

**CITY OF GAYLORD**  
**Planning and Zoning Commission Agenda**  
Wednesday, April 8, 2015  
5:30 p.m., City Hall

1. Call Meeting to Order
2. Appointment of Officers
  - a. Chair
  - b. Vice-Chair
  - c. Secretary
3. Consider 04-08-15 Agenda
4. Approval of Minutes –
  - a. September 10, 2014 Regular Planning and Zoning Commission Meeting
5. Downtown Master Plan – Amy Newsom, EDA Coordinator
6. 2015 Budget Update – Kevin McCann, City Administrator
7. Comprehensive Plan Discussion – Kevin McCann, City Administrator
8. 2014 Annual Report – Kevin McCann, City Administrator
9. Discussion Regarding Community Based Policy and Environmental Supports for Healthy and Active Living
10. Discussion Regarding Condition and Use of Properties on East Side of Town – Kevin McCann, City Administrator
11. Discussion Regarding Former Junkyard Properties – Kevin McCann, City Administrator
12. Blighted Properties Ordinance – Kevin McCann, City Administrator
13. Open Forum - Comments from citizens in attendance
14. Other
15. Adjournment

**\*\* Denotes amendments to the most recent draft of the agenda.**

4.A

**CITY OF GAYLORD**  
**Special Planning and Zoning Commission Meeting**  
Wednesday, September 10, 2014  
5:35 pm, City Hall

MEMBERS PRESENT: Chairperson, Orlin Grack; Commissioners, Marilyn Bratsch, Jerry Gasow, Steve Boerner  
COUNCIL PRESENT: Jessica Uecker  
STAFF PRESENT: City Administrator, Kevin McCann;  
ABSENT: Commissioner Bill Schulte; Council Chad Muchow  
PUBLIC: Scott Quale, MNspect; David Laabs

1. Call Meeting to Order  
Pursuant to due call and notice, thereof, the special meeting of the Planning and Zoning Commission was called to order in the City Hall Chambers by Chairperson Grack at 5:35 pm.
2. Consider September 10, 2014 Agenda  
Motion made by Commissioner Bratsch; seconded by Commissioner Boerner to approve September 10, 2014 Agenda. Motion passed.
3. Approval of Minutes: August 13, 2014 Regular P&Z Mtg  
Motion made by Commissioner Boerner; seconded by Council Uecker to approve August 13, 2014 P&Z Minutes as presented. Motion passed 5-0.
4. Appeal of Rental Housing code Violation Related to House at 417 7<sup>th</sup> St – David Laabs for Jeff Walker  
Discussion held; information given by Scott Quale regarding guidelines and possible suggestions. Mr. Laabs appeal was due to cost, other homes grandfathered in; change house siding which isn't available due to window size; not changing window size due to appearance of home. Mr. Quale explained window in question (2.84 sq. ft.) is the approximate size of 3 8 ½ x 11 sheets of paper. Motion made by Commissioner Boerner; seconded by Council Uecker to approve the appeal on condition if the home remains rental property; if replacement of window- the window must be replaced with the most practical size of window within the opening. Motion passed 4-1.
5. Continued Discussion Regarding Sign Permits – Orlin Grack – discontinue discussion
6. Update Regarding Heritage Preservation Committee and Downtown Master Plan – Kevin McCann, City Administrator  
Administrator McCann informed Committee the Heritage Preservation Committee received a grant to help develop an ordinance. Public input will be requested. The Downtown Master Plan Committee is on hold.

7. Other – Administrator McCann stated one of the consultants which put a bid in for the Comprehensive Plan update informed him of a grant that was available to help offset costs. Administrator McCann will research.
8. Adjournment  
Motion made by Council Uecker; seconded by Commissioner Gasow to adjourn at 6:15 pm.  
Motion passed 5-0.

# GAYLORD DOWNTOWN PLAN

DECEMBER, 2014





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18 ..... Implementation & Initiatives

## Acknowledgements *Downtown Master Plan Committee*

Don Boeder  
 Bill Cowell  
 Avery Grochow  
 Jerry Hahn  
 Jill Hewitt  
 Dale Johnson  
 Chuck Klimmek  
 Jim Landaas  
 Kevin McCann  
 Amy Newsom  
 Steve Olmstead  
 Jane Peterson  
 Par Ruffing

### ***City of Gaylord***

Don Boeder, Mayor  
 Jim Landaas, City Council President  
 Jessica Uecker, City Council  
 Chad Muchow, City Council  
 Shawn Losure, City Council  
 Chad Devlarminck, City Council  
 Kevin McCann, City Administrator

### ***Consultants***

#### **SEH**

Bob Kost, AICP, ASLA, LEED-AP  
 Karyn Luger, ASLA, PE

## Introduction

The purpose of The Downtown Plan, as directed by the City of Gaylord, the Economic Development Authority (EDA), and downtown stakeholders, is to provide a collective vision, planning framework and implementation strategy for guiding physical and economic development revitalization, and enhancement efforts within the downtown area.

Although previous planning efforts such as the Comprehensive Plan, cover the entire community, the Downtown Plan focuses on the downtown core as an important resource for the health and economic success of the community. The downtown core is defined as High Avenue, Main Avenue/MN-5/MN-19, and Sibley Avenue in the north to south direction and 2nd Street to 6th Street in the east to west direction. It's also understood that maintaining and creating connections to other city amenities such as parks, the County Courthouse, schools, and regional trails within the community are also important to downtown health and success.

### *Summary of Recent Planning Efforts*

The City of Gaylord has engaged the community and consulting professionals in several planning efforts in the near past. These efforts and the recommended outcomes are briefly summarized in the following section:

**Gaylord Comprehensive Plan 2000-2010.** This plan provided new direction for the City of Gaylord by creating policy for guiding public and private decision-making in the management of the city. The final vision is strategic in defining founding principles that will support specific goals and policies for protecting and enhancing the character of the community and providing a place where cars and traffic are accommodated yet walkability and pedestrian safety are paramount.

**Minnesota Design Team 2008.** In September 2008, the Minnesota Design Team, a volunteer group of design and planning professionals, met with community members as part of a design workshop process. The goal of this special one-day design session was to gather community input and present focused design ideas for helping the city move forward as it undergoes a regeneration period.



**Historic Context Study 2012.** This study was commissioned by the City of Gaylord and the EDA to document existing historic resources by researching patterns of historic community development, property types, and potential major historic themes to better understand historic influences of development in the city's past. The Historic Context Study, conducted by Smith & Main, indicated that post-settlement growth of Gaylord followed the development of the railway, agriculture and grain storage, and the city's designation as the Sibley County Seat in 1915. This designation subsequently brought the Sibley County Courthouse and Sheriff's Residence and Jail to the city, both of which are listed on the National Register of Historic Places and are situated a few blocks north of the Gaylord downtown main street. The findings of this study recommended that further evaluation of preservation efforts be conducted since there appear to be significant historic resources that could positively impact future community economic development.

**Framework Plan 2012.** A downtown design framework plan was created for downtown Gaylord applying the recommendations from the Comprehensive Plan, the Minnesota Design Team, and the Historic Context Study to help define potential opportunities within the downtown core. This diagrammatic framework plan begins to identify spatial solutions for enhancing character and walkability of the downtown area.



