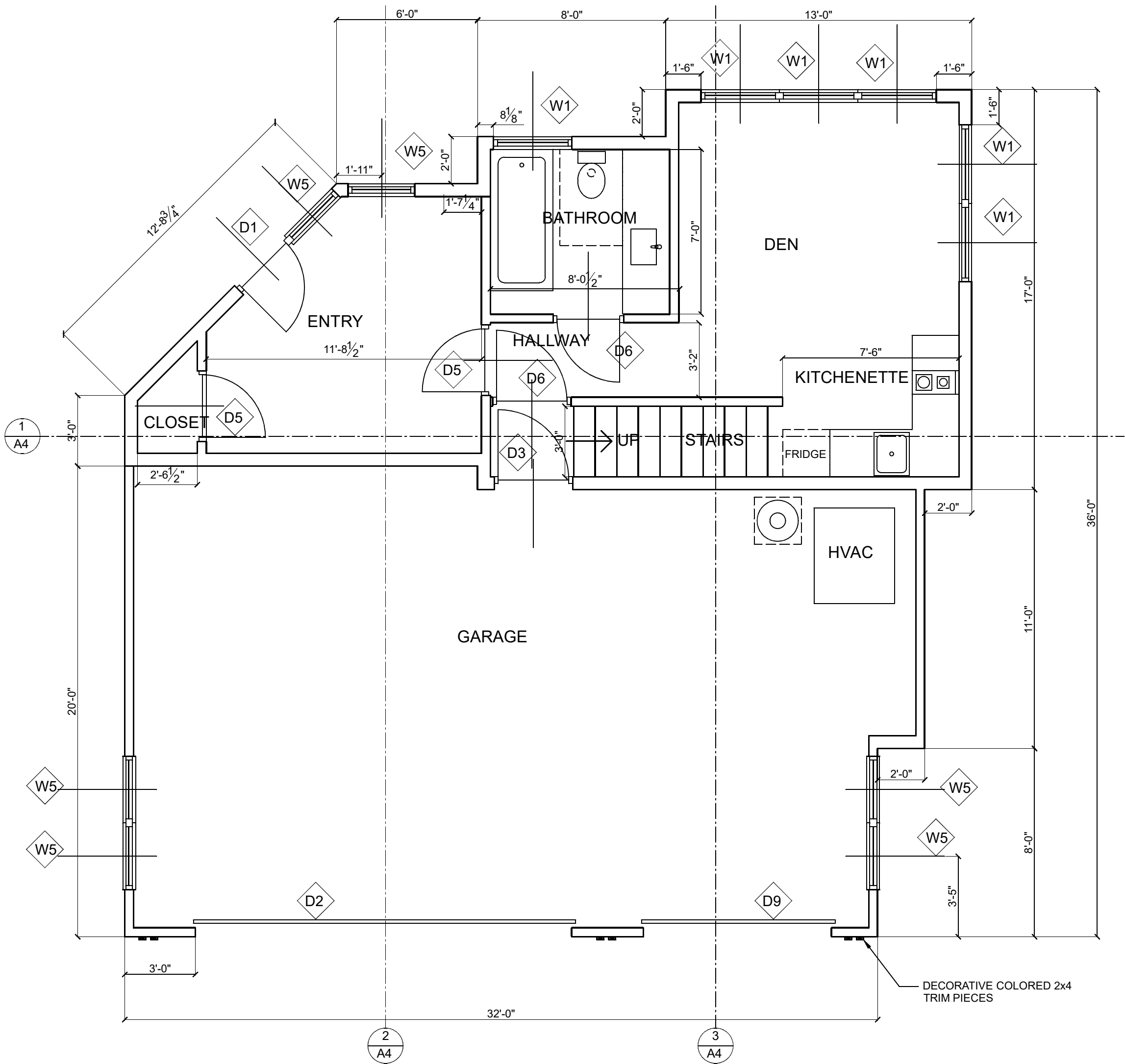
LEGEND

	2x6 STUD WALL (TYP UNLESS NOTED OTHERWISE)
	NON-TYPICAL STUD WALL WITH STUD DEPTH
	POST
	DOOR WITH SWING DIRECTION & TYPE MARK (SEE SHEET A5 FOR MORE INFORMATION)
	WINDOW WITH TYPE MARK (SEE SHEET A5 FOR MORE INFORMATION)
	RANGE+OVEN WITH MICROWAVE AND 100CFM MIN FUME HOOD ABOVE
	DISHWASHER INSTALLED BELOW COUNTERTOP
	KITCHEN SINK
	50 GALLON TANK WATER HEATER (ELECTRIC)
	TOILET FIXTURE AND MINIMUM CLEARANCES
	BATHROOM SINK
	32" x 60" BATHTUB FIXTURE. PROVIDE OVERHEAD SHOWER IF STANDALONE SHOWER UNIT IS NOT INSTALLED IN BATHROOM
	WALK-IN SHOWER UNIT
	WASHER & DRYER UNIT
	EXTERIOR WATER SPIGOT



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

NEW RESIDENCE

ST CROIX ROAD
PINE CITY, MN 55063

PROJECT # 2526

DRAWING DATE: 2026/03/01

REVISION HISTORY

DESIGNER SIGNATURE
DRAWN BY: TDT

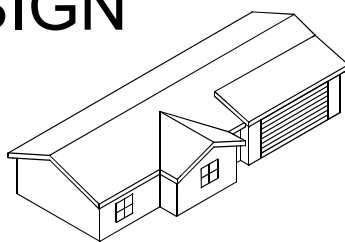
A2

FLOOR PLAN

PROGRESS SET - NOT FOR CONSTRUCTION

NOTE: ROOF HEIGHTS ARE BASED ON AN APPROXIAMTE 9" THICK ROOF ASSEMBLY. FINAL HEIGHT MAY VARY SLIGHTLY.

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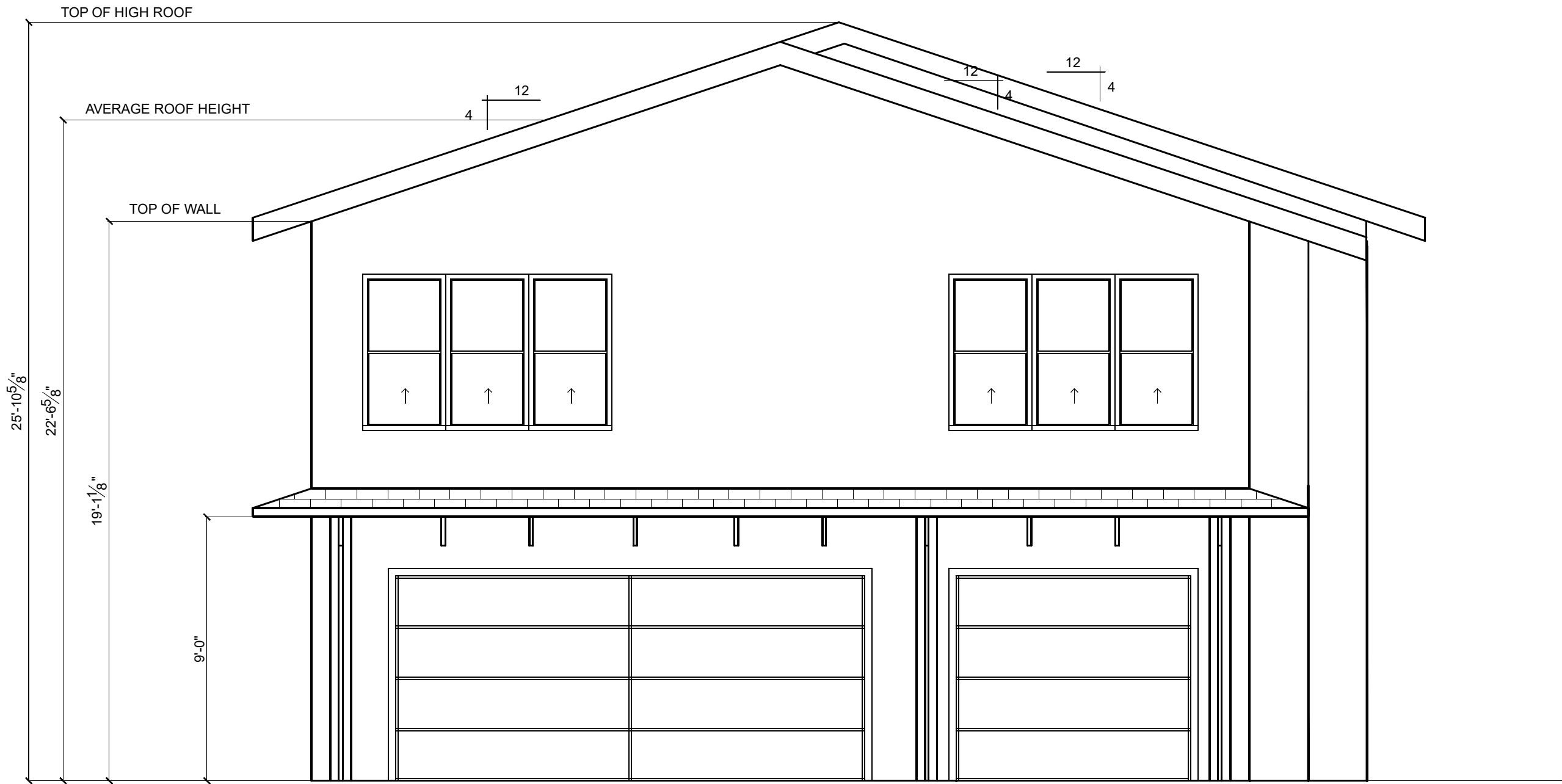


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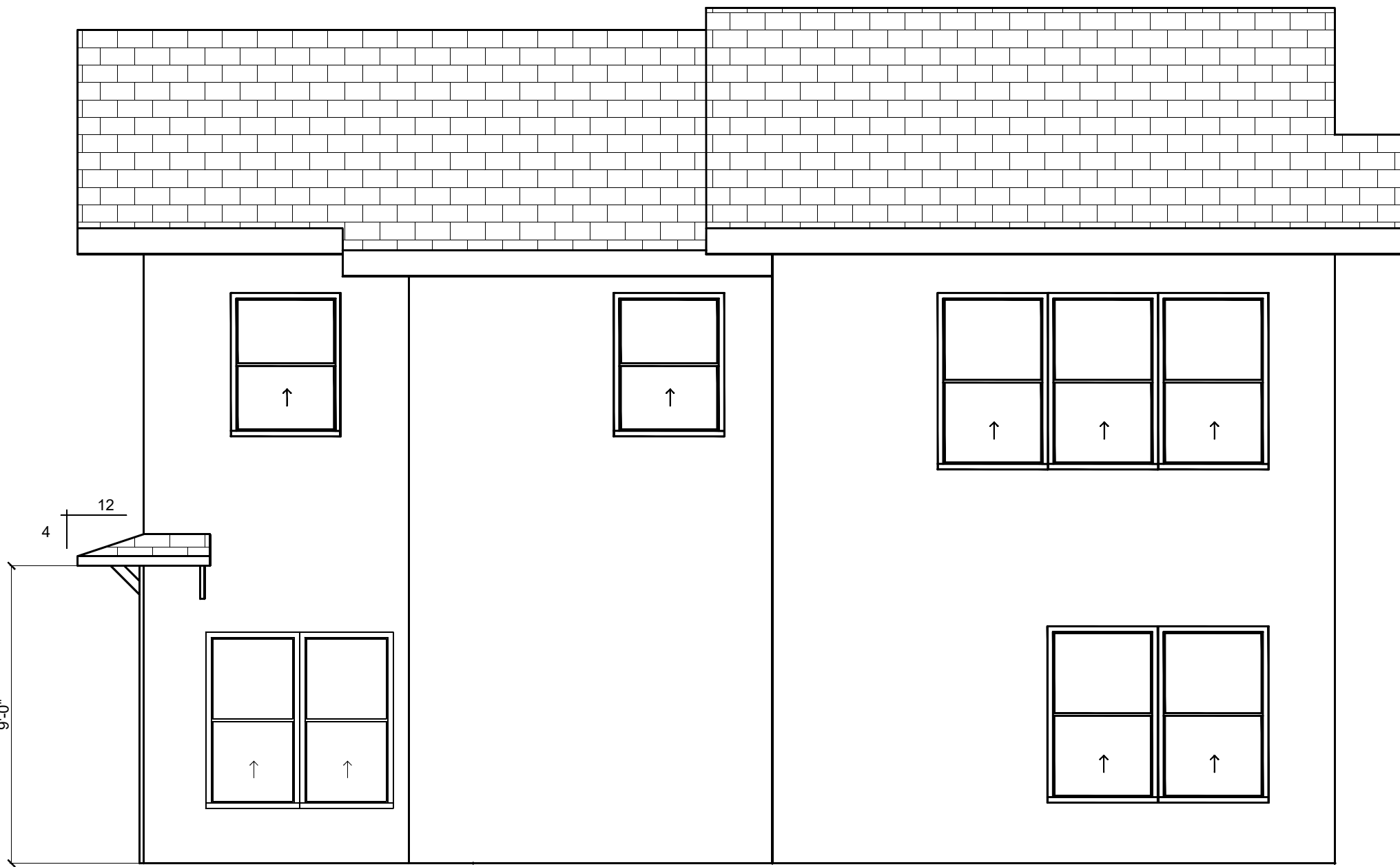
BACK ELEVATION (NORTH)

SCALE: 1/4" = 1'-0"



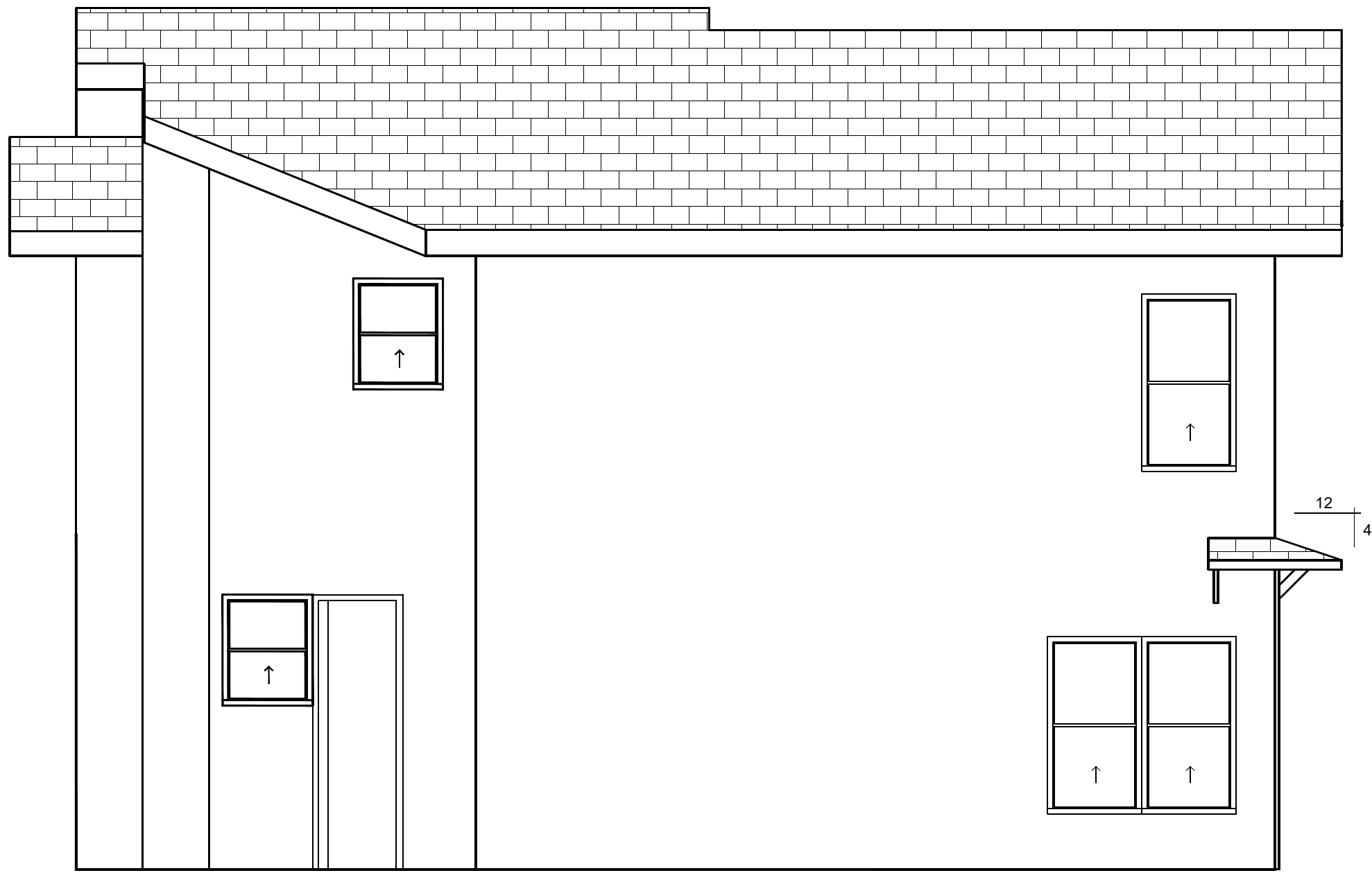
FRONT ELEVATION (SOUTH)

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION (EAST)

SCALE: 1/4" = 1'-0"



LEFT ELEVATION (WEST)

SCALE: 1/4" = 1'-0"