Sibley County Courthouse



Downtown Design Framework Plan Graphic

EXISTING CONDITIONS



## Inventory & Description of Existing Building Stock

### Downtown Base Map

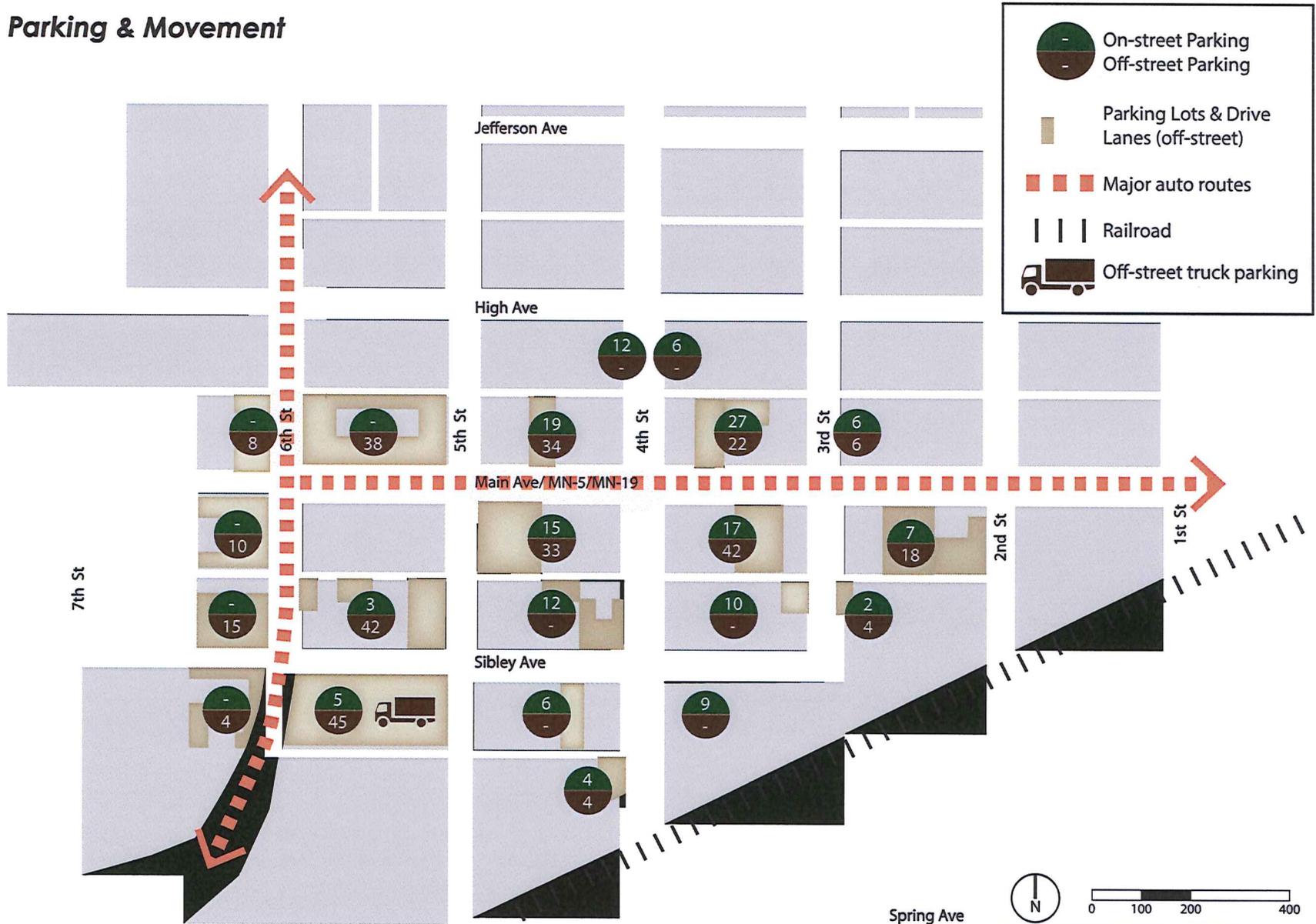


The downtown plan pertains to the 11-block area between 2nd and 6th Streets

### Building & Land Use



### Parking & Movement



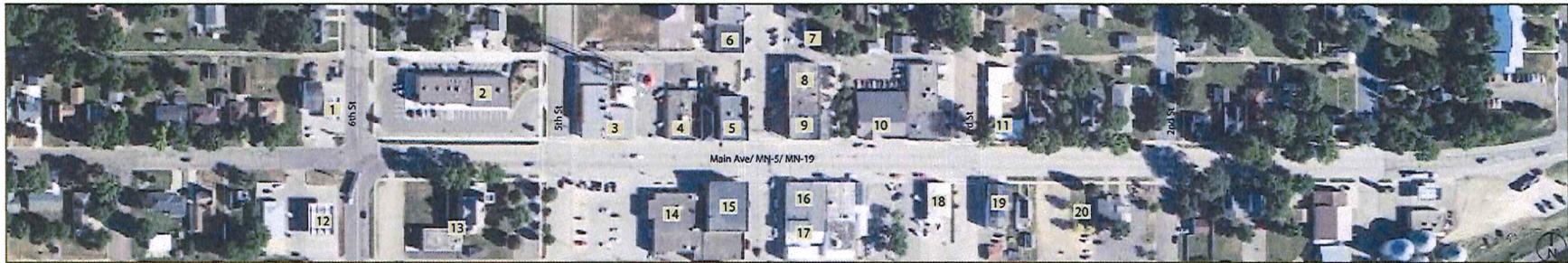
- On-street Parking
- Off-street Parking
- Parking Lots & Drive Lanes (off-street)
- Major auto routes
- Railroad
- Off-street truck parking

Spring Ave

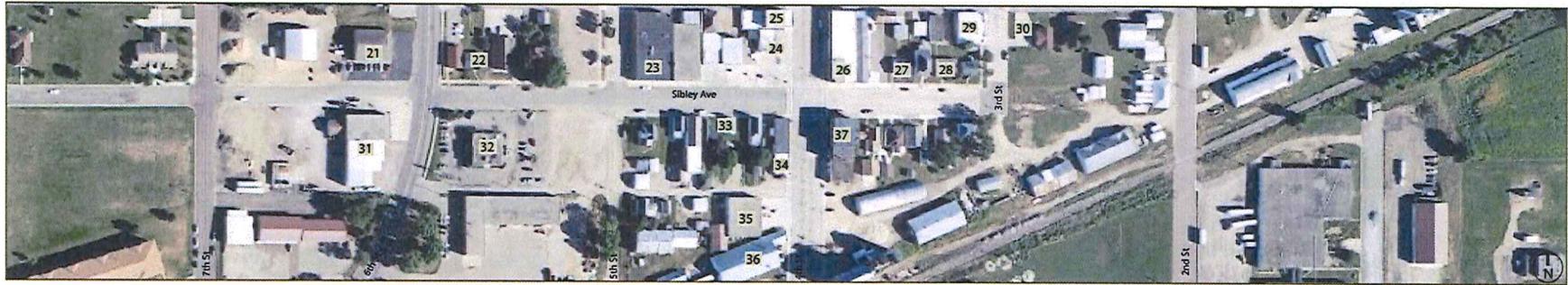
Scale: 0, 100, 200, 400

Downtown visitors and businesses benefit from a mix of on- and off-street parking.

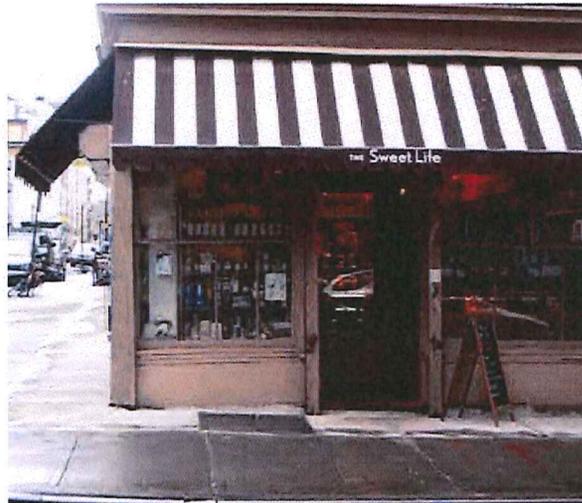
### Buildings Near Main Avenue



*Buildings Near Main Avenue*



*Design Vocabulary: Future Development*



*Precedent photos for updating existing façades or adding on to existing buildings*

Gaylord's downtown business district, like many small rural towns, is an eclectic collection of old and new buildings with little cohesiveness in their design. Many lack attractive curb appeal and are in need of repair and maintenance. Of the 54 nonresidential buildings in the 11-block district 10 can be considered new (less than 20 years old), 14 are 75 years old or more, and the remaining somewhere in between. Five buildings are government owned or leased. Of the 49 privately owned buildings four are vacant and seven are partially vacant at this time. There are two religious buildings in the downtown business district and 34 single-family homes.

### ***Benefits of Preserving Existing Building Stock***

Renovation of historically sensitive buildings is not only a historical concept, but a practical discipline that has economic, social, and environmental benefits. Among these are:

**Economic Development:** Downtowns are the face of the community for new businesses looking to relocate. Industrial and manufacturing firms are recognizing that careful preservation of historic resources can make cities a more attractive place for industry. Historic preservation based revitalization can be a catalyst for economic development and increase local property values. When a property sits vacant and neglected, it can drag down the surrounding area. Conversely, a successfully renovated project can have spillover effect well beyond the property line, leading to neighborhood improvements which will in turn further benefit the specific building being renovated.

**Social:** Historic downtowns are typically seen as the heart of the community. The level of civic pride, which largely determines the amount of citizen involvement in a community, is affected by the well-being of the downtown. This citizen involvement includes volunteering, improving personal property, contributing to charity, and getting involved in the decisions that affect the downtown.

**Environmental:** Reusing historic buildings is the ultimate form of recycling. When historic buildings are demolished, their embodied energy, which is the amount of energy associated with extracting, processing, manufacturing, transporting and assembling building materials, is lost and building waste is hauled to landfills. Most historic downtowns are pedestrian-friendly, mixed-use districts that offer retail stores, housing, offices, government uses, entertainment, and light industry. Consequently, the people who live and work in and around historic downtowns can satisfy many of their needs by walking. This creates a built-in customer base, improves quality of life, promotes smart growth, and reduces reliance on automobiles.

(Gaylord Historic Preservation Plan)

## Building Analysis: Material, Scale, and Character

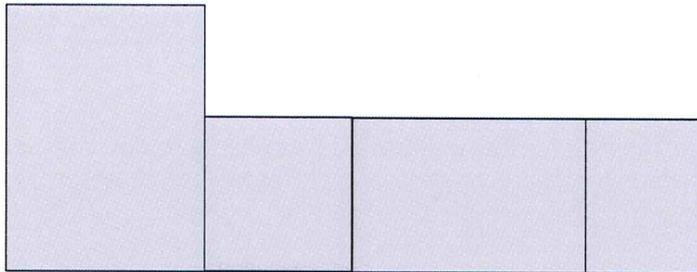
### Future Renovations and Development

The photo inventory of buildings in downtown Gaylord documents patterns of scale and character. Individual buildings reveal size, form, and material; collectively they contribute to the spatial definition and quality of downtown Gaylord.

The building inventory can provide cues for new development that seeks to be contextually sensitive, as well as, reveal possibilities for renovations or façade updates of old buildings.

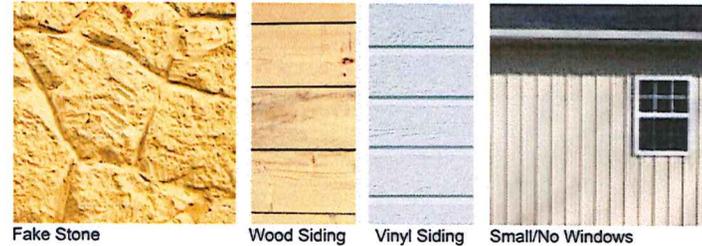
After considering the downtown character of Gaylord, and with the intention to preserve character, quality, and longevity of building materials, the downtown Gaylord materials palette is sorted into supportive, appropriate, and desirable building materials, and inappropriate, nonsupportive, less desirable materials.

#### SCALE ANALYSIS

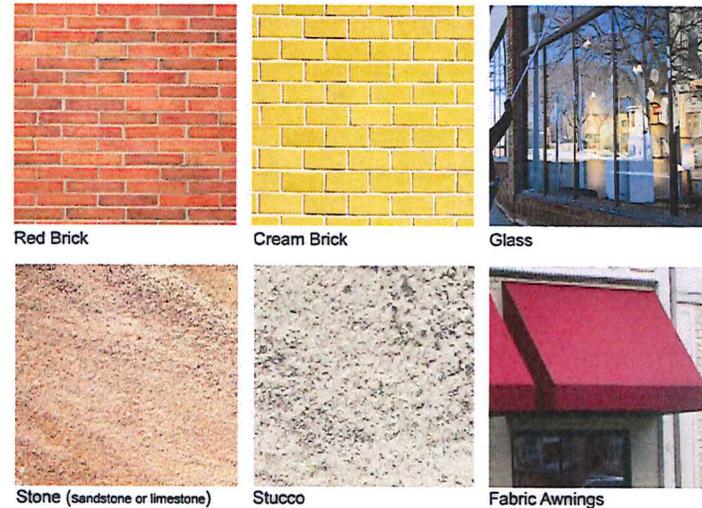


Rectangular form. One to two-story. Linear.

#### NON-SUPPORTIVE, INAPPROPRIATE DOWNTOWN BUILDING MATERIALS



#### APPROPRIATE DOWNTOWN BUILDING MATERIALS PALETTE



## Goals & Values

This section summarizes thoughts and ideas that were brought to the city planning process through direct interaction with community members. On April 10, 2013, an interactive workshop was conducted with over a dozen participants to gather input on existing assets, challenges, opportunities, and values within downtown. The following summarizes the input synthesized into a set of goals as an outcome of this community involvement process. These goals should be considered for future city planning efforts.

### Economic

**Services:** The city has a central core with a variety of commercial and business services and public institutions. Retain the successful businesses and provide the architectural/structural and technological framework for other businesses to enter the city market. Fill vacant building locations and/or redevelop failing, nonfunctional properties to encourage economic growth.

**History:** Prioritize and financially support rehabilitation of historic structures in the downtown core to strengthen the connection to the city's past. Understand current trends of business to facilitate the integration of smaller, modern businesses into the downtown core.

**Population Shifts:** Consider demographics as an informant for development of new properties and facilities as the city population ages and undergoes generational shifts. Define areas for appropriate future development, such as residential off the main street.

**Community Gatherings:** Provide opportunities for on-going community gathering within the downtown core, such as music venues and festivals, by multi-use of existing parking facilities as plaza space to celebrate the community and to stimulate economic activity.

**Greenspace & Corridors:** Increase greenspace and plantings within downtown core. Provide connections from downtown core to existing greenspace amenities, parks, and regional trail systems.



Historic downtown bank repurposed as the Gaylord City Hall



Plazas & focal points as community gathering space



Curb extensions providing greening opportunities & parking/vehicular management



Rain gardens integrate greenspace & stormwater management

DESIGN PRECEDENTS

**Spatial**

**Pedestrian & Bicycle Oriented:** Maintain safe pedestrian and bicycle crossings and enhance walkability of downtown core whenever possible during future redevelopment or construction projects.

**Mixed-Use Development:** Support mixed-use development with commercial on main floor and housing above, to promote the presence of people in the downtown core and to provide a variety of housing stock for shifting demographics.

**Streetscape:** Promote the use of streetscape elements, such as plantings, bicycle racks, special pavements, and wayfinding signage, to unify the city and to define the core as a significant community amenity.

**Parking Management & Character:** Manage parking so that pedestrian walkability character and safety is dominant in the downtown core while still accommodating vehicular traffic.

**Values**

- Business growth as a foundation for a strong economic base in the downtown area.
- Overall character or theme for the downtown area provides social, cultural, historic, and economic connection to the community at large.
- Understanding socio-economic trends and generational shifts can inform decision-making related to economic growth and development.
- Greenspace and planting areas is a positive influence on economic development since consideration of aesthetics can create a welcoming space at the pedestrian-scale, encouraging destination retail and commercial experiences and community gathering.



**Strategies**

- Provide a framework for existing businesses to thrive and create opportunities for a variety of new businesses to enter the market in the downtown area.
- Celebrate existing historical resources, promote walkability and pedestrian safety, encourage community gathering at the heart of downtown, and identify a palette of elements that help unify the character of downtown.
- Study current demographic and business trends, meet spatial and technological needs for future business developments, and consider mixed-use developments as a solution to providing a variety of housing stock to meet generational shifts.
- Provide streetscape planting to foster a friendly, pedestrian-scale experience along downtown streets. These may include tree plantings along the boulevard, raised planters, and individual planters along businesses. These elements can also serve as traffic calming methods as improved aesthetics encourage vehicles to slow down and become more aware of the surroundings.