NEW RESIDENCE

ST CROIX ROAD
PINE CITY, MN 55063

PROJECT # 2526

DRAWING DATE: 2026/03/01

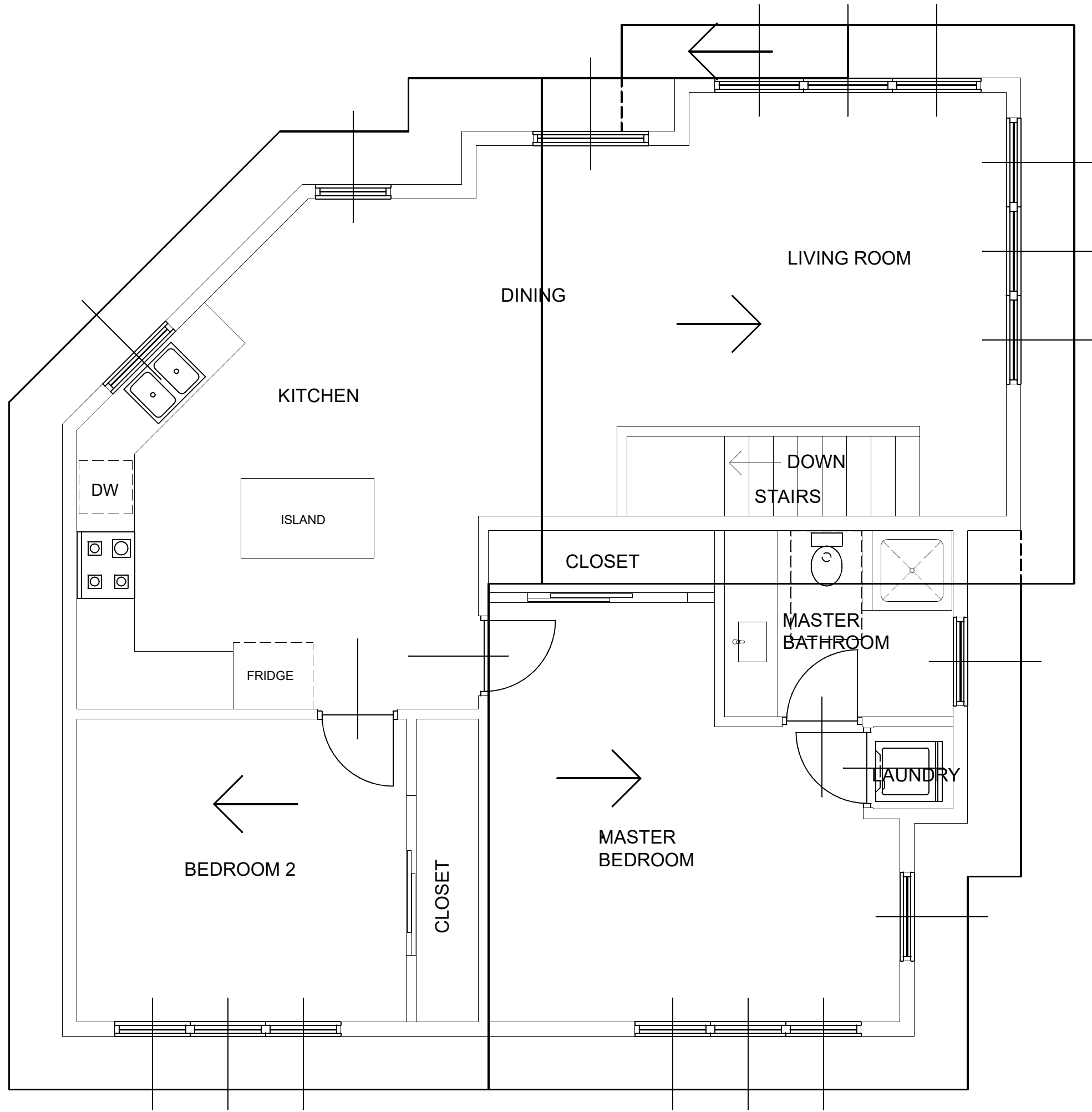
REVISION HISTORY

DESIGNER SIGNATURE

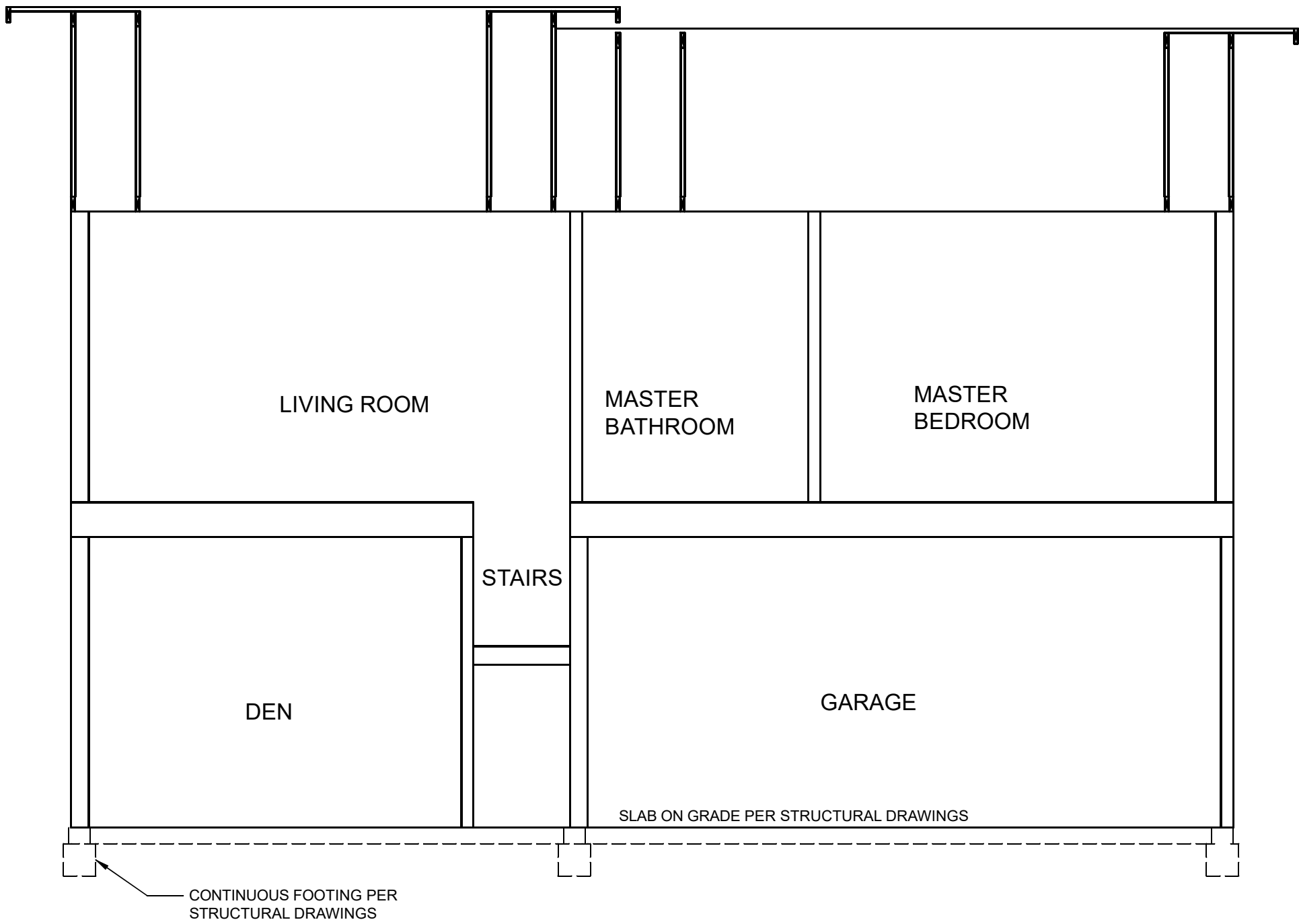
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A3
ELEVATIONS

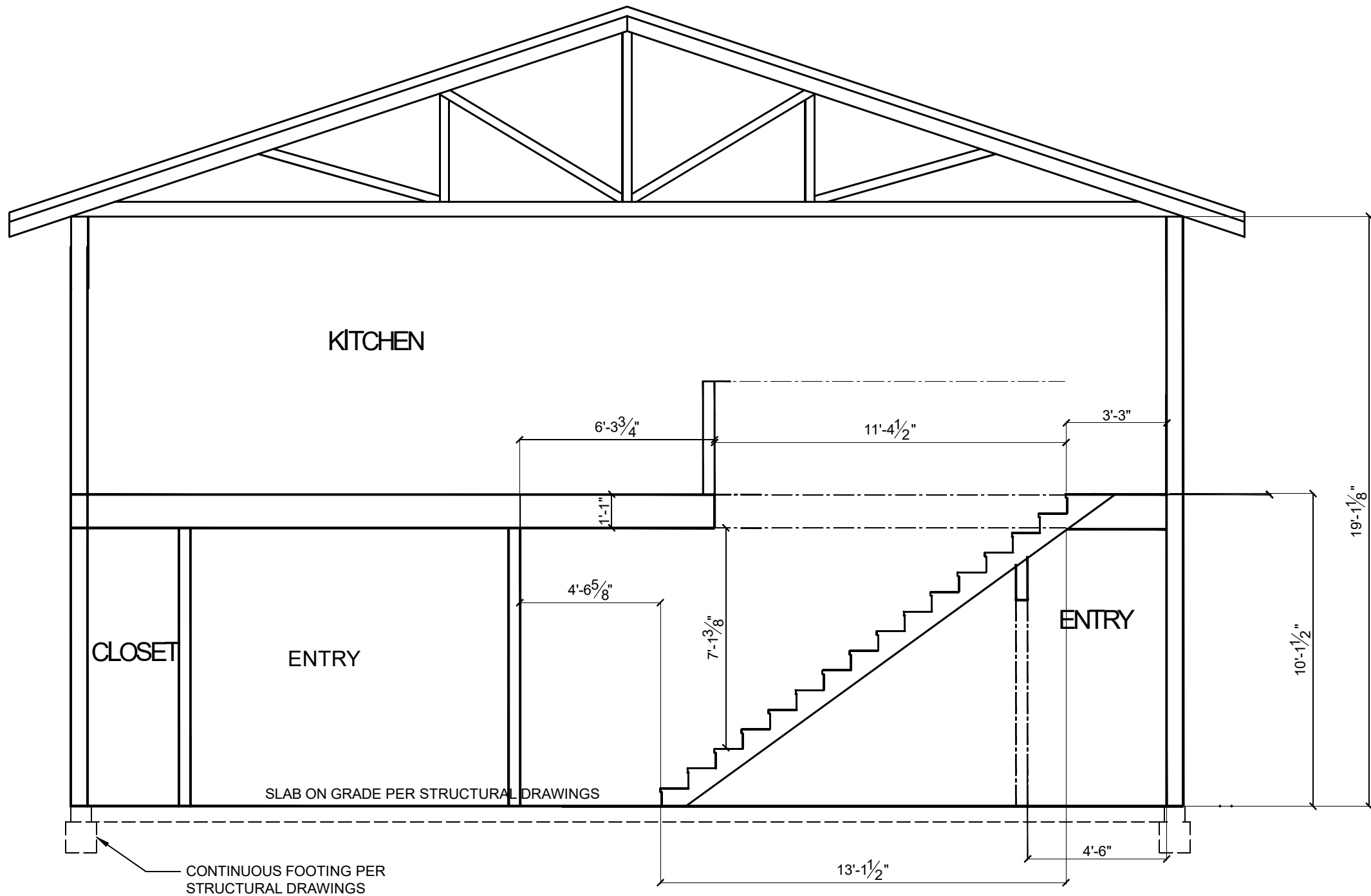
PROGRESS SET - NOT FOR CONSTRUCTION



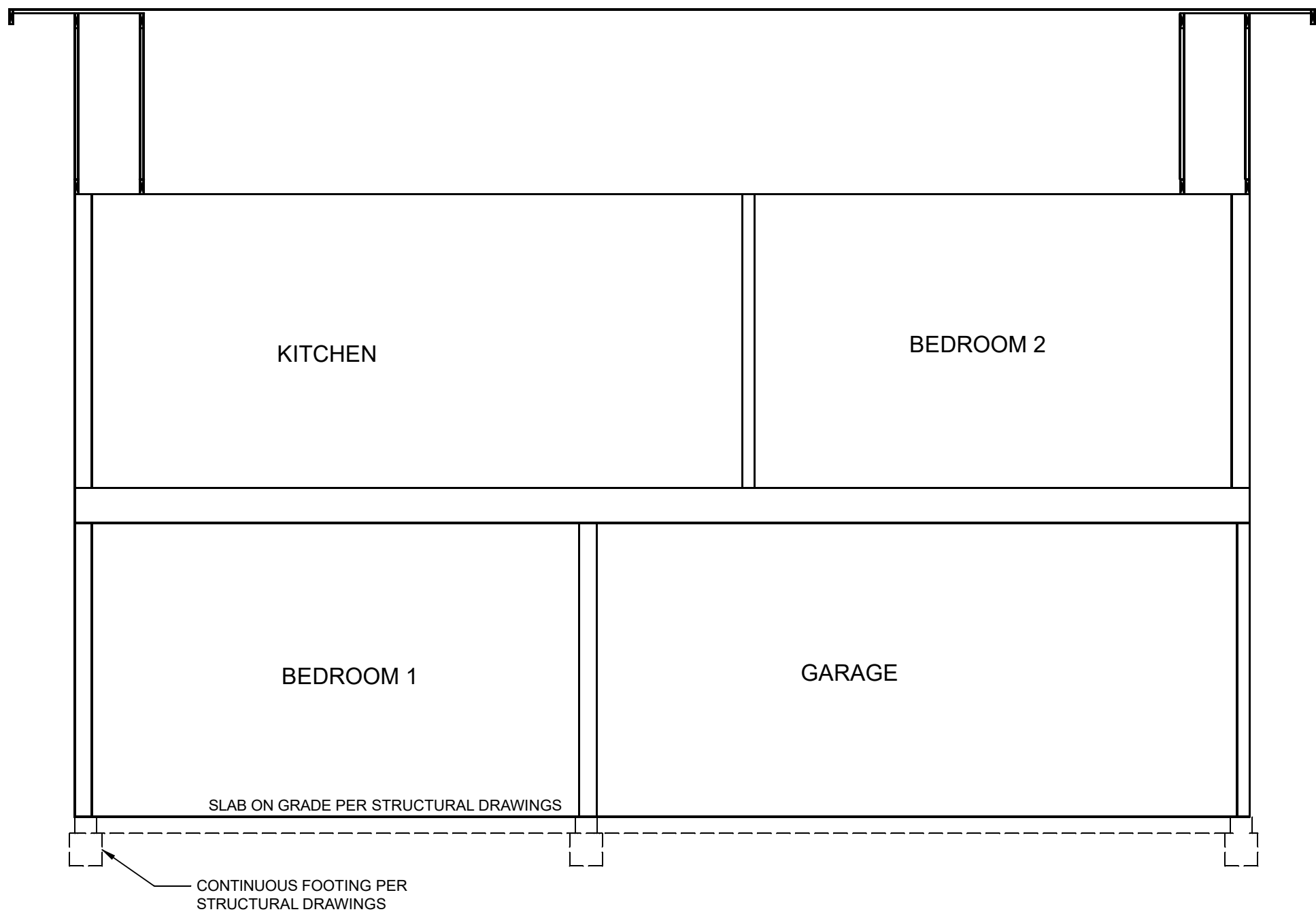
ROOF PLAN
SCALE: 1/4" = 1'-0"



TRANSVERSE SECTION AT INTERIOR STAIRS
SCALE: 1/4" = 1'-0"



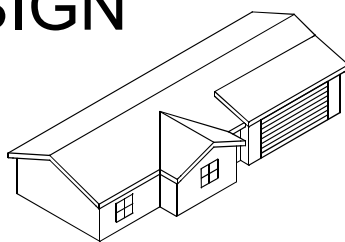
LONGITUDINAL SECTION AT STAIRS
SCALE: 1/4" = 1'-0"



TRANSVERSE SECTION AT ROOF DECK
SCALE: 1/4" = 1'-0"

ROOF CONSTRUCTION NOTES:
RADIANT BARRIER SHALL BE INSTALLED AT THE ROOF AND GABLE END WALLS.
PROVIDE A 1" GAP BETWEEN INSULATION AND ROOF SHEATHING AND AT THE LOCATION OF THE VENTS.
TRUSS PROFILES SHOWN ARE FOR CLARITY AND SHALL NOT BE SCALED. FINAL TRUSS DESIGN SHALL BE BY TRUSS MANUFACTURER.

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CONCEPT
DESIGN



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PROJECT # 2526

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REVISION HISTORY

Tyla Tappin

DESIGNER SIGNATURE

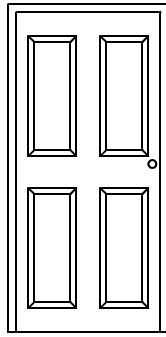
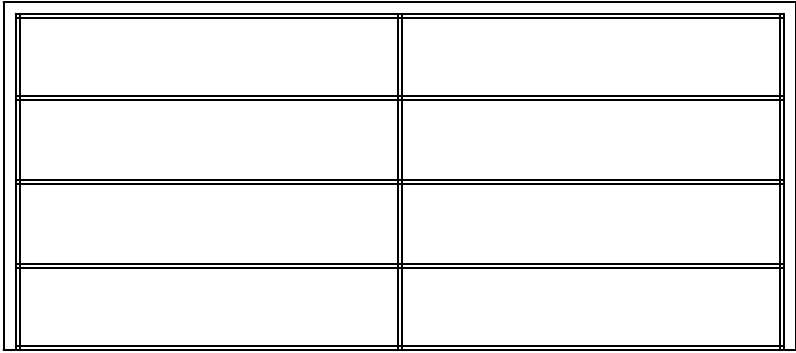
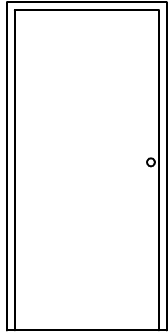
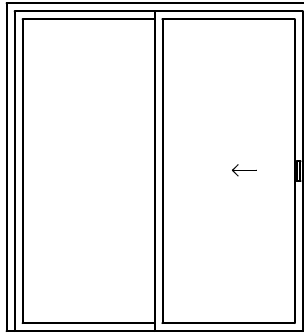
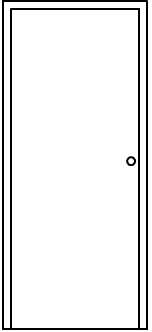
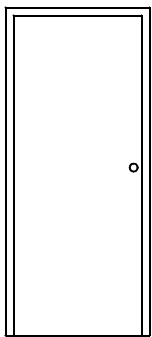
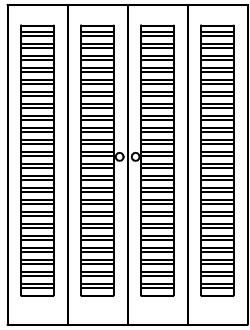
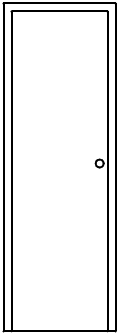
DRAWN BY: TDT

A4
SECTIONS

PROGRESS SET - NOT FOR CONSTRUCTION

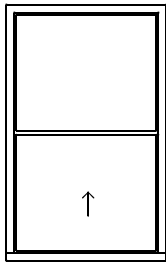
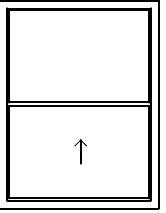
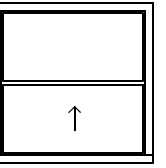
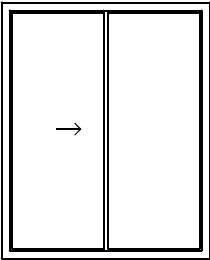
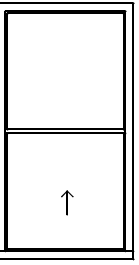
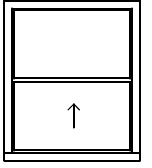
DOOR SCHEDULE

SCALE: 1/4" = 1'-0"

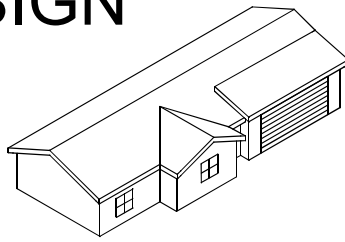
MARK ON PLAN	ELEVATION	WIDTH	HEIGHT	DESCRIPTION
D1		3'-0"	6'-8"	EXTERIOR DOOR, MINIMUM THICKNESS 1 3/8" SOLID OR HONEYCOMB CORE.
D2		16'-0"	7'-0"	GARAGE DOOR, MINIMUM THICKNESS 1 3/8" SOLID OR HONEYCOMB CORE.
D3		3'-0"	6'-8"	EXTERIOR DOOR, MINIMUM THICKNESS 1 3/8" SOLID OR HONEYCOMB CORE.
D4		6'-0"	6'-8"	2-PANEL EXTERIOR RATED XO SLIDING GLASS DOOR
D5		2'-8"	6'-8"	TYPICAL INTERIOR DOOR
D6		2'-8"	6'-8"	INTERIOR DOOR WITH INTERNAL LOCK
D7		2'-8"	6'-8"	INTERIOR ACCORDION DOOR WITH VENTILATION. IF GAS-POWERED LAUNDRY UNIT IS INSTALLED, PROVIDE SUFFICIENT NET FREE VENT AREA FOR UNIT COMBUSTION AIR.
D8		2'-0"	6'-8"	INTERIOR CLOSET DOOR
D2		16'-0"	7'-0"	GARAGE DOOR, MINIMUM THICKNESS 1 3/8" SOLID OR HONEYCOMB CORE.