DESIGN PRECEDENTS



*Special pedestrian crossing features to increase safety & walkability*

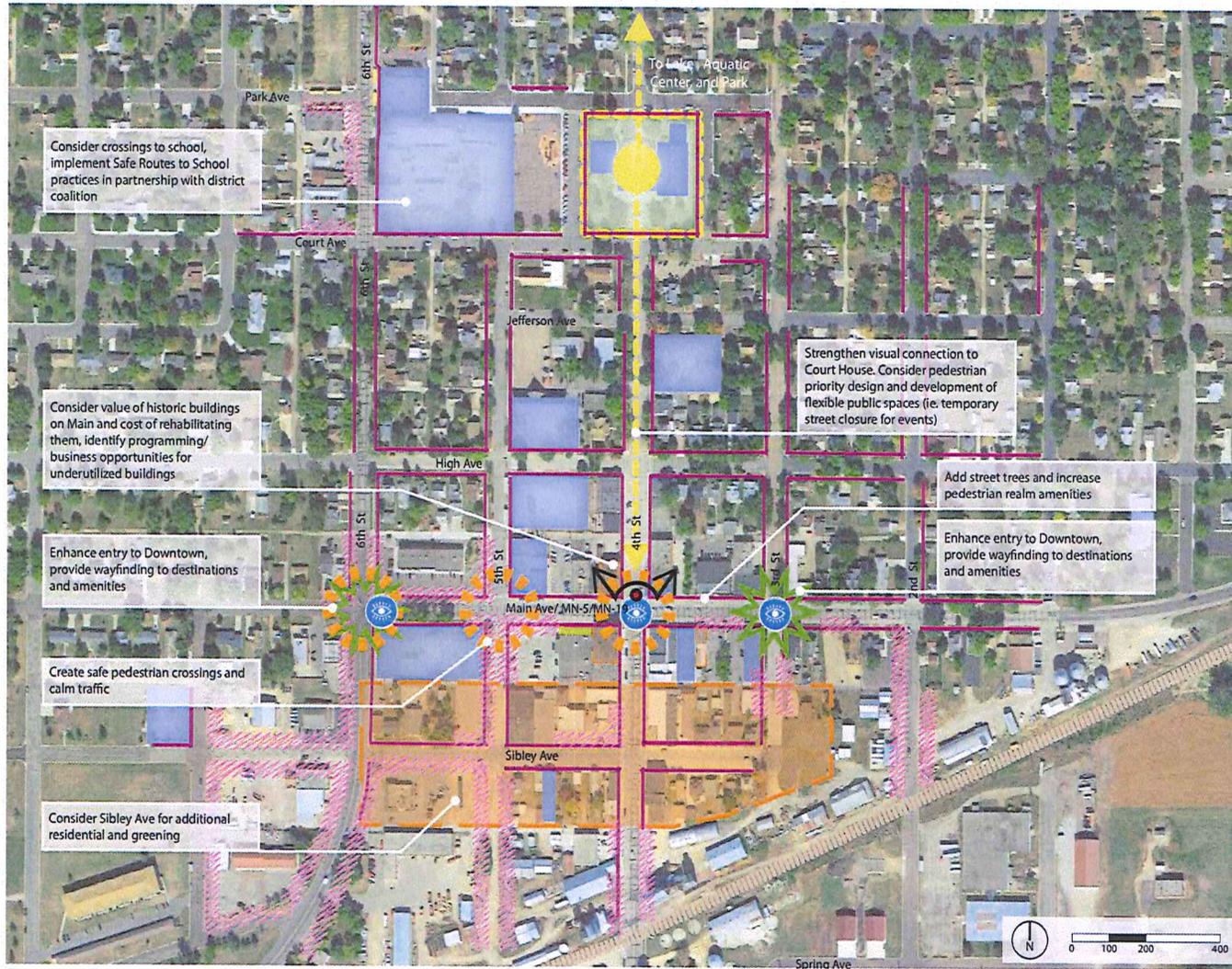


*Appropriately scaled planters/pots add color & vibrancy to the streetscape & define space as pedestrian-focused*



*Special fencing & planting along adjacent parking areas screen & define pedestrian & vehicular spaces*

# Downtown Vision & Opportunities



Community members identified a range of opportunities for enhancing the downtown

**Vision Statement**  
 "A pedestrian friendly downtown with ample parking and fully utilized, preserved and revitalized buildings, attractive street-scapes and green spaces for individual and community activities."

-  Gateway
-  Difficult Pedestrian Crossing
-  Views
-  Auto-Oriented Frontage
-  Public Park/Open Space
-  Semi-public/Private Open Space
-  Community Destination
-  Community Promenade
-  Wayfinding

## Guiding Policies & Recommendations

This report for the Gaylord Downtown Plan is a collective of recent planning efforts as applied to graphical analysis, inventory, and community input of the downtown area. This plan establishes a vision, goals, policies, recommendations, and implementation priorities for how to achieve the vision and goals.

As the City of Gaylord encounters shifting trends in demographics and associated market preferences the envisioned opportunities and policies will help guide decision-making in future prioritization investments community development. The strong presence of historic resources with the city, the existing downtown core framework, and nearby recreational assets provide a solid foundation for downtown community development. Enhancing and strengthening these areas and the connections amongst these assets is recommended for creating a place that people want to experience, reside in, and invest in.

Recommendations in the Downtown Plan for improving the downtown area include creating a better connection to the historic Sibley Court House from Main Avenue through development of public spaces. Street trees, streetscape elements such as planters and benches, and wayfinding elements along Main Avenue can unify the character of the downtown core. Providing clear and safe pedestrian crossings at intersections and implementing Safe Routes to School practices will increase the walkability of the city. Building upon the historic preservation study can inform prioritization of historic rehabilitation projects and serve as a driver for economic growth through increased tourism opportunities. Studying areas adjacent to Main Avenue for new potential greenspace and residential housing will help the city to meet the needs of generational shifts.

1. Encourage expansion/redevelopment of central business district south to the railroad and along Sibley Avenue on either side of 4th Street.
2. Future downtown development projects should include consideration for additional parking and greenspace in the development plan.
3. Future sidewalk replacement, street lighting, benches, and other streetscape items in the downtown should match or complement those items incorporated into the Main Avenue and 4th Street design.
4. As soon as possible, develop design guidelines for downtown Gaylord that promote functional, safe, innovative, and attractive development and renovation of buildings and spaces.

## Implementation & Initiatives

Implementation is the actual realization of projects that support the vision and goals of the Downtown Plan. The EDA, City Council, and area business leaders will need to apply the plan on a daily basis to successfully recruit business and maintain a prosperous and attractive downtown. This plan should be reviewed and updated every five years.

The primary recommendations of the downtown planning process are outlined in the following implementation matrix:

Initiative	Priority
1. Develop incentive program(s) to encourage building owners to maintain and renovate their buildings	Short-term
2. Develop design guidelines for the central business district	Short-term
3. Assist vacant building owners in getting tenants by using local, county and state websites, and other media.	Short-term
4. Promote "place making" ideas and programs to encourage people to visit downtown. Some ideas include: <ul style="list-style-type: none"> <li>• Outdoor concerts, speakers, authors in Senior Station Park</li> <li>• Downtown Wi-Fi hotspot</li> <li>• Revitalize sitting area on north side of grocery store</li> <li>• Outdoor games at Senior Station Park or area on north side of grocery store</li> <li>• Add moveable chairs with city logo to downtown streetscape</li> <li>• Add dog bowls, bike pumps, and other little amenities for people to use when walking or biking in downtown</li> <li>• Add art, such as murals, local artist's work in vacant building windows, sculptures, local art shows</li> </ul>	On-going
5. Develop senior housing in or near the central business district: 10-12 unit apartment complex with greenspace and garages.	Mid-term
6. Add flower pots/hanging flower baskets to downtown streetscape; On-ground flower pots should be clustered around benches, planters, etc., rather than spread about equally throughout the whole business district	Mid-term
7. Develop a greenspace plan for the downtown including items such as pocket parks, larger parks, gathering spaces and boulevards; Possible locations include: <ul style="list-style-type: none"> <li>• City parking lot east of St. Paul's church</li> <li>• South side of Sibley Avenue between 4th and 5th Streets</li> <li>• West of First Nation Bank up to corner of 3rd and Main</li> <li>• Area north of grocery store</li> <li>• When a building is demolished</li> </ul>	Mid-term
8. Relocate post office off main thoroughfare or change entrance location so customers are not entering from busy street	Long-term
9. Remove single-family homes from between businesses as opportunities present themselves, making that land available for business development	Long-term
10. Add streetscape enhancements similar to Main Avenue and 4th Street to Sibley Avenue when that street is reconstructed	Long-term



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City of Gaylord  
General Fund Expenditures

FUND DEPARTMENT	101 GENERAL FUND 41910 Planning and Zoning	2012 ACTUAL	2013 BUDGET ENTRY	2013 ACTUAL	2014 BUDGET ENTRY	2014 YTD - 9/30/14	2015 BUDGET ENTRY	SPECIFIC COMMENTS
103	Salaries - Part Time	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Administrative Internship
121	PERA	0		0	0	0		7.5% of Salaries
122	FICA	0		0	0	0		6.2% of Salaries
125	Medicare	0		0	0	0		1.45% of Salaries
302	Committee/Board/Judge Services	1,890	2,520	1,650	2,520	300	2,520	P & Z Members (7 X30/mtg X 12) \$2520
308	Professional Fees	3,475	0	2,300	0	0	0	Contract with planner
352	Ads & Notices	1,262	1,000	612	1,000	155	1,000	Variance/Zoning Notices \$5000 for Comprehensive Plan
440	Other	0	150	0	5,150	0	5,150	Possible Seminars/Conferences/Meeting Meals/Map Work
	Total Planning and Zoning	\$ 6,627	\$ 3,670	\$ 4,562	\$ 8,670	\$ 455	\$ 8,670	0.00% \$ - Budget Increase (Decrease)

**THE LAURA JANE MUSSER FUND**

318 West 48<sup>th</sup> Street  
Minneapolis, Minnesota 55419  
612-825-2024  
ljmusserrfund@earthlink.net  
www.musserfund.org

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v

February 3, 2015

Mr. Kevin McCann  
City Administrator  
City of Gaylord  
332 Main Ave.  
PO Box 987  
Gaylord, MN 55334

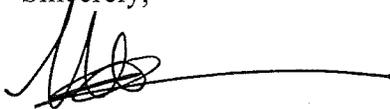
Dear Mr. McCann,

The Rural Initiative Committee of the Laura Jane Musser Fund recently reviewed funding in the Rural Initiative category.

After careful review, we regret to advise you that we are unable to provide the support you seek. This is no reflection on your organization or the important work that you do, but simply illustrates the limits to funding available at this time for your program area.

Thank you for taking the time to submit information about your organization.

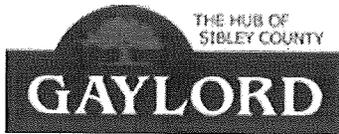
Sincerely,



Mary Karen Lynn-Klimenko  
Grants Program Manager

*[Faint, illegible text at the bottom of the page, possibly a footer or bleed-through from the reverse side.]*

6. **Update Regarding Heritage Preservation Committee and Downtown Master Plan – Lori Doering, City Asst**  
Lori informed Commissioners seven members will be approved at the May 21<sup>st</sup> Council Meeting. Members will meet once a month and then as needed. No report on Downtown Master Plan.
  
7. **Update Regarding Sign Permit Application Process – Kevin McCann, City Admin**  
Language regarding Sign Permit Application Process has been adjusted and approved. Will be presented at the May 21<sup>st</sup> Council Meeting.
  
8. **Discussion Regarding Proposals for Comprehensive Plan Update – Lori Doering, City Asst.**  
Lori handed out proposals from four firms which listed experience, cost, timeline, performance, availability and references. \$20,000 has been budgeted over past four years specifically for revising Comprehensive Plan. Discussion held. Commissioners requested that the Comprehensive Plan be put “on hold”. The City has many projects in process right now; if a firm was chosen with a higher cost and to be completed this year, it was explained the funds would come from the General Budget; perhaps after the update of renovating downtown Gaylord would be a better time to review the Comprehensive Plan.
  
9. **Adjournment**  
Motion made by Commissioner Boerner; seconded by Commissioner Schulte to adjourn at 6:25pm. Motion passed 5-0.



REQUEST FOR PROPOSALS  
FOR CONSULTING SERVICES RELATED TO THE  
UPDATE OF A COMPREHENSIVE LAND USE PLAN

**Statement of Purpose**

The City of Gaylord is inviting proposals for the purpose of selecting a qualified firm to serve as consultant for an update of the City of Gaylord Comprehensive Land Use Plan.

The purpose of the Comprehensive Plan is to identify issues, opportunities, needs, and organize public policy to address them in a manner that makes the best and most appropriate use of City resources. It will describe a desired future for the community over the next 20 years and establish goals to move toward that future. The Comprehensive Plan is meant to be used by elected and appointed officials and City staff in the ongoing process of making decisions, creating ordinances and allocating funds.

**Background Information**

The City of Gaylord, in 2000, adopted a Comprehensive Land Use Plan that would guide future development into the year 2020.

The updated Plan will guide the development of the City through the year 2035 (21 years).

**Scope of Services and General Duties**

The scope of this project is to produce a Comprehensive Plan to direct the future growth and development of Gaylord. The resulting Plan should be both a physical and policy based plan and provide implementation actions and strategies, and include illustrative maps, tables and graphs. The Comprehensive Plan should integrate all of the City's existing plans (MN Design Team Visit, Downtown Master Plan, Historic Preservation Plan, Zoning Ordinances, sidewalk plan, industrial park expansion, etc.). Elements of the Comprehensive Plan will include, but need not be limited to:

- Land Use and Community Design
- Downtown Gaylord
- Housing
- Parks, Recreation, and Open Space
- Transportation
- Community Resources and Public Facilities

*It is important to note that the City of Gaylord is not part of the Metropolitan Council's planning jurisdiction. Please keep this in mind when preparing your scope of services.*

## **Proposal Form and Content**

The proposal must, at a minimum, include the following:

### **Scope of Work Defined**

The firms should present their understanding of the requirements of the project and present a task-by-task description of the work to be accomplished. Do not simply restate the scope of services.

### **Timeline**

The firms are required to include a timeline for the project which will contain the approximate dates that portions of the project will commence and conclude. The timeline shall include substantially the following items: review presentations, the deadline for presentation for first draft of the Plan and the final approval date (ideally in 2015).

### **Resumes**

Identify person(s) with key responsibilities who will be assigned to work on the project, describe their role and duties for the project. If more than one person is to be assigned, identify the person who will have senior-level responsibility or manage the engagement, and the approximate time commitment (as a percent) of total time on the engagement of each person. If portions of the project are to be “subcontracted” out to other firms, be sure to disclose that information in the proposal.

### **Experience**

Discuss demonstrated experience of the firm and the project team with projects of similar scope and magnitude as this project. Experience must be related to projects completed within the past five years.

### **Time and Budget Constraints**

Demonstrate the ability of the firm to manage the project in a timely and cost effective manner. Although a specific deadline for the process has not been established (ideally the process would be wrapped up by the end of 2015), it is the objective of the City of Gaylord to complete the updates as soon as it may practically do so.

### **References**

List of references relating to the projects completed for local governments over the last five years, with comparable characteristics to the project proposed by the City of Gaylord.

### **Fees**

A schedule of billing rates for personnel involved must be included. The proposal shall contain a “**not to exceed**” cost for the project.

## **General Information**

### *Instructions to Contractors*

The firm shall submit one (1) hard copy and one PDF copy of the proposal to:

Kevin McCann  
City Administrator  
City of Gaylord  
332 Main Avenue  
Gaylord, MN 56071  
E-mail: [kmccann@exploregaylord.org](mailto:kmccann@exploregaylord.org) (for the PDF version of the proposal).

### *Closing Submission Date*

Proposals must be submitted no later than 3:00 p.m. on Friday, May 9, 2014.

### *Inquiries*

Inquiries concerning this RFP should be directed to Kevin McCann, City Administrator, at (507) 237-2338, or [kmccann@exploregaylord.org](mailto:kmccann@exploregaylord.org).

### *Conditions of Proposal*

All cost incurred in the preparation of a proposal responding to this RFP will be the responsibility of the submitter and will not be reimbursed by the City of Gaylord.

### *Right to reject*

The City of Gaylord reserves the right to reject any and all proposals received in response to this RFP.

### *Notification of Award*

It is expected that a decision of selecting a successful consulting firm will be made within three weeks from the closing date of the receipt of proposals.

## **Selection Process**

### *Interviews*

Staff will schedule interviews only if determined necessary.

### *Schedule of Events*

The City of Gaylord has developed the schedule of events listed below for selection of the firm; the schedule is subject to change.

Send Request for Proposals to Planning Firms	April 14, 2014
Deadline for receipt of proposals from Firms	May 9, 2014
Review by P&Z	May 14, 2014
Interviews (if necessary)	TBD
Approve proposal by City Council	TBD

Evaluation of proposals

City staff will evaluate proposals and shall evaluate the proposals based on the following criteria.

1. Both the fees that shall be charged and the total cost of the consulting services for this project. The City of Gaylord is interested in selecting that firm which professionally provides the City with optimal services, yet also meets the City's concern with cost. (15 pts)
2. Demonstrated understanding of the requirements of this project and the concerns of the City. (15 pts)
3. Experience and availability of staff assigned to serve the City. (10 pts)
4. Testimony provided by past clients of the firm; i.e. references. (10 pts)
5. Relevance and suitability of the project approach and schedule. Despite the fact that a deadline or schedule for the completion of the Plan update has not been established, the City will very carefully consider the timeframe and schedule proposed by the consultant in making its decision with a preference to be completed by TBD. (10 pts)
6. Qualifications and expertise of the key personnel to be assigned and their proven ability to work together as a team on similar projects. (10 pts)
7. Resources of the firm to conduct and complete this project in a satisfactory manner. (10 pts)
8. Factors to be considered including size of the firm, current workload, ability and willingness to commit the key personnel. (10 pts)
9. Clarity, conciseness and organization of the proposal. (10 pts)

**Exhibit A**  
**Current Plan Chapters to be Updated**

All areas of the plan should be reviewed for accuracy and updating of the past language, however, the City would like to focus on revisions to the following areas of the Plan:

*Demographics Trends and Assumptions*

Since the Plan was last adopted, 2010 Census information has been released. The demographics section of the Plan must be updated to reflect the actual growth through 2013 (and included in the 2010 Census), and growth through 2037 must be re-forecasted. The City will provide growth data through 2011 to the contractor.

*Land Use*

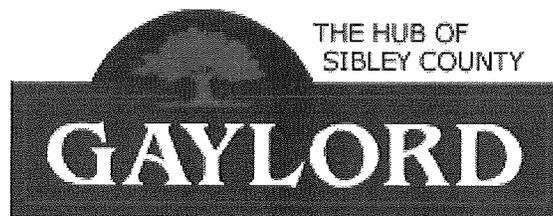
This section should be thoroughly reviewed. Statistical information must be brought up to date. Mapping and updates will be completed by City Staff.

*Housing*

This section of the plan should be thoroughly reviewed. Statistical information must be brought up to date. The City would like to spend some time analyzing past, current and forecasted housing trends – particularly senior housing and rental housing. Through this analysis, the City will determine the amount of high, medium and low density residential zoning that should be planned for.

*Transportation (alternate bid item – can be bid separately from the other scope of work)*

This section of the plan must be completely re-written. The City desires incorporation of various studies and roadway improvements into this section in order to develop a brand new section on transportation. Traffic forecast modeling must be included by a traffic engineer. All maps must be updated. Staff will take the lead in updating the maps already included in the section, but additional mapping and data may require assistance from the consultant. At minimum, the section must include information on future transportation corridors, access management, right of way preservation, existing roads and their function and capacity and funding options. The Transportation chapter will be considered an alternate bid item and can be bid separately.