WINDOW SCHEDULE

SCALE: 1/4" = 1'-0"

MARK ON PLAN	ELEVATION	WIDTH	HEIGHT	DESCRIPTION
W1		3'-0"	5'-0"	SINGLE HUNG, TOP OF SILL AT 24" ABOVE FINISHED FLOOR. MULTIPLE WINDOWS MAY BE SUBSTITUTED FOR SINGLE FIXTURE WITH EQUAL OR LESSER ROUGH OPENING DIMENSIONS.
W2		3'-0"	4'-0"	SINGLE HUNG, TOP OF SILL AT 36" ABOVE FINISHED FLOOR
W3		3'-0"	3'-0"	SINGLE HUNG, TOP OF SILL AT 48" ABOVE FINISHED FLOOR
W4		4'-0"	5'-0"	HORIZONTAL SLIDER, TOP OF SILL AT 24" ABOVE FINISHED FLOOR
W5		2'-6"	5'-0"	SINGLE HUNG, TOP OF SILL AT 24" ABOVE FINISHED FLOOR. MULTIPLE WINDOWS MAY BE SUBSTITUTED FOR SINGLE FIXTURE WITH EQUAL OR LESSER ROUGH OPENING DIMENSIONS.
W6		2'-6"	3'-0"	SINGLE HUNG, TOP OF SILL AT 48" ABOVE FINISHED FLOOR

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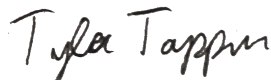
NEW RESIDENCE

ST CROIX ROAD
PINE CITY, MN 55063

PROJECT # 2526

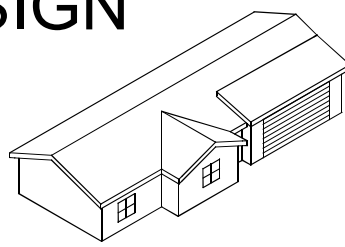
DRAWING DATE: 2026/03/01

REVISION HISTORY


DESIGNER SIGNATURE
DRAWN BY: TDT

A5
DOOR & WINDOW
SCHEDULE

PROGRESS SET - NOT FOR CONSTRUCTION



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ELECTRICAL PLAN NOTES

PANEL SHALL BE LOCATED 36" OFF GROUND MINIMUM AND HOUSE ALL BREAKERS INSIDE WEATHER-PROOF METAL COMPARTMENT.

PROVIDE INDEPENDENT 120V BREAKERS AS REQUIRED TO SERVICE THE EXPECTED USAGE LOAD.

PROVIDE (1) INDEPENDENT 240V BREAKER AT PANEL.

ALL EXTERNAL WIRING EXITING THE PANEL SHALL BE SHEATHED IN ELECTRICAL CONDUIT WHEN ABOVE GROUND.

ALL INTERNAL WIRING SHALL BE 14 AWG MIN. RATED FOR 20 AMP CIRCUIT (30 AMP FOR 240VAC INSTALLATIONS)

A/C SHUT OFF SHALL BE IN LINE-OF-SIGHT OF OR ADJACENT TO THE UNIT AND A RECEPTACLE WITHIN 25 FEET OF THE EQUIPMENT.

AT LEAST ONE 120V, 20 AMP BRANCH CIRCUIT SHALL BE PROVIDED TO SUPPLY A BATHROOM RECEPTACLE OUTLET(S). SUCH CIRCUITS SHALL HAVE NO OTHER OUTLETS.

AT LEAST TWO OR MORE 20-AMP SMALL-APPLIANCE BRANCH CIRCUITS SHALL BE PROVIDED AT THE KITCHEN.

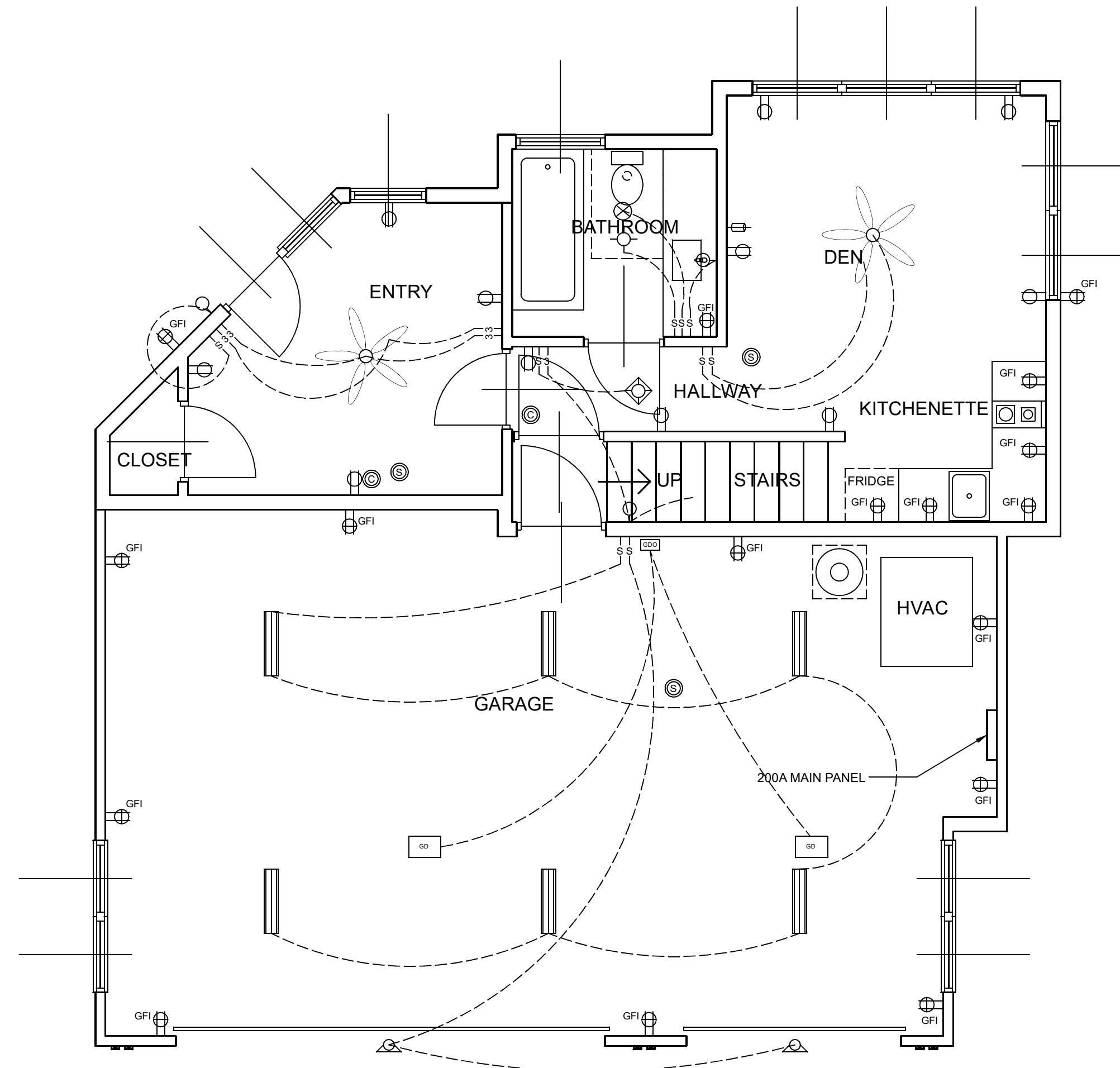
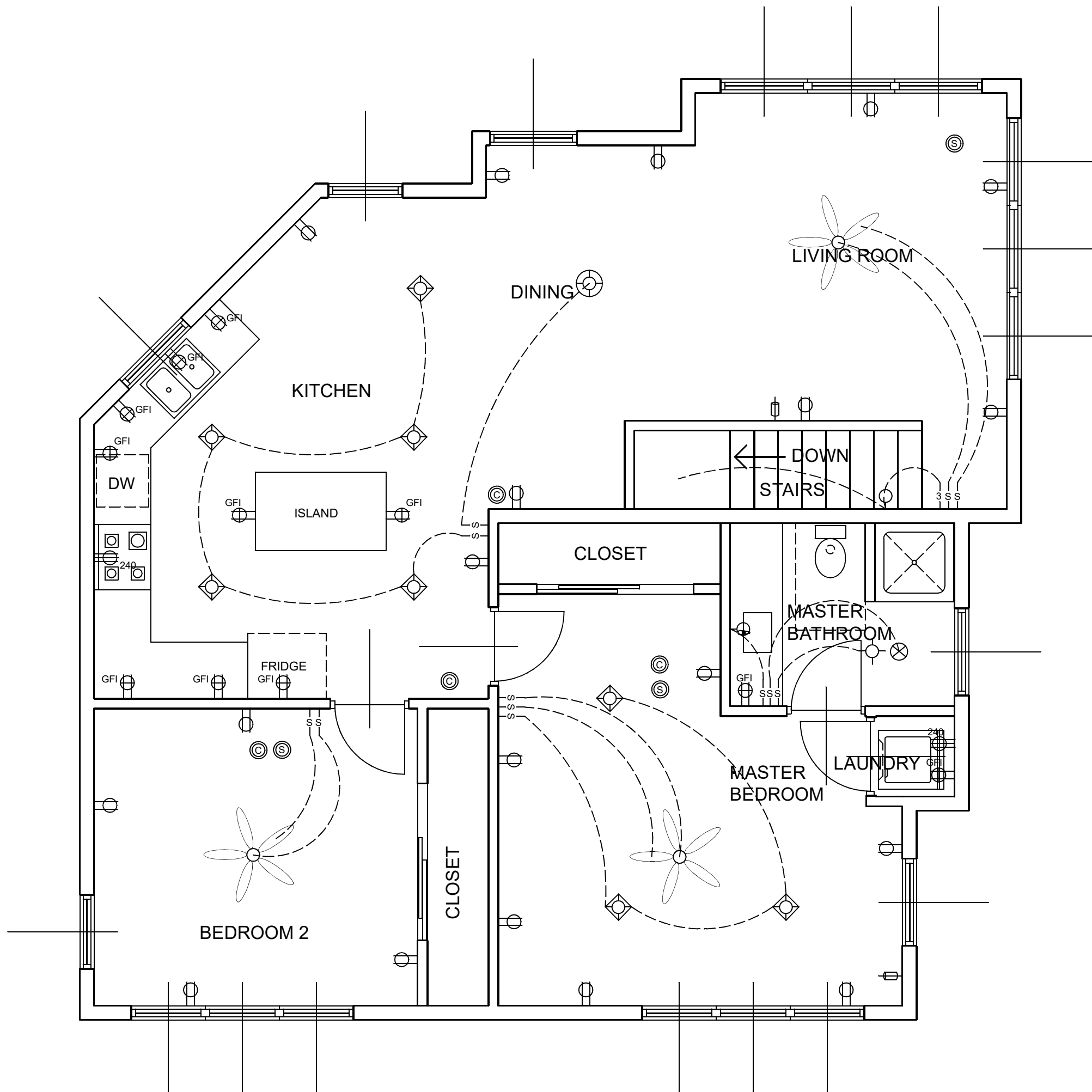
PROVIDE ONE 20-AMP DEDICATED BRANCH CIRCUITS TO SUPPLY THE LAUNDRY RECEPTACLE OUTLETS. THIS CIRCUIT SHALL HAVE NO OTHER OUTLETS.

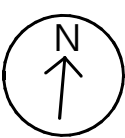
BATHROOM AND EXTERIOR LIGHTS SHALL BE SUITABLE FOR DAMP AND WET CONDITIONS.

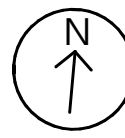
ALL 125-VOLT, AND 15- AND 20-AMPERE RECEPTACLES SHALL BE TAMPER-RESISTANT RECEPTACLES.

ELECTRICAL PLAN LEGEND

	(2) 120VAC SINGLE PHASE ARC FAULT INTERRUPT OUTLETS MOUNTED AT 12" ABOVE TOP OF SLAB. WEATHER-PROOF COVERS TO BE INSTALLED ON OUTDOOR OUTLETS.
	(2) 120VAC SINGLE PHASE GROUND FAULT INTERRUPT OUTLETS MOUNTED AT 6" ABOVE COUNTERTOP SURFACE OR 12" ABOVE TOP OF SLAB. WEATHER-PROOF COVERS TO BE INSTALLED ON OUTDOOR OUTLETS.
	(1) 240VAC SINGLE PHASE OUTLETS MOUNTED AT 12" ABOVE TOP OF SLAB
	TV CABLE / INTERNET HOOKUPS
	BASIC SWITCH MOUNTED AT 42" ABOVE TOP OF SLAB
	3 WAY SWITCH MOUNTED AT 42" ABOVE TOP OF SLAB
	CEILING-MOUNTED LIGHT FIXTURE
	CEILING-MOUNTED RECESSED LIGHT FIXTURE (CAN LIGHT)
	CEILING-MOUNTED HANGING OR PENDANT LIGHT FIXTURE
	WALL MOUNTED LIGHT FIXTURE
	CEILING MOUNTED ELECTRIC VENTILATION FAN (50CFM MIN CAPACITY)
	CEILING MOUNTED GARAGE DOOR OPENING MOTOR
	GARAGE DOOR OPENING CONSOLE MOUNTED AT 6'-0" ABOVE TOP OF SLAB
	CEILING MOUNTED INDOOR FLUORESCENT OR LED LIGHT
	CEILING MOUNTED ELECTRIC FAN WITH LIGHT FIXTURE ON SEPARATE SWITCH
	OUTDOOR FLOOD LIGHT WITH MOTION SENSOR MOUNTED TO EXTERIOR WALL AT 7'-6" MIN ABOVE TOP OF SLAB
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR
	FIXTURE IS WEATHERPROOF