**City of Gaylord**  
**Planning and Zoning Commission**  
**Annual Report 2014**

**City of Gaylord  
Planning and Zoning Commission  
Annual Report 2014**

Report Contents:

- I. Gaylord Planning and Zoning Commission
- II. 2014 Goals and Objectives
- III. Activity Report
- IV. Expenditures and Receipts
- V. Conclusion

**City of Gaylord  
Planning and Zoning Commission  
Annual Report 2014**

**I. GAYLORD PLANNING AND ZONING COMMISSION**

The Gaylord Planning and Zoning Commission (P&Z) is governed by a seven member Board. The Board consists of five citizens at-large and two City Council liaisons. The make-up of the Board during 2014 is provided in the table below.

<i>Member</i>	<i>Position</i>	<i>Affiliation</i>	<i>Term Expires</i>
Orlin Grack	Chair	Citizen	12/2014
Jerry Gasow	Vice-Chair	Citizen	12/2015
Marilyn Bratsch	Secretary	Citizen	12/2014
Bill Schulte	Member	Citizen	12/2014
Steve Boerner	Member	Citizen	12/2014
Jessica Uecker	Member	City Council	12/2014
Chad Muchow	Member	City Council	12/2014

P&Z is assisted by Kevin McCann, City Administrator

## **II. 2014 GOALS AND PROJECTS**

P&Z worked on a variety of goals and objectives for the year. With the mission of regulating zoning, promoting development, and planning for the future, the following goals and objectives were outlined:

### **A. Downtown Revitalization**

P&Z recognizes the importance of the downtown as a critical component of the community. In conjunction with the EDA, P&Z is currently working on a downtown master plan to identify the goals and objectives of revitalizing the downtown. A separate committee has been formed to work on the plan. This will then be brought back to P&Z and EDA for review and comment, before final review and approval by the council.

### **B. Historic Preservation**

Along with the downtown and importance of Gaylord's history, the EDA and P&Z partnered again to work together on a historic preservation plan and assist in the formation of the Heritage Preservation Commission (HPC). Planning and Zoning will now work with the HPC on the historic preservation ordinance implementation and oversight.

### **C. Rental Properties**

P&Z worked to revise the rental ordinance to amend certain restrictive regulations related to egress window sizes. This is extremely cost-prohibitive for older rental properties. P&Z recognized the importance of rental properties in town and the abundance of older homes that don't meet this requirement. P&Z worked to develop a "grandfather" provision for current rental properties and a permitting process for newly started rental properties of an older property. Newly constructed rental properties will need to meet the requirements.

### **D. SIGN PERMIT PROCESS**

P&Z worked to streamline the sign permit approval process and eliminate the redtape and delays to get sign permit approvals. The ordinance was revised to allow staff to approve permits over the counter, unless a variance is needed for a sign outside of the allowable parameters.

### **E. Comprehensive Plan Update**

P&Z conducted an RFP process to hire a consultant to update the comp plan, but the proposals came in higher than expected. P&Z then applied for a grant to assist with the funding for the comp plan update. They also budgeted more money to go toward the comp plan. They hope to begin the comp plan update process in 2015.

### **F. SOLAR GARDEN SITE**

With the proposed solar garden site, planning to get built west of Michael Foods, P&Z had to review the current zoning regulations and proposed usage of the site to determine if the site was feasible for a solar garden. P&Z determined the site is

for industrial operations and the production of electricity through a solar process was deemed to be an industrial process.

### III. ACTIVITY REPORT

In addition to the identified goals and objectives above, there were also many other activities undertaken by P&Z in 2014. These activities included:

#### A. Sign Permits

No.	Applicant	Submitted	Approve/Deny	Date P & Z	Date Council	Address
SP 2014-01	State Farm Insurance	3/5/2014	Approved	Over the counter	Over the counter	312 Main Ave.
SP 2014-02	Sioux Trails	4/30/2014	Approved	Over the counter	Over the counter	716 Sibley Ave.
SP 2014-03	Neisen's Bar	7/18/2014	Approved	Over the counter	Over the counter	422 Main Ave.
SP 2014-04	Sibley Seeds	9/9/2014	Approved	Over the counter	Over the counter	6 8th St.
SP 2014-05	MN Community Solar	11/14/2014	Approved	Over the counter	Over the counter	Industrial Park
SP 2014-06	Alpine Ingredients - Sibley Warehouse	12/4/2014	Approved	Over the counter	Over the counter	1 1st St. S.

#### B. Zoning Permits

No.	Name of Applicant	Date Submit	Approve/Deny	Date Acted Upon	Description
zp2014-01	Gaylord Mobile Home Park	4/2/2014	Approved	4/8/2014	Place 8'x10' bus shelter on property
zp2014-02	Hans Kranz	4/2/2014	Approved	4/14/2014	Move 60'x28' modular home onto Meadow Wood lot
zp2014-03	Shannon Henke	4/15/2014	Approved	4/25/2014	Build 30'x32' garage
zp2014-04	Gloria Sinel	4/18/2014	Approved	4/28/2014	Put up 5' 6" fence 2' from back property line
zp2014-05	Jason Mathews	4/24/2014	Approved	5/9/2014	Put up 6'x12' deck addition.
zp2014-06	Ian Sing	5/5/2014	Approved	5/9/2014	Put up 10'x12' shed
zp2014-07	Mitch Frauendienst	5/7/2014	Approved	5/12/2014	Build 10'x7' deck
zp2014-08	Jesse Hanl	6/9/2014	Approved	6/12/2014	Build 28'x20' addition
zp2014-09	Jane Rischmiller	7/7/2014	Approved	7/10/2014	Build 8'x10' deck on south side of house
zp2014-10	Angie Briest	7/15/2014	Approved	7/21/2014	10'x12' detached deck
zp2014-11	Rick Fredin	7/16/2014	Approved	7/16/2014	38'x48' privacy fence
zp2014-12	David Skjong	8/1/2014	Approved	8/10/2014	Fence along south property line
zp2014-13	Pat Unruh	7/24/2014	Approved	8/18/2014	Add wheelchair ramp with handrails built to ADA code
zp2014-14	Wendy Meyer	8/11/2014	Approved	8/18/2014	Installing a chain link fence - 4 feet tall. Have existing fence, adding three sides to the east, west, south
zp2014-15	Bill Schultze	8/15/2014	Approved	8/18/2014	Install fence 4 feet tall chain link
zp2014-16	Audrey Kloeckl	9/11/2014	Approved	9/16/2014	Decorative Pergola 12x12
zp2014-17	Silvia Amorim	8/20/2014	Approved	9/23/2014	Accessible Ramp on rear entrance
zp2014-18	Jim Swanson	9/18/2014	Approved	9/30/2014	26X30 Garage on floating slab
zp2014-19	Jeff Paine	9/25/2014	Approved	9/30/2014	Add 22x35 Garage to the back of existing garage and home
zp2014-20	Linda Bolstad	9/22/2014	Approved	10/10/2014	Add fence along east property line, 2' off south property line, along detached garage, and connected to house

#### C. Rezoning Applications

None

#### D. Variance Applications

v2014-01	Duane McGuire	6/17/2014	Denied	7/17/2014	Requesting a 34.5' variance
v2014-02	Duane McGuire	7/14/2014	Approved	8/6/2014	Requesting a 19.5' variance

#### E. Conditional Use Permits

None

#### F. Building Permits

See Attachment

**IV. RECEIPTS, EXPENDITURES AND INVESTMENTS**

**A. Expenditures and Receipts**

**Expenditures**

The main expenses relate to board pay, ads for public notices, and \$2,300 toward removal of a trailer.

FUND DEPARTMENT	101 GENERAL FUND 41910 Planning and Zoning	2014 BUDGET ENTRY	2014 YTD - 12/31/14	2014 Balance	SPECIFIC COMMENTS
103	Salaries - Part Time	\$ -	\$ -	\$ -	Administrative Internship
121	PERA	0	0	-	7.0% of Salaries
122	FICA	0	0	-	6.2% of Salaries
125	Medicare	0	0	-	1.45% of Salaries
302	Committee/Board/Judge Services	2,520	960	1,560	P & Z Members (7 X30/mtg X 12) \$2520
308	Professional Fees	0	0	-	Contract with planner
352	Ads & Notices	1,000	155	845	Variance/Zoning Notices
440	Other	5,150	0	5,150	Possible Seminars/Conferences/Meeting Meals/Map Work

**Receipts**

FUND SOURCE	101	2014 BUDGET ENTRY	2014 YTD - Q4	2014 Balance	SPECIFIC COMMENTS
34103	Variance and Conditional Use	1,370	1,075	295	

**V. CONCLUSION**

The year 2014 had P&Z working on a variety of projects and conducting their normal operations. P&Z will continue to work toward the future of Gaylord by beginning the update of the comprehensive plan. P&Z also seeks input from the council on any projects they should be conducting or researching. All this is done to help make Gaylord a bigger and better.

Submitted April 2015:

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Kevin McCann, City Administrator

# National Survey of Community-Based Policy and Environmental Supports for Healthy Eating and Active Living 2014

9

## Community Summary Report: GAYLORD, MN

In 2014, the Centers for Disease Control and Prevention (CDC) conducted the first national study to measure the extent to which communities of different population sizes have implemented policies, standards, and practices that support healthy eating and active living. City managers and planners, or persons with similar responsibilities, responded for their communities via an online survey. Your municipality was one of approximately 2,200 randomly selected municipalities that completed the survey.

This report presents selected results of the survey and shows your community's responses along with aggregate data for communities that are similar to yours in population size.

As you review the findings presented, keep in mind that there are multiple policies and practices that communities can establish to support active living and healthy eating. Whether these are in place in a given community may depend on factors such as community size, available resources, geography, and competing priorities.

Thank you for taking the time to participate in the survey. Your response was important. CDC will use the information you and other communities provided to learn more about the ways communities support active living and healthy eating.

For additional information, please contact:

Dr. Deborah Galuska

Division of Nutrition, Physical Activity, and Obesity

National Center for Chronic Disease Prevention and Health Promotion

Centers for Disease Control and Prevention

Phone: 770-488-6017

Email: [dbg6@cdc.gov](mailto:dbg6@cdc.gov)

**Table 1. Communitywide Planning Efforts for Healthy Eating and Active Living**

Measure	Your Community	Similar Sized Communities <sup>1</sup> % reporting yes Population < 2,500
Local government has a Comprehensive/General Plan	YES	49%
Local government has any of the following plans:		
(a). Land use plan (for new development and growth management)	NO	62%
(b). Transportation plan	NO	26%
(c). Parks and recreation plan	NO	53%
(d). Bicycle or pedestrian plan	YES	32%

<sup>1</sup>Population size based on 2010 Decennial Census data (SF-1 file); communities sampled based on 2007 Census of Governments data—minimum population 1,000; all responding communities included in denominator.

NR = No Response provided

DK = Don't Know

## National Survey of Community-Based Policy and Environmental Supports for Healthy Eating and Active Living 2014

Table 2. Policies and Practices that Support Active Living

Measure	Your Community	Similar Sized Communities <sup>1</sup> % reporting yes Population < 2,500
Local government has a formal Complete Streets policy <sup>2</sup>	NO	16%*
Local government has a joint or shared-use agreement with a school	YES	25%*
Local government has design standards, guidelines, or policies that require:		
(a). Installation of bicycle infrastructure for roadway expansions or when retrofitting streets	DK	13%
(b). Developer-dedicated right of way for bicycle infrastructure development	DK	9%
(c). Traffic calming features	NO	37%
Local government has policies or budget provisions for parks or outdoor recreation areas that include:		
(a). Lighting in parks or outdoor recreation areas	YES	70%
(b). Patrols by police or security	YES	77%
(c). Maintenance of green space and equipment	YES	74%
Local government has a planning/zoning commission with a designated public health representative	NO	6%
Local government has a pedestrian, bicycle, or alternative transportation committee	NO	7%

<sup>1</sup>Population size based on 2010 Decennial Census data (SF-1 file); communities sampled based on 2007 Census of Governments data—minimum population 1,000; all responding communities included in denominator.

<sup>2</sup>A Complete Streets policy, as defined by the National Complete Streets Coalition, is a policy ensuring that transportation planners and engineers consider the needs of all users during the design of major road projects, including bicyclists, pedestrians of all ages and abilities, public transit vehicles and riders, and motorists.

NA = Not Applicable because the community does not have a school in their jurisdiction

NR = No Response provided

DK = Don't Know

\* >15% of communities responded 'don't know' or did not respond to this question

Table 3. Policies and Practices that Support Healthy Eating

Measure	Your Community	Similar Sized Communities <sup>1</sup> % reporting yes Population < 2,500
Local government has written nutrition standards for foods sold or served in local government buildings or worksites	NO	2%
Local government has incentives to encourage supermarkets and other full service grocery stores to open stores	NO	28%
Local government has incentives to help convenience or corner stores sell healthier foods	NO	8%
Local government has a policy that supports dedicated transportation to supermarkets, other full service grocery stores, or farmers' markets for residents without access to public transportation or personal vehicles	NO	6%
Local government considers accessibility to supermarkets or full-service grocery stores in public transportation routes	NA1	9%
Local community has a farmer's market and the local government provides funding for Electronic Benefit Transfer (EBT) or technical assistance using EBT in farmers markets	DK	2%

<sup>1</sup>Population size based on 2010 Decennial Census data (SF-1 file); communities sampled based on 2007 Census of Governments data—minimum population 1,000; all responding communities included in denominator.

NA1 = Not Applicable because the community does not have public transportation

NA2 = Not Applicable because the community does not have a farmers market

NR = No Response provided

DK = Don't Know

**B-3 HIGHWAY COMMERCIAL DISTRICT**

**§ 153.115 PURPOSE.**

The B-3 Highway Commercial District is intended to provide a district allowing for the development of highway oriented businesses and uses which require concentrations of automobile traffic closely related to existing urban areas or major transportation routes. The district is also intended to accommodate those commercial uses which may be incompatible with predominantly retail uses permitted in other business districts and whose service is not confined to any one neighborhood or community.

(Ord. 209.5, passed 12-14-1994)

**§ 153.116 PERMITTED PRINCIPLE USES.**

- (A) Armories, convention halls or exhibition halls;
- (B) Auto sales and service;
- (C) Automobile service stations and repair shops;
- (D) Bowling alleys, billiard and pool halls;
- (E) Car wash;
- (F) Dance hall;
- (G) Drive-in restaurants, drive-in theaters or similar uses that provide goods and services to patrons in automobiles;
- (H) Farm implement sales, repair and storage;
- (I) Marine sales and service;
- (J) Manufactured home sales;
- (K) Monument sales;
- (L) Motels and hotels;
- (M) Nurseries, garden stores and commercial greenhouses;
- (N) Public utility services and structures;
- (O) Recreation equipment sales and service;
- (P) Restaurants;
- (Q) Advertising signs and billboards, as regulated in § 153.202;

- (R) Skating rinks;
- (S) Taverns, clubs;
- (T) Tourist related sales and services;
- (U) Veterinarian animal clinics, excluding outdoor runs; and
- (V) Building materials, storage yards and lumber yards.

(Ord. 209.5, passed 12-14-1994)

**§ 153.117 CONDITIONAL USES.**

- (A) Professional, governmental offices and buildings;
- (B) Planned unit developments, as regulated in §§ 153.195 through 153.205;
- (C) Shopping centers, including retail and service establishments, as a commercial planned unit development only; and
- (D) Other uses as determined by the Planning and Zoning Commission to be of the same general character.

(Ord. 209.5, passed 12-14-1994)

**§ 153.118 PERMITTED ACCESSORY USES.**

- (A) Off-street parking and loading, as regulated by §§ 153.195 through 153.205; and
- (B) Other accessory uses customarily incidental to the uses permitted in §§ 153.116 and 153.117 of this subchapter.

(Ord. 209.5, passed 12-14-1994)

**§ 153.119 HEIGHT, YARD, LOT SIZE AND COVERAGE REGULATIONS.**

- (A) *Height regulations.* No structure shall exceed two stories or 30 feet in height.
- (B) *Yard regulations.*
  - (1) *Front.*
    - (a) Any lot of land abutting a federal, state, county or county state-aid highway, shall include in the front yard setback, a 36-foot wide service road right-of-way dedication to the city.
    - (b) There shall be a front yard setback of not less than 50 feet from the service road right-of-way line.

(c) In areas of infill development, where adjacent structures have front yard setbacks less than those required, the front yard setback shall be the average of the building line of the adjacent structure and the required setback. All efforts shall be made to ensure at least a 36-foot setback.

(2) *Side*. There shall be a minimum side yard setback of not less than 30 feet.

(3) *Rear*. There shall be a rear yard setback of not less than 30 feet.

(C) *Lot size regulations*.

(1) *Lot area*. The minimum lot area shall be the area necessary to meet the required setbacks, parking, loading, buffering and other requirements set forth in this chapter.

(2) *Lot width and depth*. Every lot or tract of land shall have a width of not less than 150 feet abutting a public right-of-way and shall have a depth of not less than 200 feet.

(D) *Lot coverage regulations*. Not more than 35% of the lot shall be covered by buildings.

(Ord. 209.5, passed 12-14-1994)

#### § 153.120 GENERAL REQUIREMENTS.

Additional requirements for signs, parking and other regulations are set forth in §§153.195 through 153.205.

(Ord. 209.5, passed 12-14-1994)

# CHAPTER 111: SALVAGE YARDS AND SALVAGE DEALERS

Section

## *General Provisions; Licensing*

- 111.01 Definitions
- 111.02 License required
- 111.03 Investigation, approval and issuance of salvage yard license
- 111.04 Violation, investigation and action regarding the licensee
- 111.05 Suspension, revocation and reinstatement
- 111.06 Bond required

## *Requirements for Licensing; General Operating Requirements*

- 111.15 Fencing/screening
- 111.16 Entrances
- 111.17 Security
- 111.18 Use of adjacent street
- 111.19 Other

## GENERAL PROVISIONS; LICENSING

### § 111.01 DEFINITIONS.

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

**BUSINESS PREMISES** or **PREMISES**. The area of a salvage yard as described in a salvage yard dealer’s license or application or license as provided for in this chapter.