 SECOND FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

 FIRST FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

NEW RESIDENCE

ST CROIX ROAD
PINE CITY, MN 55063

PROJECT # 2526

DRAWING DATE: 2026/03/01

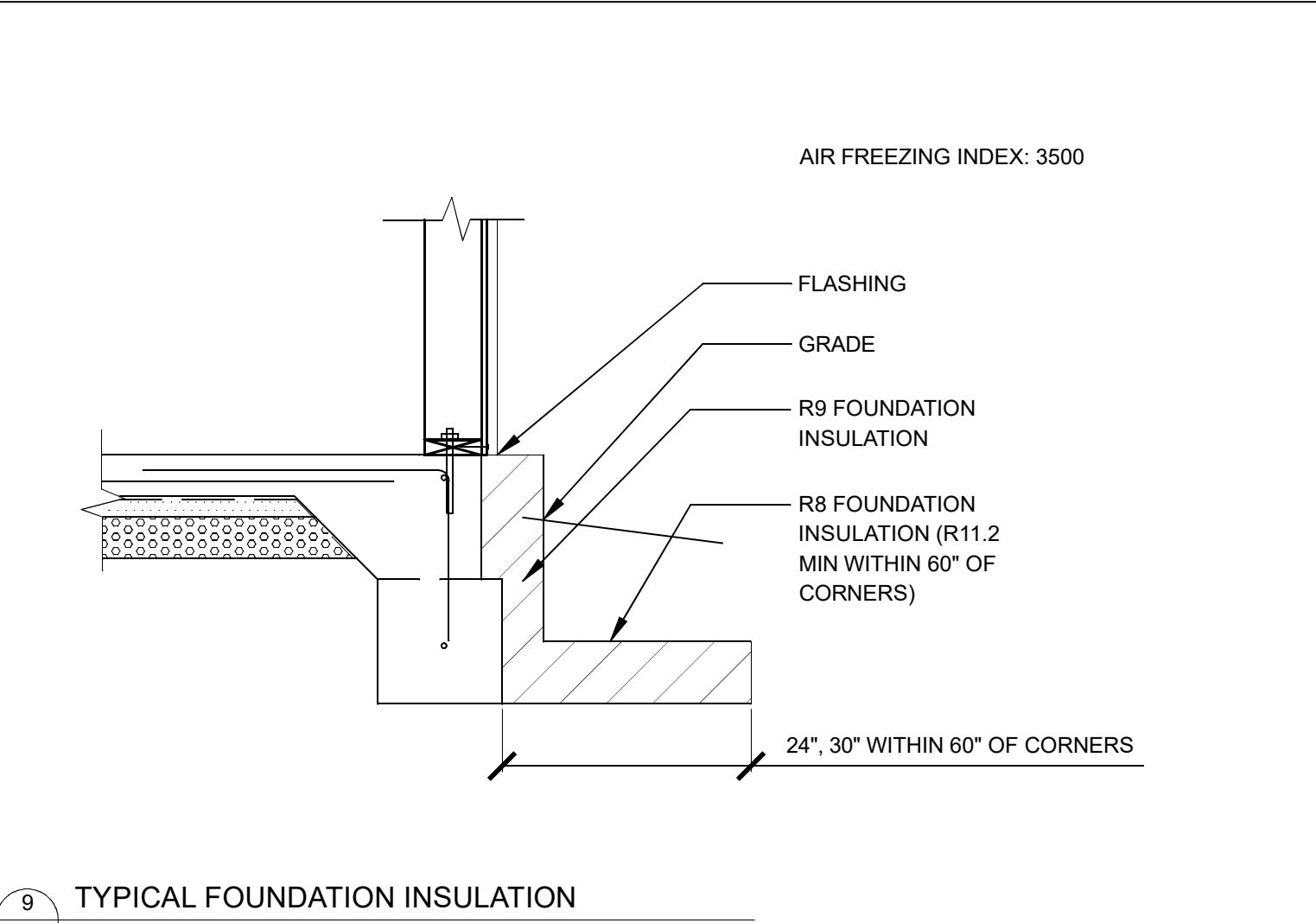
REVISION HISTORY


DESIGNER SIGNATURE

DRAWN BY: TDT

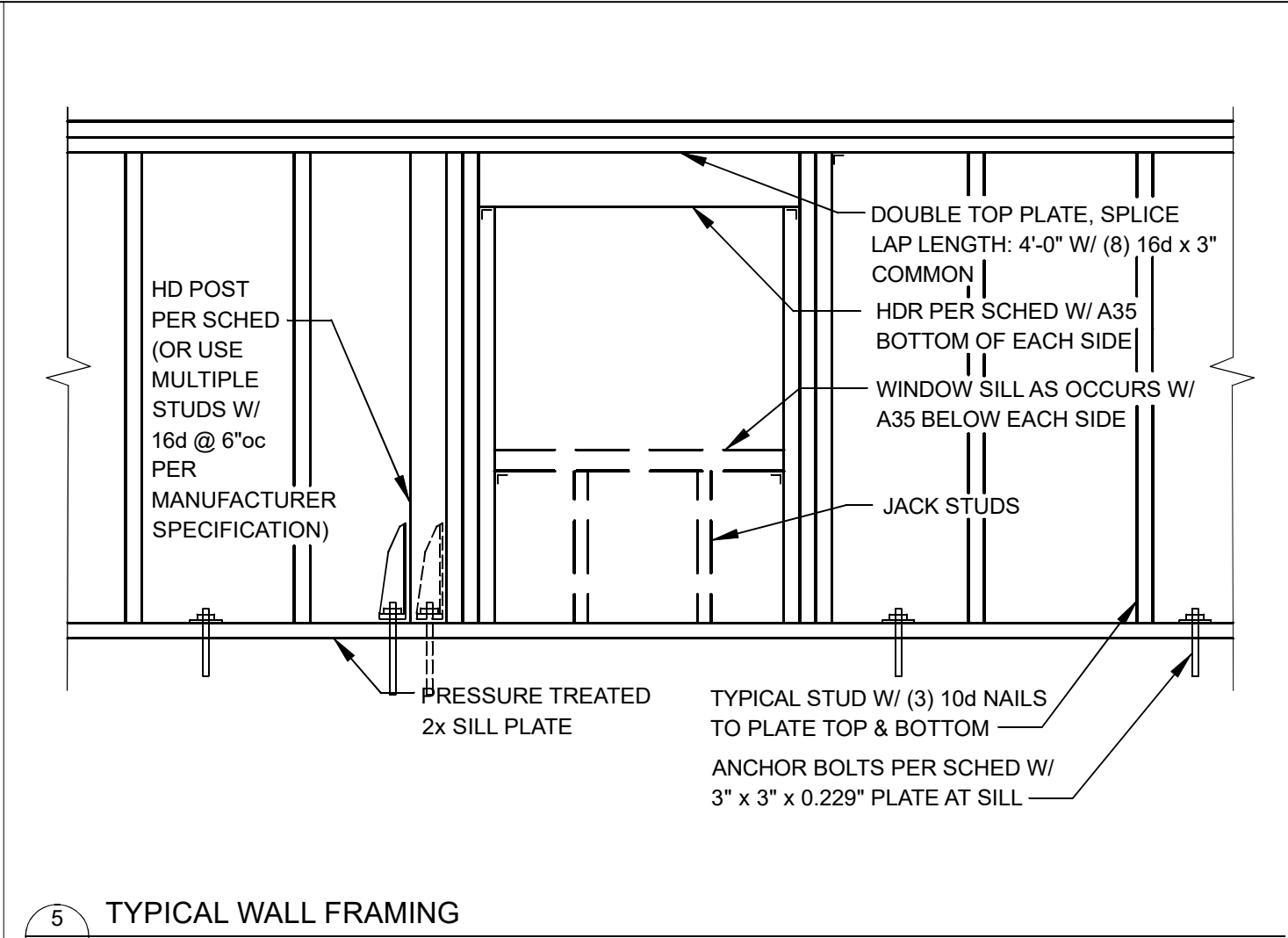
E1
ELECTRICAL PLAN

PROGRESS SET - NOT FOR CONSTRUCTION



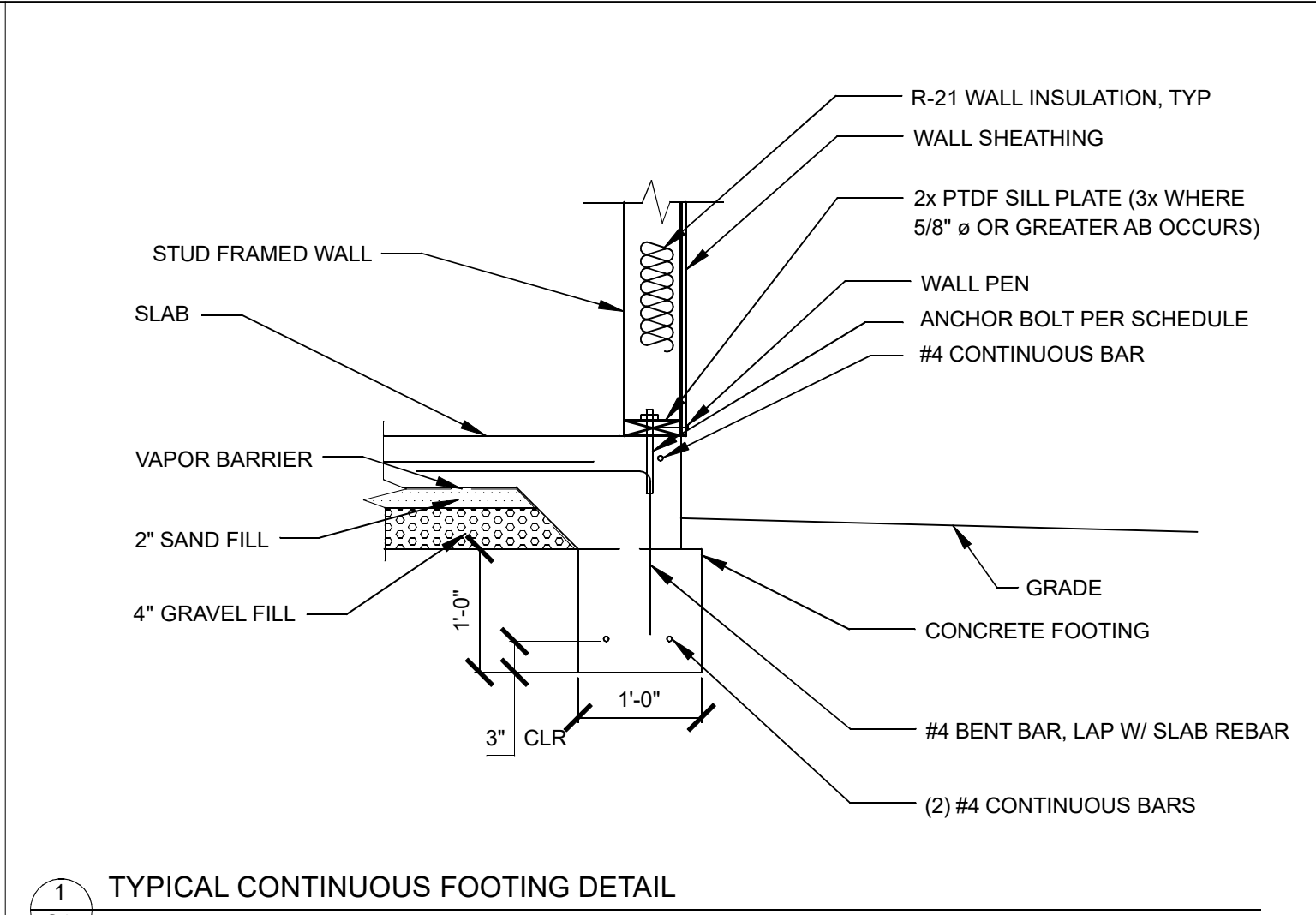
TYPICAL FOUNDATION INSULATION

SCALE: 3/4" = 1'-0"



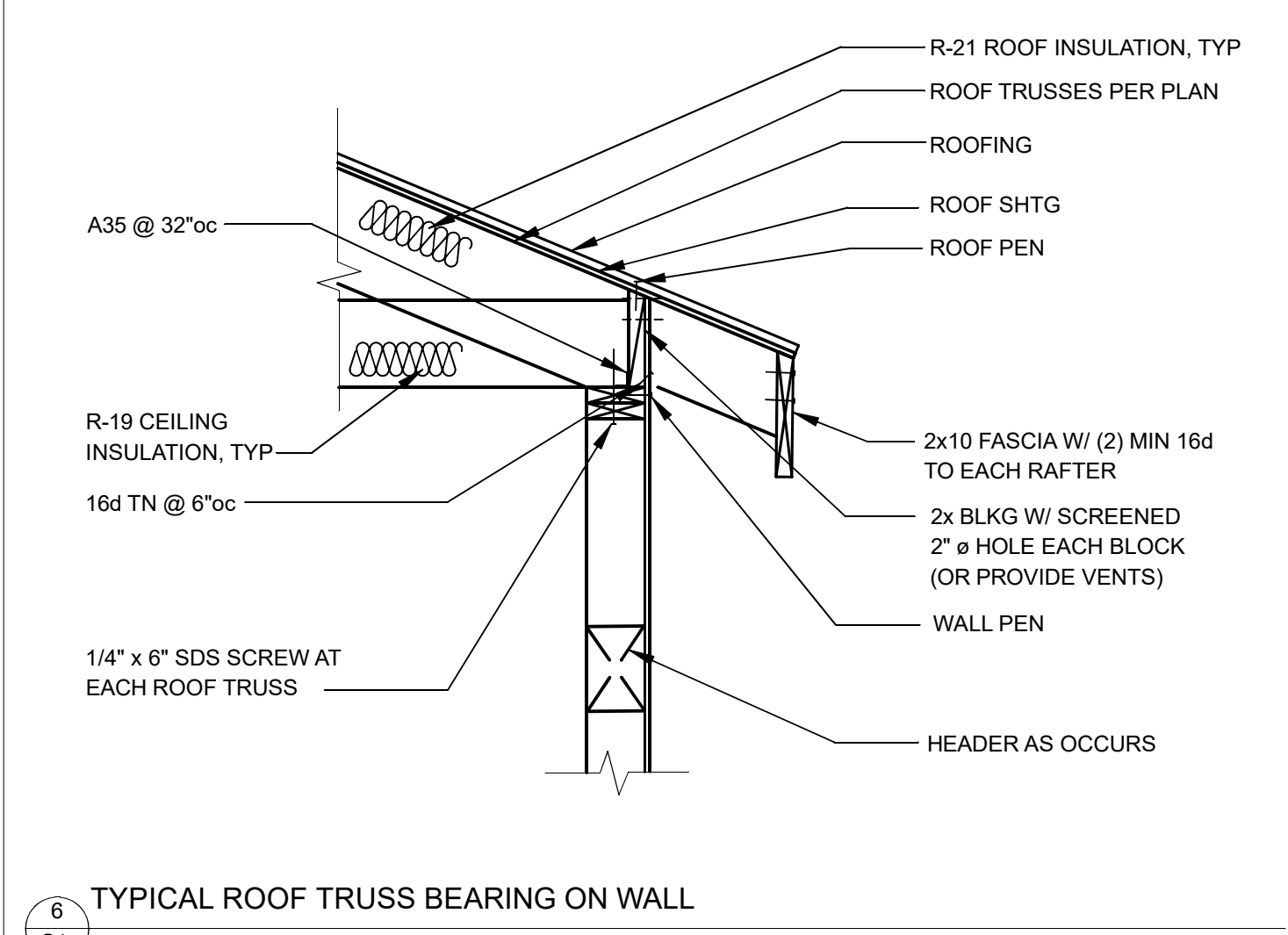
TYPICAL WALL FRAMING

SCALE: 3/4" = 1'-0"



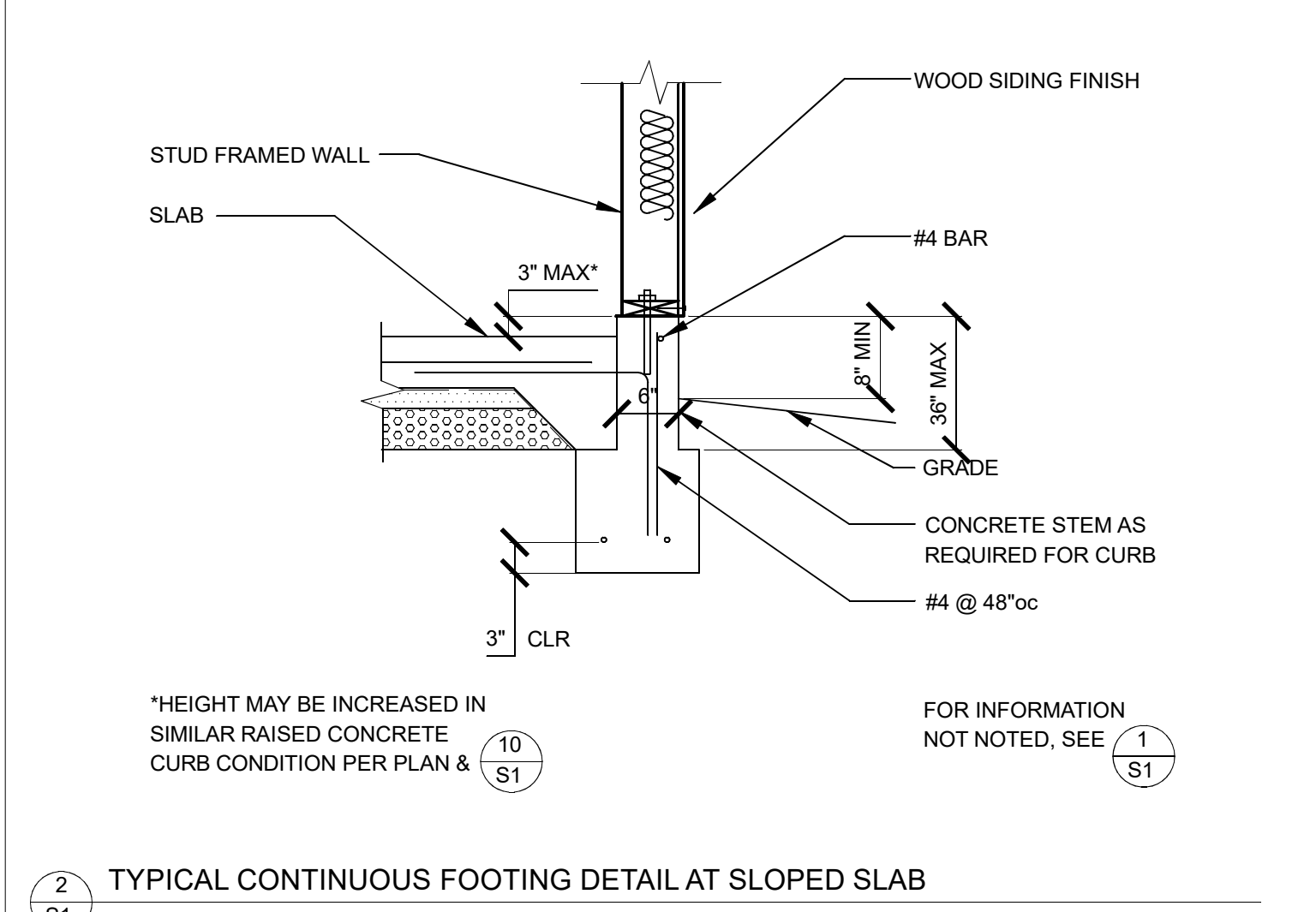
TYPICAL CONTINUOUS FOOTING DETAIL

SCALE: 3/4" = 1'-0"



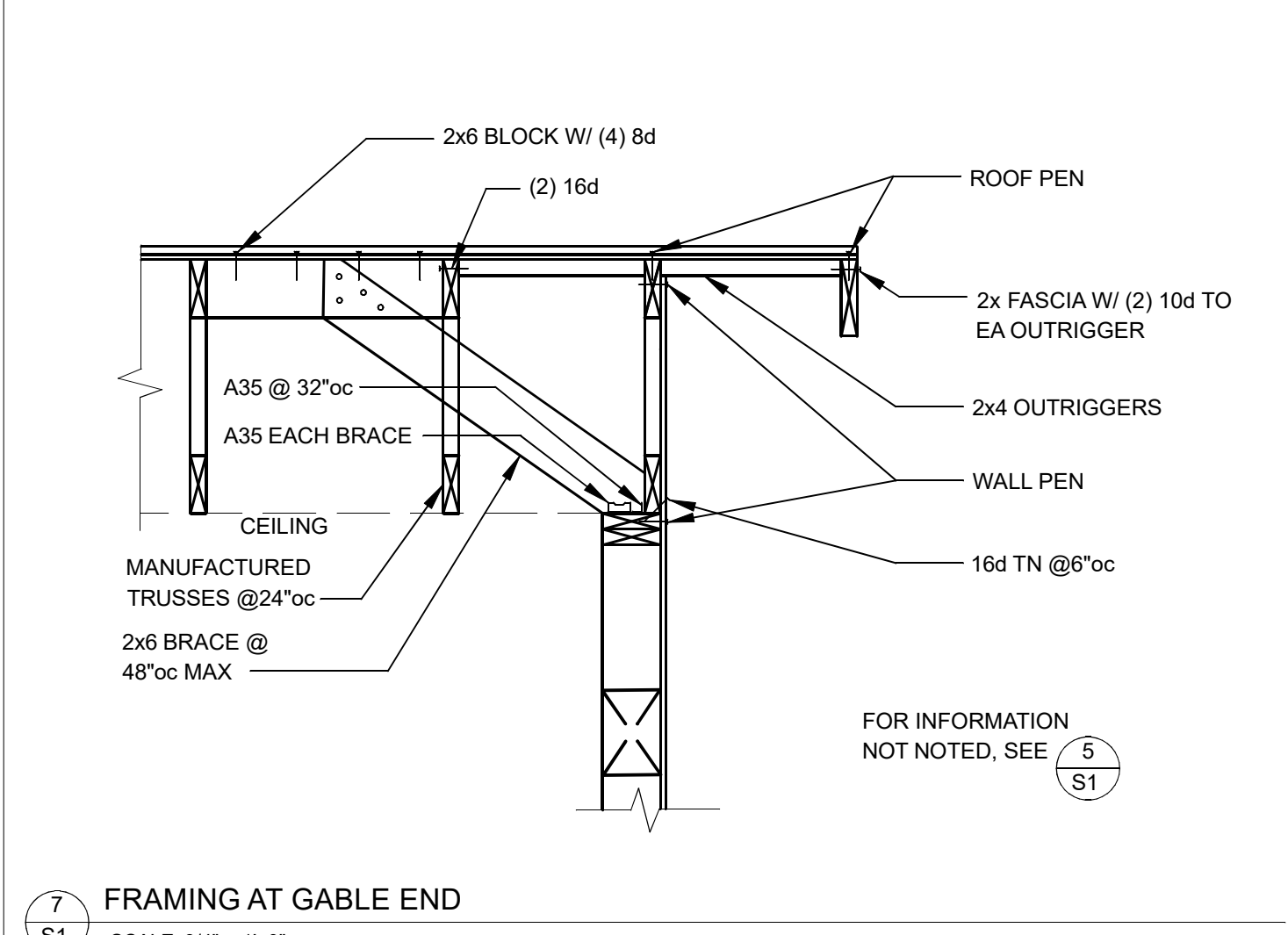
TYPICAL ROOF TRUSS BEARING ON WALL

SCALE: 3/4" = 1'-0"



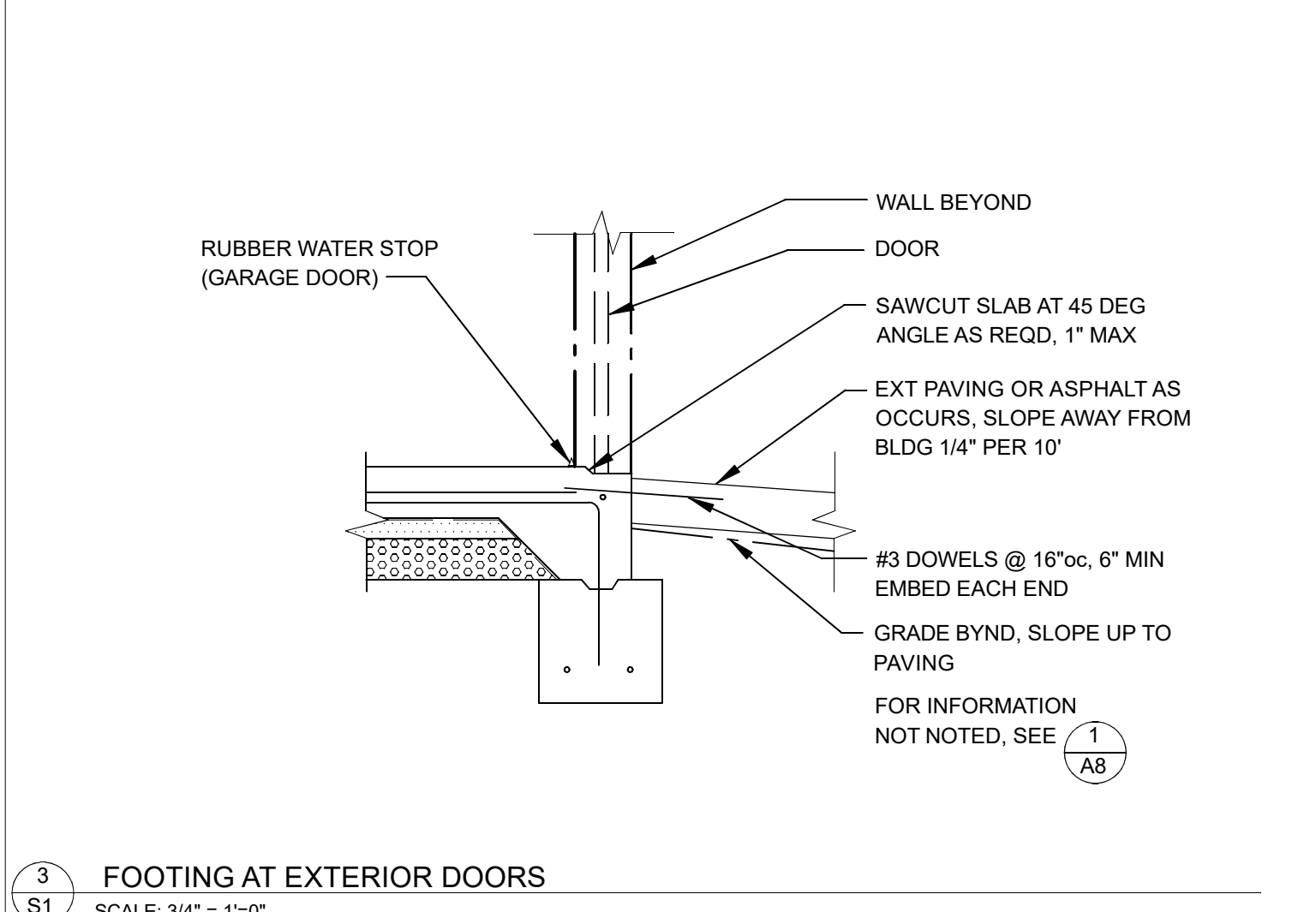
TYPICAL CONTINUOUS FOOTING DETAIL AT SLOPED SLAB

SCALE: 3/4" = 1'-0"



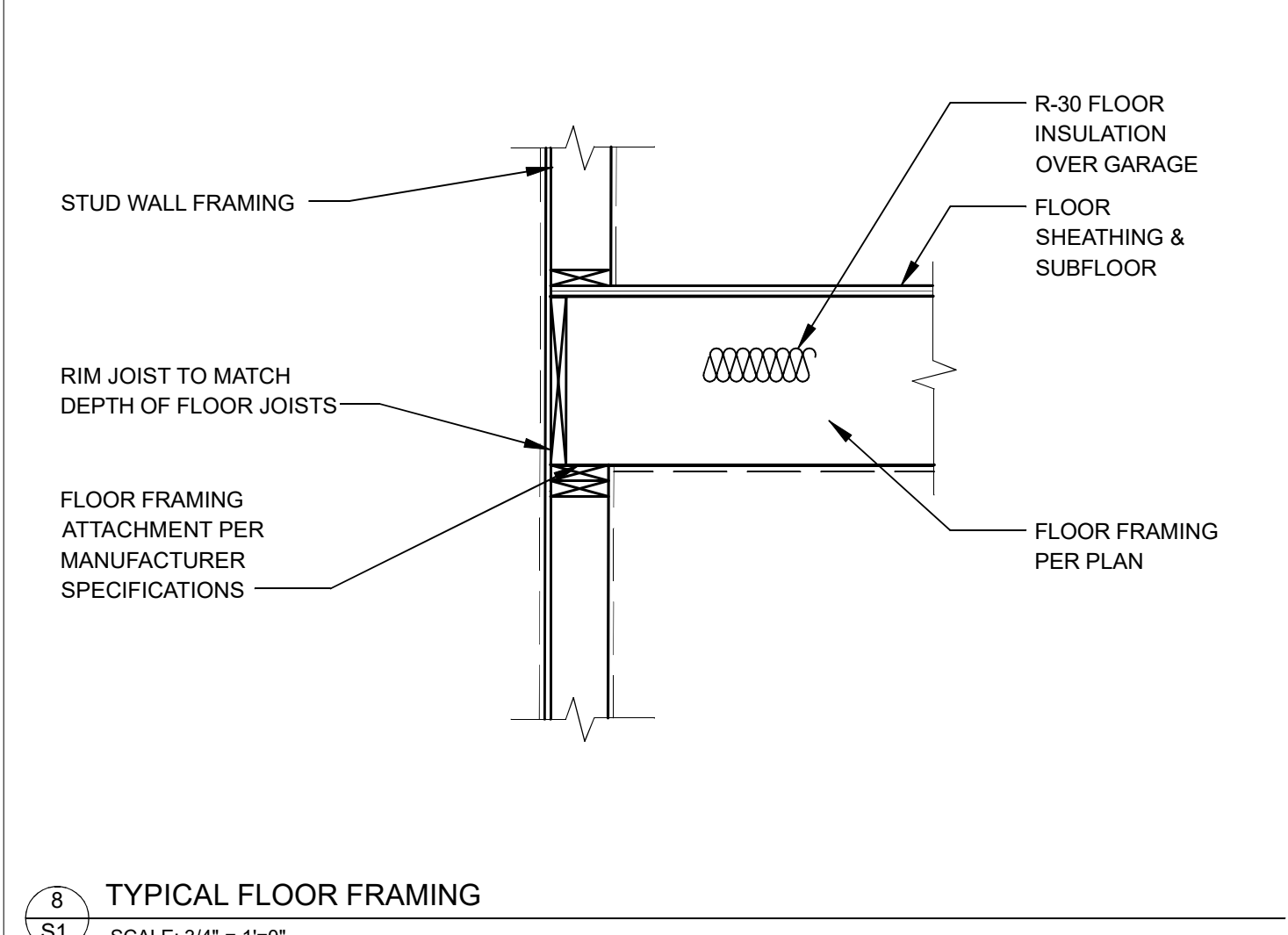
FRAMING AT GABLE END

SCALE: 3/4" = 1'-0"



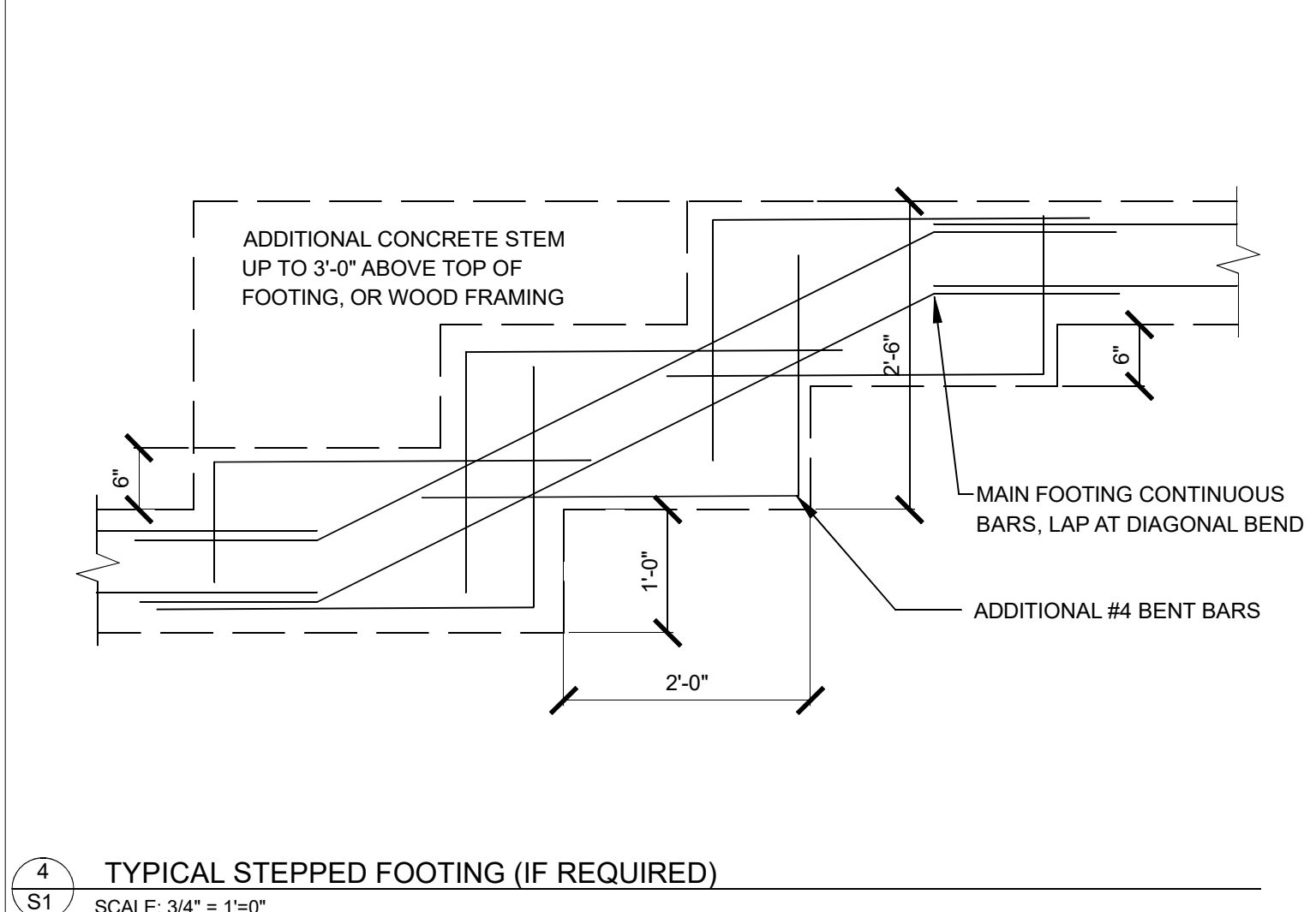
FOOTING AT EXTERIOR DOORS

SCALE: 3/4" = 1'-0"



TYPICAL FLOOR FRAMING

SCALE: 3/4" = 1'-0"



TYPICAL STEPPED FOOTING (IF REQUIRED)

SCALE: 3/4" = 1'-0"

DESIGN CRITERIA

BUILDING CODES:
2020 MINNESOTA BUILDING CODE (ASCE 7-16)
2018 INTERNATIONAL RESIDENTIAL CODE

SEISMIC DESIGN CRITERIA:
S_s = 0.045 S₁ = 0.018
S_{ds} = 0.048
SEISMIC DESIGN CATEGORY: A
LATERAL SYSTEM: WOOD STRUCTURAL PANELS (WSP), ALTERNATE BRACED WALL (ABW), PORTAL FRAME (PFH)

WIND DESIGN CRITERIA:
BASIC WIND SPEED: 115 MPH
EXPOSURE CATEGORY: C

FOUNDATION NOTES

CONCRETE DESIGN AND CONSTRUCTION PER ACI 318-14 AND MINNESOTA BUILDING CODE.

DESIGN SOIL BEARING CAPACITY: 1500PSF
SOFT SOIL PER CBC TABLE 1806.2

CONCRETE FOUNDATION SPECIFICATIONS:
MINIMUM STRENGTH: 3000 PSI
MAXIMUM WATER/CEMENT RATIO: 0.45
MINIMUM CEMENT CONTENT PER YD: 5 SACKS
MAXIMUM SLUMP: 4"
FLY ASH SUBSTITUTION: UP TO 20%

REINFORCEMENT GRADE: ASTM A-615 GRADE 60.

MINIMUM LAP LENGTH FOR REINFORCEMENT SHALL BE 30 x THE DIAMETER OF THE BAR PER ACI 318-14.

CONTRACTOR SHALL SUBMIT CONCRETE MIX DESIGN TO DESIGNER OF RECORD PRIOR TO CONSTRUCTION.

DESIGNER OF RECORD SHALL REVIEW THE INSTALLATION OF REINFORCEMENT TO VERIFY CONFORMANCE WITH DESIGN PRIOR TO POUR. CONTRACTOR MAY SEND PHOTOGRAPHS OF REINFORCEMENT LAYOUT TO DESIGNER OF RECORD FOR REVIEW IN LIEU OF A SITE VISIT.

IF EXISTING FOUNDATION IS FOUND TO MEET STRUCTURAL REQUIREMENTS, IT MAY BE USED IN LIEU OF A NEW FOUNDATION. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING CONDITION OF EXISTING FOUNDATION.

WOOD FRAMING NOTES

ALL WOOD SHALL BE VISUALLY GRADED LUMBER, DOUGLAS FIR #2 UNLESS OTHERWISE NOTED.

NAILS SHALL BE 10d COMMON WIRE NAILS UNLESS OTHERWISE NOTED.

MOISTURE CONTENT OF ALL WOOD FRAMING MEMBERS SHALL BE KEPT BELOW 19% AT ALL TIMES.

DO NOT CUT HOLES OR NOTCHES IN STRUCTURAL FRAMING MEMBERS UNLESS SPECIFICALLY NOTED ON DRAWINGS. HOLES UP TO 1" ø THROUGH CENTER OF STUD FOR ELECTRICAL CONDUIT ARE PERMITTED.

ALL WOOD FRAMING HARDWARE TO BE SIMPSON STRONG TIE OR EQUIVALENT.

ROOF AND WALL PLYWOOD SHEATHING TO BE APA RATED 7/16 OSB OR THICKER. UNLESS OTHERWISE NOTED, ROOF PLYWOOD NAILING SHALL BE 8d COMMON @ 6"oc EDGE, 12" oc FIELD

STRUCTURAL SHEATHING SHALL NOT HAVE OPENINGS LARGER THAN A 6"x6" SQUARE UNLESS CONFORMING WITH STANDARD DETAILS INCLUDED IN THIS SET OF DRAWINGS.

TYPICAL STUD WALL SHALL BE 2x6 STUDS AT 16"oc, DOUBLE 2x TOP PLATE, 2x PRESSURE TREATED BOTTOM PLATE.

WALLS NOT DESIGNATED AS SHEARWALLS SHALL HAVE 12"oc EDGE NAILING AND 12"oc FIELD NAILING.

TRUSS NOTES

TRUSS MANUFACTURER TO DESIGN TRUSSES TO ALL CURRENT APPLICABLE BUILDING CODES.

REFER TO ROOF PLAN FOR TRUSS LAYOUT. TRUSSES ARE SPACED AT 24" oc UNLESS OTHERWISE NOTED.

MANUFACTURER TO PROVIDE STRUCTURAL CALCULATIONS AND LAYOUT DRAWINGS WITH STAMP BY A STATE LICENSED ENGINEER.

TRUSS SUBMITTAL SHALL BE REVIEWED BY TDT CONCEPT DESIGN PRIOR TO PERMIT SUBMITTAL.

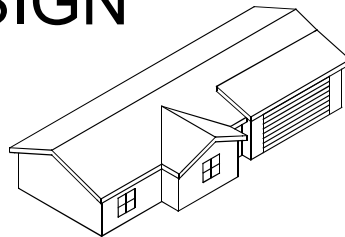
2x4 MIN BRACING W/ (1) 10d NAIL MIN EACH END SHALL BE PROVIDED AT THE TOP CHORDS AT 48"oc.

TRUSS DESIGN CRITERIA:
TOP CHORD (2x6 MIN):

14 PSF DEAD LOAD
20 PSF ROOF LIVE LOAD
50 PSF SNOW LOAD
5 PSF DEAD LOAD
10 PSF CEILING LIVE LOAD

BOTTOM CHORD:

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ST CROIX ROAD
PINE CITY, MN 55063

PROJECT # 2526

DRAWING DATE: 2026/03/01

REVISION HISTORY

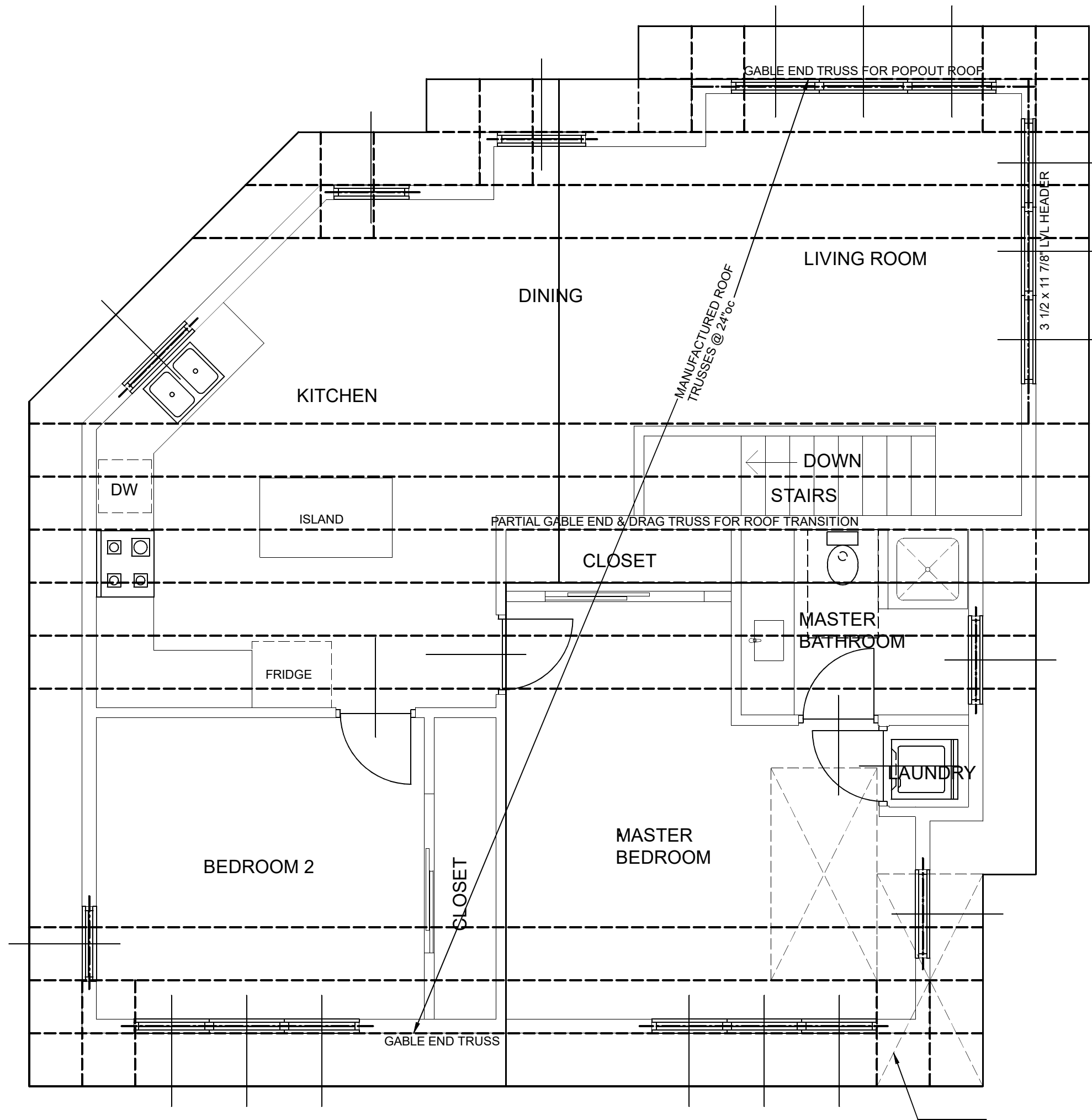
DESIGNER SIGNATURE

DRAWN BY: TDT

S1

STRUCTURAL NOTES & DETAILS

PROGRESS SET - NOT FOR CONSTRUCTION



FRAMING PLAN LEGEND

	STUD WALL BELOW
	WOOD POST
	STEEL HUC HANGER FOR WOOD FRAMING MEMBER
	ROOF FRAMING MEMBER
	FRAMING MEMBER OR HEADER BELOW ROOF LEVEL

HEADER SCHEDULE

MAX. SPAN	HEADER SIZE	TRIMMER	KING STUD
4'-0"	4x8 OR 6x6	2x STUD	2x STUD
5'-3"	4x10 OR 6x8	(2) 2x STUD	2x STUD
6'-3"	4x12 OR 6x10	(2) 2x STUD	(2) 2x STUD
7'-6"	6x12	(2) 2x STUD	(2) 2x STUD

NOTES:
1) ALL HEADERS SHALL BE DF#1.
2) FOR LONGER SPANS, SEE PLAN FOR HEADER SIZE, TRIMMER, AND KING STUD.
3) HEADERS CALLED OUT INDIVIDUALLY ON PLAN SHALL OVERRIDE TYPICAL HEADER SIZES LISTED HERE.
4) PROVIDE 10d @ 12"oc BETWEEN TRIMMERS AND KING STUDS.

FOUNDATION PLAN LEGEND

	2x6 STUD WALL (TYP UNLESS NOTED OTHERWISE) WITH CONTINUOUS FOOTING BELOW
	STUD WALL WITH RAISED CONCRETE CURB & CONTINUOUS FOOTING BELOW
	POST
	PAD FOOTING (SIZE PER PLAN)
	HOLDOWN
	BRACED WALL DESIGNATION AND MINIMUM LENGTH. WALL TYPE WSP UNLESS LISTED IN () BELOW

BRACED WALL SCHEDULE

SHEARWALL TYPE	EDGE NAILING	ANCHOR BOLTS*
A	6" oc	1/2" @ 48"oc
B	4" oc	1/2" @ 48"oc
C	3" oc	1/2" @ 36"oc
D	2" oc	5/8" @ 24"oc

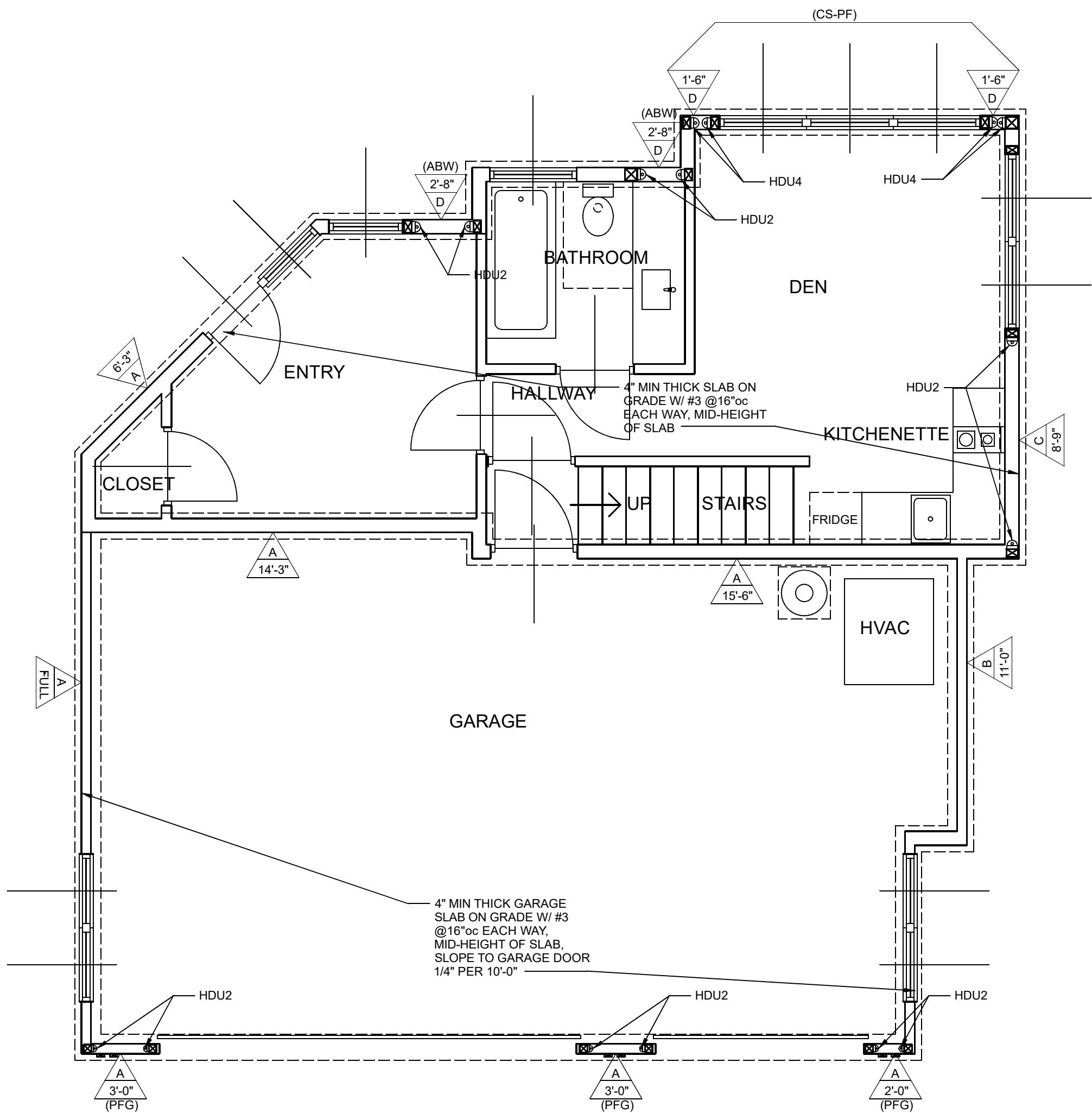
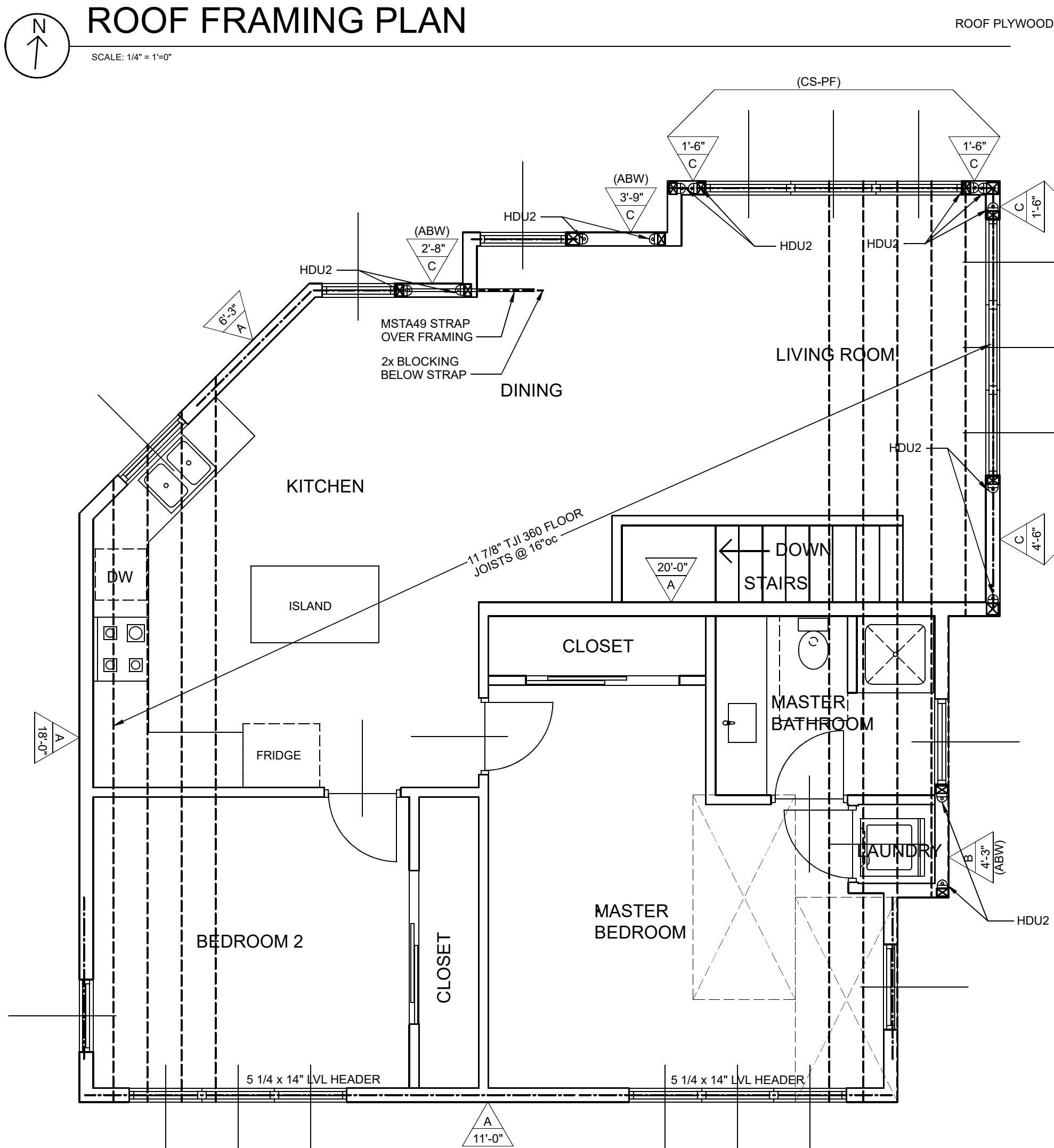
NOTES:
1) PROVIDE (2) ANCHOR BOLTS* MIN AT EACH PLATE SECTION.
2) PROVIDE (1) ANCHOR BOLT* WITHIN 12" OF EACH END OF EACH BRACED WALL.
3) ANCHOR BOLTS* SHALL EXTEND 7" MIN INTO CONCRETE.

*OR EQUIVALENT APPROVED POST-INSTALLED ANCHORS TO CONCRETE.

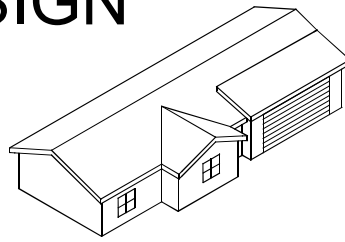
HOLDOWN SCHEDULE

HOLDOWN SIZE	HD ANCHOR ROD @	ROD EMBEDMENT
HDU2	5/8"	7"
HDU4	5/8"	8"
HDU5	3/4"	10"
HDU8	7/8"	12"

NOTES:
1) PROVIDE 3" x 3" x 0.229 ANCHOR PLATE AT END OF HD ANCHOR ROD.
2) LOCALLY DEEPEN 12" SQUARE SECTION OF FOOTING AS REQUIRED FOR DEEPER RODS, 1:1 SLOPE DOWN.



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ST CROIX ROAD
PINE CITY, MN 55063

PROJECT # 2526

DRAWING DATE: 2026/03/01

REVISION HISTORY

NO.	DESCRIPTION

Tyla Tappin
DESIGNER SIGNATURE

DRAWN BY: TDT

S2

FOUNDATION &
SHEARWALL PLAN

PROGRESS SET - NOT FOR CONSTRUCTION

Notes to Survey.

1. For the purposes of this survey, existing easements of record were not researched.
2. The description of record is ambiguous and does not define the exact location of the westerly property line. The westerly property line as surveyed is based on the neighboring parcel as recorded in Doc. No. 522882.

CERTIFICATE OF SURVEY FOR
PINE COUNTY LAND DEPT.

PART OF SECTION 33, TOWNSHIP 39, RANGE 21, PINE COUNTY, MINNESOTA

LEGEND

- DENOTES RECORDED PINE COUNTY MONUMENT
- DENOTES 1/2" REBAR SET, MARKED KROSCHER 44490
- DENOTES WOOD RETAINING WALL
- DENOTES ELECTRIC BOX
- DENOTES GAS METER
- "m" DENOTES MEASURED DISTANCE
- "d" DENOTES DEED DISTANCE
- DENOTES POWER POLE

Proposed Description for Parcel A:

That part of Government Lot 7, Section 33, Township 39, Range 21, Pine County, Minnesota, and also being part of Lot 1, Auditor's Subdivision of Section 33, Township 39, Range 21, Pine County, Minnesota, described as follows:

Commencing at the southeast corner of said Government Lot 7; thence on an assumed bearing of North along the east line of said Government Lot 7, a distance of 926.86 feet; thence west at right angles bearing North 90 degrees West a distance of 100.00 feet to the point of beginning of the property to be described; thence continuing North 90 degrees West 93.50 feet; thence on a bearing of North a distance of 179 feet, more or less, to the shoreline of Cross Lake; thence easterly along said shoreline to the intersection with a line that bears North from the point of beginning; thence on a bearing of South a distance of 193 feet, more or less, to the point of beginning.

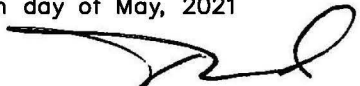
Proposed Description for Parcel B:

That part of Government Lot 7, Section 33, Township 39, Range 21, Pine County, Minnesota, and also being part of Lot 1, Auditor's Subdivision of Section 33, Township 39, Range 21, Pine County, Minnesota, described as follows:

Commencing at the southeast corner of said Government Lot 7; thence on an assumed bearing of North along the east line of said Government Lot 7, a distance of 926.86 feet; thence west at right angles bearing North 90 degrees West a distance of 193.50 feet to the point of beginning of the property to be described; thence continuing North 90 degrees West 18.00 feet; thence on a bearing of North a distance of 177 feet, more or less, to the shoreline of Cross Lake; thence easterly along said shoreline to the intersection with a line that bears North from the point of beginning; thence on a bearing of South a distance of 179 feet, more or less, to the point of beginning.

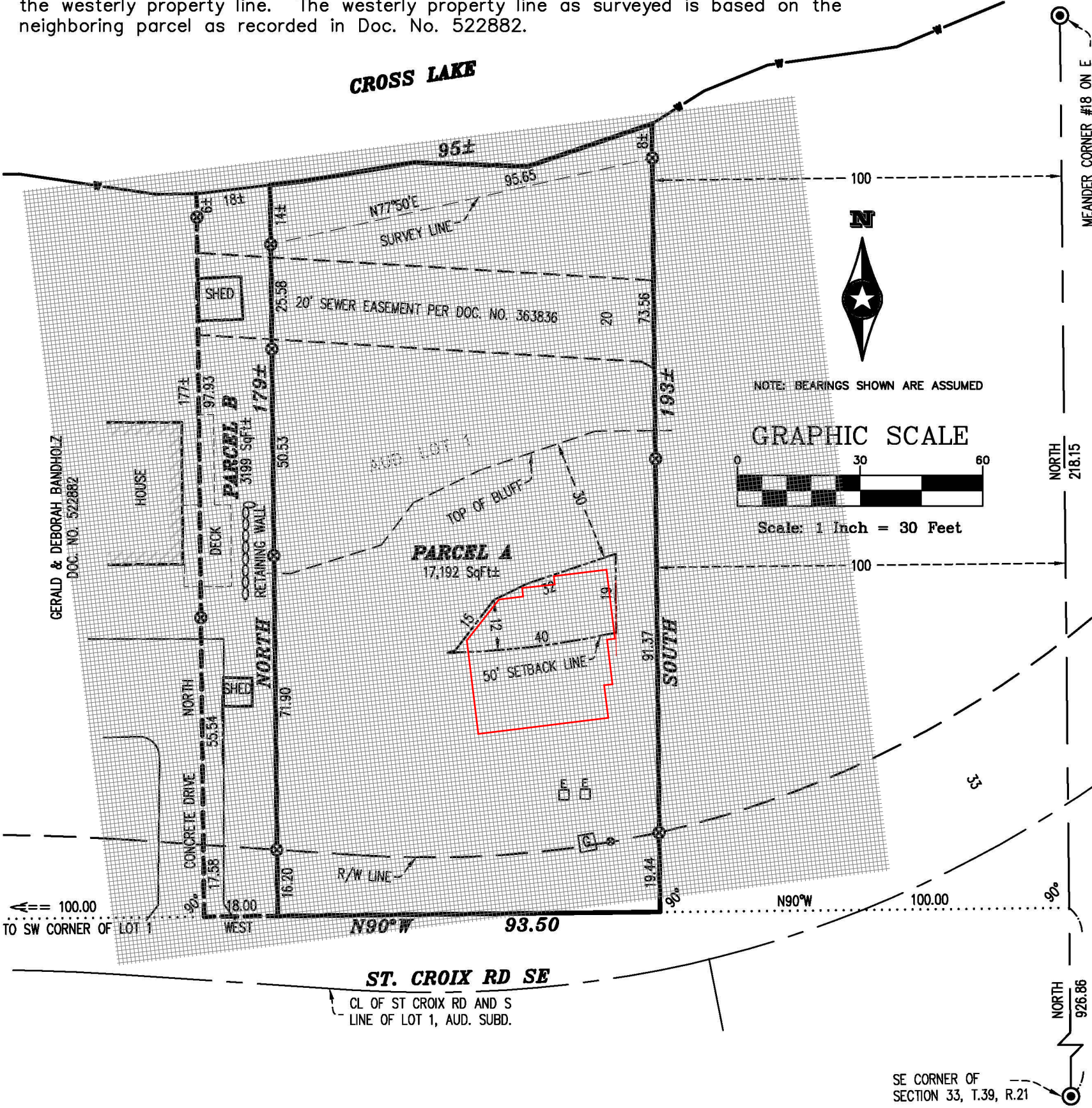
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 19th day of May, 2021

By: 
Tyler J. Kroschel, Land Surveyor
Minnesota License No. 44490

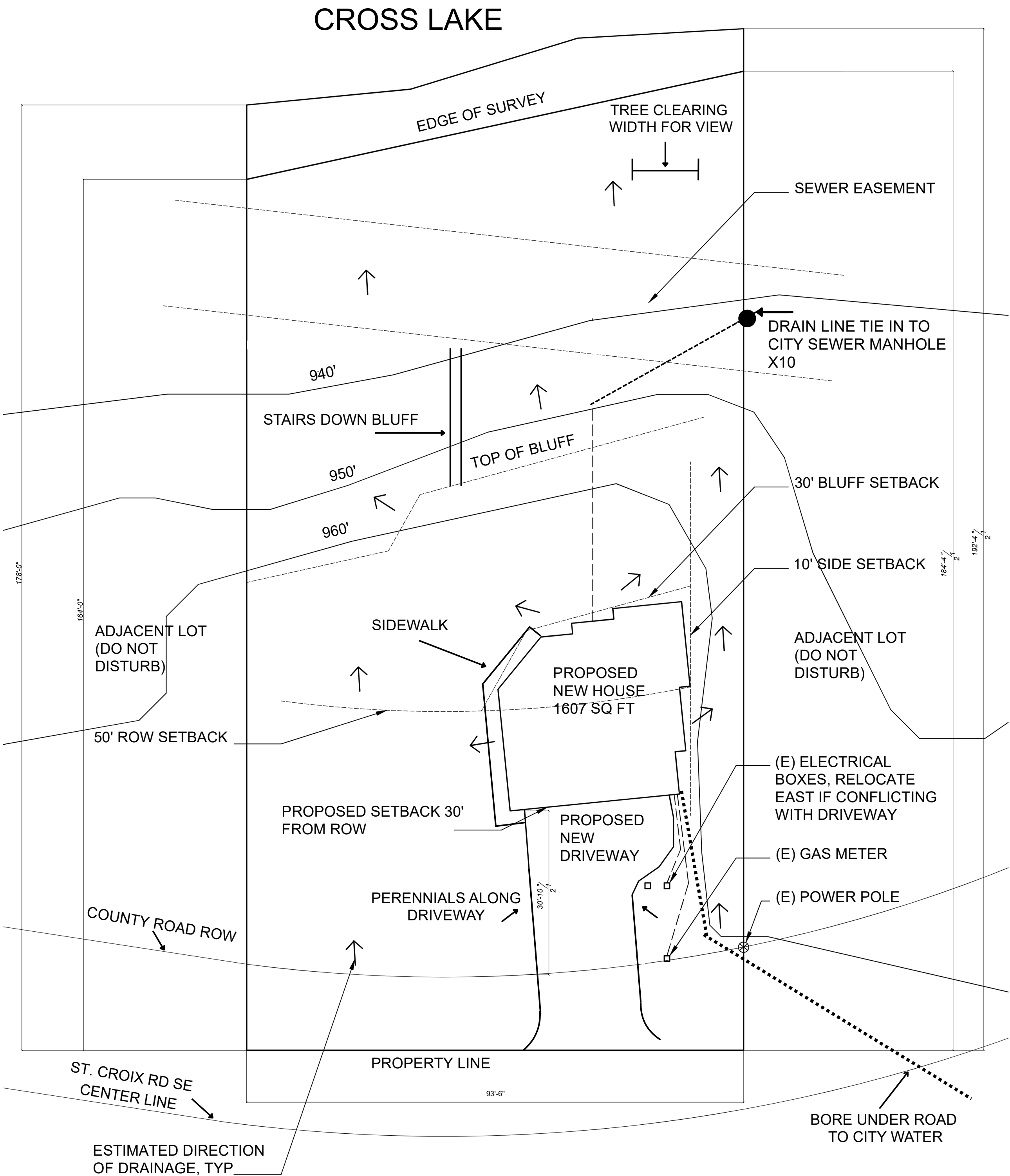
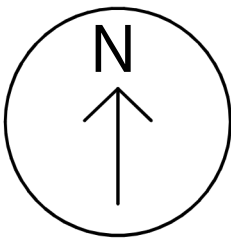
Kroschel Land Surveyors, Inc.

1639 Main Street North, Suite 6, Pine City, MN 55063
Phone: 320-629-3267 tyler@kroschelsurvey.com



APPROXIMATE SITE PLAN

APPROXIMATE SCALE: 1"= 20'-0"
PARCEL # 420242000
FOR ADDITIONAL SITE INFORMATION, SEE SURVEY DATED MAY 19, 2021.



- SOIL SAMPLE TAKEN - EXISTING SOIL TYPE IS CLAY
- WILL USE GRANULAR FILL WITH SLAB ON GRADE
 - SEE BUILDING PLANS FOR DETAILS
 - WILL DEFER TO EXCAVATOR FROM PINE CITY AREA
- CONNECTING TO CITY WATER AND SEWER
- ESTIMATED WATER USE PER DAY: 65 GALLONS

ALTERNATE SEWER TIE IN
MANHOLE X20

Ordinance 2025-17

8.20.010 Public Nuisance Defined

8.20.010 – Definitions

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abatement. The removal, correction, or elimination of a nuisance, blighting factor, or other prohibited condition by the property owner, occupant, or the City.

Administrative Citation. An administrative enforcement tool issued by a Code Enforcement Officer for uncorrected violations.

Blight / Blighting Factor. Any condition, structure, or activity that contributes to the deterioration, decline, or unsightliness of a property or neighborhood, including but not limited to: dilapidated buildings, overgrown vegetation, accumulation of junk, or inoperable vehicles.

City. The City of Pine City, Minnesota, including its elected officials, employees, and authorized agents.

Code Enforcement Officer. Any City employee or official designated by the City Administrator or City Council to enforce the provisions of this chapter.

Compliance Deadline. The date stated in a Notice of Violation or Notice and Order by which all identified violations must be corrected.

Emergency Abatement. The immediate removal or correction of a nuisance by the City without prior notice when the condition poses an imminent and serious threat to public health, safety, or welfare.

Intention. A person acts with intention when, by an act or failure to perform a legal duty, they intentionally do any one or more of the following. Such conduct constitutes the maintenance of a public nuisance, which is a misdemeanor:

1. Maintains or permits a condition which unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable number of members of the public.
2. Interferes with, obstructs, or renders dangerous for passage any public highway, right-of-way, or waters used by the public.

3. Commits any other act or omission declared by law or this Code to be a public nuisance and for which no specific sentence is provided.

Junk. Any discarded, unusable, or inoperable item, including but not limited to: vehicle parts, appliances, scrap metal, broken furniture, construction debris, or other refuse not stored in an approved container or structure.

Junk Vehicle / Junk Automobile. A motor vehicle, as defined in Minn. Stat. § 168B.011, Subd. 3, that is not currently licensed for use on public roads and is:

- Inoperable due to missing or defective parts;
- Damaged beyond repair;
- Retained for salvage or parts;
- Not intended for future use as a vehicle.

This does not include classic or pioneer vehicles as defined in Minn. Stat. § 168.10.

Nuisance. Any act, omission, condition, or use of property that:

- Unreasonably annoys, injures, or endangers the comfort, health, safety, or welfare of the public;
- Obstructs the free use of property or public space;
- Violates any provision of this chapter or applicable state law.

Occupant. Any person who resides at, leases, rents, or otherwise has control over a property, whether or not they are the legal owner.

Owner. The person or entity listed as the legal owner of record in the Pine County property records.

Peace Officer. A licensed law enforcement officer as defined in Minn. Stat. § 626.84.

Person. Any individual, firm, partnership, corporation, association, or other legal entity.

Public Right-of-Way. Any street, sidewalk, alley, boulevard, or other public property maintained for public use.

Recreational Vehicle (RV). A motorized or towable vehicle designed for temporary living or recreational use, including campers, motorhomes, boats, snowmobiles, ATVs, and similar equipment.

Repeat/Recurring Violation. A newly identified violation on the same property involving the same responsible party for the same or substantially similar condition that existed within the previous twelve (12) months, measured from the prior compliance inspection date to the new initial inspection date.

Structure. Anything constructed or erected that requires location on the ground or attachment to something on the ground, including buildings, fences, sheds, and decks.

Unsightly Condition. A visible exterior condition of a property that objectively affects public health, safety, or neighborhood property values due to clear neglect or disrepair, including the accumulation of refuse in a manner that creates health, safety, or fire hazards. This definition shall not be interpreted or enforced based solely on subjective aesthetic preferences. Any determination must be supported by articulated; objective criteria demonstrating a rational relationship to a legitimate governmental interest and shall not constitute arbitrary or unreasonable enforcement.

8.20.020 – Public Health Nuisances

The following conditions, whether occurring on public or private property, are hereby declared to be public nuisances affecting health. This list is non-exhaustive, meaning other similar conditions may also be considered nuisances under this ordinance.

A. Declared Nuisances

1. **Accumulation of Waste:** The deposit or exposed accumulation of any decayed or unwholesome food, vegetable matter, meat, fish, human or animal excrement, manure, refuse, debris, or any other offensive or unsanitary substance.
2. **Diseased Animals at Large:** Allowing animals known to be diseased to roam freely or without proper containment.
3. **Animal Carcasses:** Failure to bury, incinerate, or otherwise lawfully dispose of the carcass of any animal within 24 hours of its death.
4. **Water Pollution:** The discharge or introduction of sewage, industrial waste, or any harmful substance into any public well, cistern, stream, lake, canal, or other body of water.
5. **Illegal Burning:** The burning of materials prohibited by law, except for the use of approved outdoor solid fuel-fired heating devices as defined in PCC Chapter 8.12.
6. **Stagnant Water:** The presence of ponds or pools of stagnant water, except for those constructed or maintained by the City for stormwater collection or other municipal purposes.
7. **Noxious Weeds and Overgrowth:** The growth of noxious weeds or any excessive, uncontrolled vegetation that may harbor pests, obstruct visibility, or pose a fire or health hazard.
8. **Unlicensed Offensive Businesses:** The operation of any offensive trade or business, as defined by state law, without a valid and lawful license.
9. **Unsanitary Waste Containers:** Privy vaults, garbage cans, or similar containers that are not rodent-proof or fly-tight, or that are maintained in a manner that creates a health hazard or emits foul odors.
10. **Air Pollution:** The emission of dense smoke, noxious fumes, gases, soot, or cinders in unreasonable quantities that may affect public health or comfort.
11. **Exposure to Contagious Disease:** Knowingly exposing others to individuals who have a contagious disease, in violation of public health regulations.

B. Enforcement and Penalties: Violations of this section may be subject to enforcement action by the City, including abatement, fines, or other remedies as provided by law.

8.20.030 – Public Nuisances Affecting Morals and Decency

The following acts, conditions, or uses of property are declared to be public nuisances affecting morals and decency, whether occurring on public or private property:

A. Consumption of Alcohol in Public: The consumption of alcoholic beverages is prohibited on public streets, sidewalks, parking lots, or parks, except during organized events for which a valid permit has been issued in accordance with PCC Section 5.24.

B. Public Nudity: Public exposure of unclothed genital organs by any person, or public exposure of female breasts below the top of the areola, is prohibited, except as permitted by law (e.g., breastfeeding or medical necessity).

C. Illegal Gambling: The possession, operation, or use of unlawful gambling devices, including but not limited to slot machines, punch boards, and bookmaking equipment, is prohibited unless specifically authorized by federal, state, or local law.

D. Houses of Prostitution or Gambling: The operation or maintenance of any building or premises used for:

- Prostitution ~~or promiscuous sexual activity~~
- Illegal gambling
- Any other immoral or unlawful purpose is declared a public nuisance.

E. Unlawful Alcohol Establishments: Any place where intoxicating liquor or 3.2% malt liquor is manufactured, sold, or consumed in violation of law; used as a gathering place for unlawful drinking; or stored or distributed unlawfully, is declared a public nuisance, along with all liquor and property used to maintain such a place.

F. Vehicles Used for ~~Immoral or~~ Illegal Purposes: Any vehicle used for:

- The unlawful transportation of intoxicating or 3.2% malt liquor
- Prostitution ~~or promiscuous sexual activity~~
- Any other immoral or illegal activity is declared a public nuisance.

G. Enforcement

Violations of this section may be subject to enforcement, abatement, and penalties as provided by applicable law.

8.20.040 – Public Nuisances Affecting Peace and Safety

The following conditions, activities, or uses of property are declared to be public nuisances affecting peace and safety, whether occurring on public or private property:

A. Obstructions and Hazards in Public Spaces

1. Low-Hanging Wires or Tree Limbs: Any wire or tree limb that hangs low enough over a sidewalk or street to pose a danger to pedestrians or vehicles.
2. Obstructions or Excavations: Any obstruction or excavation that interferes with the normal use of streets, alleys, sidewalks, or public grounds, unless permitted by this Code or other applicable law.
3. Dangerous Signs or Structures: Any hanging sign, awning, or similar structure over a public way that is unsafe or not maintained in accordance with this Code.
4. Barbed Wire Fences: Barbed wire fences located less than six feet above ground, unless:
 - Used in agricultural districts to contain animals, and
 - Located at least three feet from any public street, sidewalk, or right-of-way, or
 - Specifically authorized by the City.
5. Uncovered Excavations or Unsafe Construction: Any uncovered well, hole, or excavation that poses a hazard. Construction near streets or sidewalks must be enclosed by a fence at least four

feet high, with posts no more than six feet apart, and must be illuminated with red or yellow lights from sunset to sunrise.

6. Obstructions to Water Flow: Blocking the flow of water in any natural waterway, street drain, gutter, or ditch with trash or other materials.
7. Falling Rain, Ice, or Snow: Allowing rainwater, ice, or snow to fall from a structure onto a public street or sidewalk.

B. Dangerous or Offensive Materials

1. Improper Waste Disposal: Casting wastewater onto streets or public property; depositing garbage or refuse on public rights-of-way or adjacent private property; or leaving discarded machinery, appliances, or vehicle parts in a way that harbors pests or creates fire, health, or safety hazards.
2. Hazardous Items on Public Property: Placing or throwing glass, nails, tacks, bottles, or other harmful objects on streets, sidewalks, or public property.
3. Unsecured Appliances: Leaving any unused refrigerator, freezer, or similar appliance with a door that seals shut in a public place or on private property.

C. Noise and Public Disturbances

1. Unreasonable Noise or Vibrations: Creating excessive noise or vibrations that are unnecessary and unreasonably disturb others.
2. Disruptive Gatherings: Any gathering that produces noise loud enough to disturb the peace of nearby residents. No person may remain at such a gathering unless they reside at the location or are present solely to help end the disturbance.
3. Crowd Obstruction: Using property or public space in a way that causes large crowds to gather and obstruct traffic or pedestrian movement.

8.20.050 – Noise Violations

A. Declaration of Public Nuisance. The following are declared to be public nuisances affecting health, safety, peace, or welfare:

1. General Noise Prohibition

No person shall create, permit, or continue any sound originating from property under their control that:

- Exceeds objectively measurable sound limits established by this Code (e.g., decibel thresholds measured at the property line using ANSI-compliant sound level meters); or
- Occurs during designated quiet hours and is plainly audible at a specified distance (e.g., 50 feet from the source or across a residential property line), as verified by a trained enforcement officer; and
- Unreasonably interferes with public health, safety, or the comfortable enjoyment of life or property, based on documented, articulable facts.

Objective Determination Required.

Enforcement shall not be based solely on a subjective complaint, personal annoyance, or uncorroborated neighbor report. A citation or enforcement action must be supported by:

- Independent observation by a code enforcement officer or peace officer;

- Objective sound measurement; or
- Corroborated evidence establishing a fair probability that a violation occurred.

Rational Basis and Non-Arbitrary Enforcement.

This section shall be interpreted and applied in a manner that bears a rational relationship to legitimate governmental interests in protecting health, safety, and residential quiet enjoyment. Enforcement shall not be arbitrary, capricious, or based solely on aesthetic or personal preferences.

- **Construction.**

This general prohibition supplements, and does not replace, specific noise restrictions set forth elsewhere in this Code.

2. Violation of State Noise Standards: Any noise in violation of Minnesota Rules Chapter 7030, as amended, is incorporated by reference and constitutes a violation of this ordinance.
3. Vehicle-Related Noise: Operating a vehicle in disrepair or overloaded in a way that causes loud grating, grinding, or rattling noises; or discharging exhaust from any internal combustion engine without a properly functioning muffler that complies with State law.
4. Loading and Unloading Noise: Creating loud or excessive noise during the loading, unloading, or unpacking of vehicles.
5. Amplified Sound Devices: Operating any radio, television, musical instrument, speaker, paging system, or similar device in a way that is plainly audible 50 feet or more from the source if outdoors, or at the property line if indoors.

B. Time-Based Restrictions

1. Domestic Power Equipment: Weekdays: 7:00 a.m. – 9:00 p.m.; Weekends/Holidays: 9:00 a.m. – 10:00 p.m. (Snow removal equipment is exempt.)
2. Refuse Collection: Weekdays: 6:00 a.m. – 9:00 p.m.; Weekends/Holidays: 8:00 a.m. – 8:00 p.m.
3. Construction Activities - Use of power tools or machinery is allowed only: Weekdays: 7:00 a.m. – 9:00 p.m.; Weekends/Holidays: 9:00 a.m. – 10:00 p.m.
4. Amplified Sound at Night: Operating any sound-producing device between 10:00 p.m. and 7:00 a.m. in a manner audible at the property line (if indoors) or from 50 feet (if outdoors) is prima facie evidence of a violation.
5. Sensitive Locations: Creating excessive noise near schools, churches, hospitals, or similar institutions is prohibited when the noise interferes with operations or disturbs occupants, and signs are posted indicating the presence of the institution.

C. Emergency Work Exemption. Noise generated during emergency work is exempt for up to 24 hours after work begins, provided the work is necessary to protect health, safety, or restore public services; the Sheriff's Department is notified immediately or at the start of the next business day if the work begins after hours; and reasonable efforts are made to minimize noise.

D. Noise Impact Statements. The City Council may require a noise impact statement for any proposed zoning change, permit or license, or construction or operational project. The statement must be submitted on a form provided by the City and will be considered in the approval process.

8.20.060 – Reduction or Elimination of Blighting Factors and Nuisance Parking and Storage

A. Purpose. This section is intended to prevent, reduce, or eliminate blighting conditions and nuisance parking and storage within the City, and to establish penalties for violations that negatively affect public health, safety, and welfare.

B. General Prohibition. No person shall cause, maintain, or permit any of the following blighting factors or nuisance conditions on any property they own, lease, rent, or occupy within the City.

C. Blighting Factors

1. Deteriorated, **Unsafe, and/or** Uninhabitable Structures (as defined by Minnesota State Fire Code and Minnesota State Building Code). Grounds Maintenance: Properties must be kept free of trash and debris. Refuse must be stored in rodent-proof containers and removed weekly.
2. Vacant Buildings Not Properly Secured. Vacant dwellings, garages, or outbuildings must be securely locked; windows glazed or neatly boarded; and maintained to prevent unauthorized entry or vandalism.
3. Overgrown or Poisonous Vegetation. **No poisonous plants (e.g., poison ivy, ragweed)** are allowed. Grass and weeds must be maintained: under 6 inches within 20 feet of a road, sidewalk, or developed property; under 18 inches on undeveloped platted lots not adjacent to active development. Exemptions (subject to Zoning Administrator approval): nature areas, parks, cemeteries; agricultural land, wetlands, shoreland; railroad rights-of-way, steep slopes; undeveloped areas of the City's Technology Park.

D. Nuisance Parking and Storage

1. Declaration of Nuisance. The outdoor parking or storage of excessive vehicles, or of items not customarily used for residential purposes, is declared a public nuisance when it obstructs views or emergency access; creates clutter or unsightly conditions; reduces available residential parking; introduces commercial signage into residential areas; or diminishes neighboring property values or enjoyment. This does not apply to authorized construction activities, except that Fire Department access must always be maintained.
2. Unlawful Parking and Storage. Non-permanent structures (e.g., ice houses, skateboard ramps, playhouses) may not be stored in the front yard for more than 24 hours, unless placed 100 feet or more from the front property line and meeting all zoning setbacks.
3. Storage of Junk. Junk, trash, or refuse may not be stored outdoors for more than 30 days, unless in approved containers. "Junk" includes vehicle or machinery parts; unused appliances; broken or decayed construction materials; scrap metal, pipe; **pallets**; or business-related materials stored outdoors on residential property. All such items must be shielded from public view.
4. Vehicle Parking Surface Standards and Limits.
 - A. Parking Surface Requirement.
 1. New Parking Areas. Any parking area established, expanded, reconstructed, or relocated after the effective date of this ordinance shall be surfaced with asphalt, concrete, or compacted gravel designed to control dust and erosion.

2. Existing Lawful Surfaces (Grandfathered Uses). Parking areas lawfully in existence prior to the effective date, including gravel or turf surfaces, may continue as lawful nonconforming uses, provided the area does not create drainage, erosion, sedimentation, or public safety hazards; and is maintained to prevent rutting, standing water, or mud tracking onto public rights-of-way.
3. Expansion or Intensification. Any enlargement or expansion of a grandfathered parking area shall comply with current surfacing standards for the expanded portion only.
4. Maximum Vehicles. All vehicles shall be parked on an approved parking surface as defined above; vehicles associated with a lawful nonconforming parking area may continue to utilize that surface consistent with subsection A(2). Winter Exception: One vehicle may be temporarily parked off an approved surface when necessary to comply with a declared winter parking ordinance or snow emergency.
5. Front Yard Parking. Vehicles parked within a front yard shall be located on an approved parking surface. Lawful nonconforming front-yard parking areas existing prior to the effective date may continue, subject to maintenance and hazard-prevention standards in subsection A(2). No new front-yard parking areas shall be created except in compliance with this section.
5. Recreational and Off-Road Vehicles. Any recreational or off-road vehicle stored on private property must be owned and licensed by a resident or the property owner; must meet zoning setback requirements; and may not be parked in the front yard, except on a driveway.
6. Junk and Inoperable Vehicles. Junk automobiles (as defined in Minn. Stat. § 168B.011, Subd. 3) are prohibited unless stored in a garage or licensed junkyard. A vehicle is considered junk if it is unlicensed; inoperable due to missing or damaged parts; retained only for salvage. Classic or pioneer vehicles (Minn. Stat. § 168.10) are exempt. Vehicles held by police or court order are not considered abandoned. Inoperable Vehicles: It is unlawful to keep or store any vehicle that is not in operating condition; partially dismantled or used for parts; or not properly licensed. One hobby/recreational vehicle may be stored on a driveway for up to 90 days. Screening: Vehicles stored outdoors must be enclosed in a building or shielded from public view (e.g., privacy fencing).
7. Petroleum Tanks. Unused petroleum tanks may not be stored outdoors. A tank is considered unused if it is inoperable due to missing or damaged parts; damaged or deteriorated; or retained only for salvage.
8. Enforcement. Violations of this section may result in notices of violation, fines or citations, and abatement by the City with costs assessed to the property owner.

8.20.070 – Authority of City Officials to Enforce Public Nuisance Provisions

A. Enforcement Authority. Any Peace Officer, Code Enforcement Officer, or other designated City official is authorized to enforce the provisions of this chapter related to public nuisances within the jurisdiction of the City.

B. Right to Inspect. City officials may conduct inspections of public or private property to determine the existence of a public nuisance, subject to:

1. Voluntary Consent. Entry onto private property for inspection purposes shall occur only with consent of the property owner, occupant, or person in control of the premises.

2. Warrant Requirement. If consent is not granted, the official must obtain an administrative search warrant or court order from a court of competent jurisdiction, in accordance with Minn. Stat. § 626.21 and applicable constitutional protections.
3. Emergency Exception. In cases of imminent danger to human life, health, or safety, City officials may enter private property without consent or a warrant, but only to the extent necessary to address the emergency. Such entry must be limited in scope and documented, and the official must notify the property owner or occupant as soon as reasonably possible.

C. Reasonable Conduct. All inspections and enforcement actions must be conducted in a reasonable manner, respecting the rights of property owners and occupants, and in accordance with federal and state law, including the Fourth Amendment to the U.S. Constitution and Article I, Section 10 of the Minnesota Constitution. The City emphasizes public education, voluntary compliance, and, upon request, reasonable updates to complainants who provide contact information, consistent with the Minnesota Government Data Practices Act.

8.20.080 – Abatement Procedure

A. Notice and Initial Contact

1. Initial Contact Attempt. City staff shall first attempt to contact the property owner or occupant informally (e.g., by phone, email, or in person). All contact attempts must be documented.
2. Written Notice Requirement. If informal contact is unsuccessful, a written notice of violation shall be issued. The notice must: identify the specific nuisance or blighting condition; direct the owner or occupant to correct or remove the condition within **ten (10) calendar days** of service; and include information about the right to request an extension or appeal.
3. Service of Notice. Written notice shall be served in person or by certified or registered mail to the last known address of the property owner and, if occupied, to the premises. If the premises is unoccupied, or the owner is unknown or refuses service, notice shall be posted on the property in a visible location. The City may additionally mail notice to the owner of record per county assessor records.

B. Extension of Compliance Period. City staff may grant a reasonable extension of the ten (10) day compliance period at the Code Enforcement Officer's discretion. In considering an extension, staff shall document:

1. Resolution of Life-Safety Hazards. No extension may be granted while a life-safety hazard persists unless active, verifiable mitigation steps are in place.
2. Measurable Progress. Evidence of significant improvement since the initial inspection.
3. Direct Communication. Established two-way contact (in person, email, phone) prior to the compliance deadline.
4. Commitment to Voluntary Compliance. A verbal or written commitment to remedy all recorded violations, with a reasonable timeframe.
Documented hardships (e.g., medical emergencies, severe weather, contractor delays) remain valid grounds for extension.

C. Hearing and Enforcement Process

1. **Hearing Notification.** If the nuisance is not abated within the required timeframe, the City may schedule a hearing before the City Council. Notice of the hearing must include the date, time, and location of the hearing; a description of the violation; and the potential for summary enforcement or abatement.
2. **Council Order and Summary Enforcement.** Following the hearing, the City Council may issue an order to abate the nuisance. If the nuisance is not abated as ordered, the City may proceed with summary enforcement.

D. Emergency Abatement Procedure

1. **Emergency Determination.** In cases where a nuisance presents an immediate and unreasonable danger to public health, safety, or welfare, the City may bypass the standard notice and hearing process.
2. **Summary Abatement.** A Peace Officer or designated official may determine that an emergency exists; provide written notice to the owner or occupant (if feasible); and order immediate abatement of the nuisance.
3. **Council Authorization.** If the nuisance is not abated immediately, the City Council may authorize summary enforcement without further notice.

E. **Immediate Hazard Abatement.** Nothing in this section shall prevent the City from immediately abating any condition that poses an imminent and serious hazard to human life or safety, without prior notice or process.

F. Unlawful Parties or Gatherings.

1. **Noise Disturbance Response.** If law enforcement determines that a gathering violates PCC 8.20.050(C), officers may order all non-residents to disperse immediately and require the owner or tenant to take reasonable steps to stop the disturbance.
2. **Failure to Comply.** It is unlawful for any person to refuse to leave after being ordered to do so by law enforcement.

G. **Judicial Remedies.** Nothing in this section shall limit the City's right to pursue judicial remedies, including injunctive relief, civil penalties, or court-ordered abatement, when administrative remedies are inadequate or inappropriate.

8.20.082 Repeat/Recurring Violations – Expedited Process

A. **Final Notice & Fast-Track.** Where a repeat/recurring violation is identified, the City may issue a final notice of violation by U.S. Mail to the address in county records, include educational materials, and set a compliance inspection date. Unresolved repeat/recurring violations at re-inspection are subject to citation issuance and abatement initiation. Extensions may be granted consistent with § 8.20.080(B)

8.20.085 Administrative Citations

A. **Authority.** Code Enforcement Officers may issue administrative citations for uncorrected violations following the Compliance Deadline or for immediate enforcement violations as authorized in § 8.20.087.

B. **Notice and Payment.** Administrative citations shall state the violation(s), cite the governing code section(s), and be payable within thirty (30) days of issuance.

C. Contesting. If a recipient contests an administrative citation, the administrative citation is dismissed, and the matter may proceed via criminal citation or summons consistent with City Code and applicable law.

D. Relationship to Abatement. Administrative citations supplement abatement authority; unpaid administrative citations do not delay abatement where lawfully ordered.

8.20.087 Immediate Enforcement Violations

A. Purpose. Certain violations constitute imminent hazards to public health, safety, or welfare and warrant immediate citation without prior written notice.

B. Examples. Immediate enforcement may include (illustrative list):

1. Illegal dumping of litter or waste on any property or right-of-way;
2. Unlicensed sale of food or merchandise;
3. Leaving a vehicle in an openly accessible, hazardous condition;
4. Causing obstruction of a public street or sidewalk;
5. Other violations determined by the City that present immediate hazard.

C. Documentation. The officer shall document the condition and the immediate hazard basis. Emergency abatement under § 8.20.080(D) remains available where necessary.

8.20.090 – Recovery of Abatement Costs

A. Personal Liability for Abatement Costs

1. Responsibility: The following individuals shall be personally liable for the full cost of abatement, including labor, materials, equipment, and administrative expenses: the owner of the property on which the nuisance was abated by the City; or any person who caused or maintained a public nuisance on property not owned by them.
2. Billing Procedure: Once the abatement work is completed and costs are calculated, the City Administrator or designated official shall prepare an itemized bill, mail it to the responsible party at their last known address, and the amount shall be immediately due and payable to the City upon receipt.

B. Assessment of Unpaid Charges

1. Eligibility for Assessment. If the abatement costs remain unpaid, and the nuisance involved a public health or safety hazard on private property; accumulation of snow or ice on public sidewalks; overgrown weeds on private property or within the public right-of-way; or unsound or insect-infested trees, the City may recover the unpaid costs through special assessment under Minn. Stat. § 429.101.
2. Assessment Procedure. On or before September 1 following the abatement, the City Administrator shall compile a list of all unpaid charges eligible for assessment. The list shall include the total amount due, the property address and legal description, and any other current service charges to be assessed under Minn. Stat. § 429.101.
3. Notice and Hearing. The City shall provide notice and an opportunity for a hearing in accordance with Minn. Stat. § 429.061. Property owners shall be notified of the amount to be assessed; the date, time, and location of the hearing; and their right to object.

4. Certification to County Auditor. After the hearing, the City Council may adopt the assessment roll and certify the charges to the County Auditor. The charges shall be collected along with property taxes in the following year, or in annual installments not to exceed ten years, as determined by the City Council.

8.20.100 – Appeal Process for Nuisance Determinations and Abatement Orders

A. Right to Appeal. Any property owner or responsible party who receives a notice of violation, order to abate, or notice of cost recovery or assessment under this chapter has the right to appeal the determination to the City Council.

B. Filing an Appeal

1. Deadline to Appeal. An appeal must be filed in writing within ten (10) calendar days of the date the notice or order was served.
2. Contents of Appeal. The written appeal must include the name and contact information of the appellant; the address of the affected property; a copy of the notice or order being appealed; a statement of the grounds for the appeal; and any supporting documentation or evidence.
3. Where to File. Appeals must be submitted to the City Administrator's Office or other designated official.

C. Scheduling and Notice of Hearing

1. Upon receipt of a timely appeal, the City shall schedule a hearing before the City Council or a designated Hearing Officer within thirty (30) days, unless otherwise agreed to by the appellant.
2. The City shall provide the appellant with written notice of the hearing at least ten (10) days in advance, stating the date, time, and location of the hearing; the issues to be considered; and the appellant's right to present evidence and testimony.

D. Hearing Procedure

1. The hearing shall be informal but orderly, and both the City and the appellant may present oral and written evidence; call witnesses; and be represented by legal counsel.
2. The City Council or Hearing Officer shall consider whether a nuisance condition exists; whether the abatement order or cost is reasonable and lawful; and any mitigating circumstances or compliance efforts.

E. Decision

1. A written decision shall be issued within ten (10) business days after the hearing.
2. The decision may affirm, modify, or rescind the original order or cost; establish a new compliance deadline; or authorize or deny abatement or assessment.
3. The decision is final, subject to judicial review under Minn. Stat. § 606.01 (writ of certiorari).

F. Effect of Appeal on Enforcement

1. Filing a timely appeal stays enforcement of the order or assessment until a final decision is issued, except in cases involving imminent danger to public health or safety or emergency abatement authorized under § 8.20.080(D).

13.72.030 Building Restrictions

- (a) Any person desiring to improve property shall submit to the City information on the location, and dimensions of existing and proposed buildings, location of easements crossing the property, encroachments, and any other information which may be necessary to ensure conformance to this Code and City ordinances.
- (b) All buildings shall be so placed that they will not obstruct future streets which may be constructed by the City in conformity with existing streets and according to the system and standards employed by the City.
- (c) Only one principal use shall be permitted on a lot. Except in the case of Planned Unit Development as provided for in PCC 13.84.050, not more than one principal building shall be located in a lot. The term "principal building" shall be given their common, ordinary meaning; in case of doubt or on any question or interpretation, the decision of the Zoning Administrator shall be final, subject to the right of appeal to the Planning Commission and City Council.
- (d) Manufactured homes, buildings, mobile homes, tents or other structures used as an office that are temporarily maintained by an individual or company on the premises associated with the work project shall be exempt from the requirements of this article. Those structures used to house labor or other personnel occupied in such work project require an Interim Use Permit (See PCC 13.84.080). In all cases, such manufactured homes, buildings, tents, or other structures shall be removed within 30 days from the completion of the work project.

(Prior Code, § 10.300.0215)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

13.76.150 Building Size And Architectural Requirements

The following building size and architectural standards shall apply to all districts unless otherwise specified.

- (a) *Height exceptions.* The building height limits established shall not apply to belfries, cupolas, domes, spires, monuments, airway beacons, radio towers, flag poles, chimneys or flues; nor to elevators, water tanks, poles, towers and other structures for essential services; nor to similar structures for essential services; nor to similar structures extending above the roof of any building and not occupying more than 25 percent of the area of the roof.
- (b) *Architectural requirements.* The following architectural requirements shall apply to A-O (Agricultural and Open Space) and all residential districts except the MHP Manufactured Home Park District:
 - (1) Dwelling shall contain a total area of at least 401 square feet, unless it is on a nonconforming lot and will be a tiny home. Tiny home square footage will be 100-400 square feet.
 - (2) Dwellings shall be placed on a permanent foundation forming a complete enclosure under exterior walls.
 - (3) Exterior and foundation walls shall have the appearance of wood or masonry regardless of their actual composition.

(Prior Code, § 10.400.0225)

HISTORY

Adopted by Ord. [21-10](#) on 10/6/2021

Amended by Ord. [2025-05](#) on 4/2/2025