**PERSON**. Any person, firm, partnership, association, corporation, company or organization of any kind.

**SALVAGE**. Old iron, steel, brass, copper, tin, lead or other base metals; old cordage, old rubber; or any and all other waste or discarded materials which might be prepared to be used again in some form; and any or all of the foregoing; and motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts, including those not currently licensed, parts of motor vehicles, agricultural and/or construction equipment or parts thereof, building materials, or any other articles which from its worn or damaged condition renders it practically useless for the purpose for which it was intended and originally manufactured without substantial repair. **SALVAGE** shall not mean those items which are stored or sold primarily for their antique or collector value.

**SALVAGE DEALER.** Any person, partnership, corporation or other entity keeping, maintaining or operating a salvage yard. For purposes of this chapter, the **SALVAGE DEALER** for other than sole proprietorships, shall be deemed to be any partner, officer, or other person who is directing the operation or authorized to apply for a salvage yard license.

**SALVAGE YARD.** Any building, structure, premise or place, including any yard, lot or place, covered or uncovered, outdoors or in an enclosed building, at, upon, or within which there is kept, stored or piled in any quantity, whether temporarily, irregularly, or continually, salvage as defined in this chapter upon which occurs one or more acts of buying, keeping, dismantling, processing, selling or offering for sale any such salvage, in whole units or by parts, for a business or commercial purpose, whether or not the proceeds from such act or acts are to be used for charity. A **SALVAGE YARD** includes activities where the substantial purpose of the business is to salvage or remove usable parts or components for replacement or resale. **SALVAGE YARD** shall not apply to those businesses or operations which deal primarily in items sold or stored for their antique or collector value.

(Ord. 234, passed 10-4-2000)

#### § 111.02 LICENSE REQUIRED.

It shall be unlawful for any person to keep, maintain or operate a salvage yard without first having obtained a license from the city in accordance with the provisions of this chapter.

(A) *Duration of license.* Each salvage yard dealer's license shall be valid for a period of one year commencing on the date of acceptance of the license application by the Council. The license shall not be sold, transferred, exchanged, bartered, given or traded without the express written approval of the City Council.

(B) *Fees.* Fees for the salvage yard license shall be as determined by resolution by the City Council and set on an annual basis in January.

(C) *License application.* An applicant for a license under this chapter shall file an application with the City Administrator, who shall inform the City Council that the application has been made. The application shall be signed by the individual making application, his or her title, by all partners, if a partnership, and by the president or chief officer of a corporation or other type of organization. The application shall include the following information:

(1) The trade name and registered address of the salvage yard on behalf of which application is being made, and its telephone number;

(2) The name, residence address and telephone number of each individual, owner, partner or, if a corporation, or limited liability company, or other organization the name, residence address and telephone number of each officer and director; member or shareholder;

(3) Exact address or location of the place where the business is or is proposed to be carried on, legal description, plus a sketch of the actual premises to be used in connection with the business, giving distances in feet and showing adjoining roads, property lines, location of buildings and uses. The sketch should also show all proposed or anticipated roads, buildings, excavations and any and all other planned or anticipated changes to the site;

(4) All other licenses or permits which have been applied for, or granted for this same parcel by any and all other governing bodies; and all anticipated uses for the parcel;

(5) All applicable fees for the license; and

(6) Such other information as the City Council shall find reasonably necessary to effectuate the purposes of this chapter and to arrive at a fair determination of whether the terms of this chapter have been complied with.

(Ord. 234, passed 10-4-2000) Penalty, see § 10.99

### § 111.03 INVESTIGATION, APPROVAL AND ISSUANCE OF SALVAGE YARD LICENSE.

#### (A) *Investigation.*

(1) *Planning and Zoning Commission.* Upon receipt of an application for a salvage yard operation, the City Administrator shall immediately furnish copies of the application to members of the Planning and Zoning Commission with all federal, state and local regulations, rules and laws. The proposed or existing premises shall be examined by the Commission for compliance with all local rules, regulations and chapters. The Planning and Zoning Commission shall file a written report with the City Council before the next regularly scheduled City Council meeting or as soon thereafter as practicable.

(2) *Police Department.* Upon receipt of an application for a salvage operation, the City Administrator shall immediately furnish copies of the application to the Police Department. The Police Department shall investigate the criminal history and background of the applicant(s). The Chief of Police shall file a written report with the City Council before the next regularly scheduled City Council meeting or as soon thereafter as practicable.

(3) *Fire Department.* Upon receipt of an application for a salvage operation, the City Administrator shall immediately furnish copies of the application to the Fire Department. The Fire Department in conjunction with the state's Fire Marshal, shall investigate the existing or proposed site and determine whether the site conforms to the requirements of this chapter and all applicable fire-prevention laws. The Fire Chief shall file a written report with the City Council before the next regularly scheduled City Council meeting or as soon thereafter as practicable.

(4) *City Health Officer.* Upon receipt of an application for a salvage operation, the City Administrator shall immediately furnish copies of the application to the City Health Officer. The Health Officer shall investigate the existing or proposed site and determine whether the site conforms to the requirements of this chapter and all applicable health laws. The Health Officer shall file a written report with the City Council before the next regular City Council meeting or as soon thereafter as practicable.

#### (B) *Approval.*

(1) If any of the findings of the Planning and Zoning Commission, Police Department, Fire Department or City Health Officer are unfavorable to the applicant(s), the City Administrator shall within ten days after the receipt of the reports notify the applicant that his or her application received an unfavorable report. Upon request, the City Administrator shall furnish the applicant

with a brief written statement of the grounds upon which the application was disapproved. The applicant shall be given an opportunity to correct or cure the deficiencies noted in the report and may request that the application be re-examined.

(2) If the findings of the Planning and Zoning Commission, Police Department, Fire Department or City Health Officer are favorable to the applicant(s), the City Administrator shall schedule the matter of the issuance of the license for City Council review at its next regularly scheduled meeting or as soon thereafter as practicable.

(3) If, upon review, the City Council determines that all requirements have been met, it may issue the license, provided that the City Council reserves the right to hold a public hearing on the issuance of the license.

(C) *Issuance.* The license as issued shall bear the following language on its face: "Important: This license applies only to the premises indicated herein and authorizes the licensee to operate a salvage yard in a lawful place and manner only; it is not a substitute for any certificate of occupancy, building permit or other certificate or permit that may be required by law and it does not relieve the licensee of the responsibility to have all such required permits or certificates at all times and comply with all laws affecting the above described business."

(D) *Inspections.* The Planning and Zoning Commission shall inspect all salvage yards in the city at least once a year to determine whether the yards are being operated in accordance with the provisions and other applicable provisions of law.

(Ord. 234, passed 10-4-2000)

#### **§ 111.04 VIOLATION, INVESTIGATION AND ACTION REGARDING THE LICENSEE.**

(A) *Violation and investigation.* Upon information and belief or complaint of a citizen of an alleged violation of this chapter, the Planning and Zoning Commission shall investigate the alleged violation within 48 hours of the complaint. The Planning and Zoning Commission shall also notify in writing the licensee within 48 hours of the making of the complaint. In a meeting which shall be held in accordance with the Minnesota Open Meetings Law, being M.S. Chapter 13D, the Commission shall reach a determination of the validity of the complaint within 24 hours after investigating the complaint. The Commission shall make a finding of either no action to be taken or action to be taken.

(B) *Action.*

(1) *No action to be taken.* If the Planning and Zoning Commission determines that no violation exists, it shall notify the licensee in writing of its investigation and inform the licensee that no action will be taken upon the alleged violation.

(2) *Action to be taken, time to cure.* If the Planning and Zoning Commission determines that a violation exists, it shall notify the licensee in writing of such violation within 24 hours of its decision. The notice shall enumerate the specific nature given and shall be at the discretion of the Commission.

(3) *Failure to cure violation, prosecution for repeated violation.*

(a) If the licensee fails to cure the violation, the Planning and Zoning Commission shall report the violation to the City Attorney for prosecution as a misdemeanor as provided by Minnesota law.

(b) The City Attorney shall furnish such assistance and advice to the Planning and Zoning Commission as requested. If the licensee cures the violation while the prosecution is pending, the prosecution shall be conditionally dismissed.

(c) However, if three violations are reported to the City Attorney within any consecutive 12-month period, prosecution shall have the option to proceed on all three violations regardless of whether any such violations have been since cured.

(Ord. 234, passed 10-4-2000)

### § 111.05 SUSPENSION, REVOCATION AND REINSTATEMENT.

(A) *Circumstances warranting action against license.* Upon information or belief or when the City Council determines that public interest so requires, it shall suspend or revoke the license of any salvage yard when it finds, after due investigation that:

- (1) The salvage yard's operator is not capable of operating the licensed business or carrying on the licensed activity in a manner consistent with public health, safety or public interest;
- (2) The salvage yard operator has failed to comply with the provisions of this chapter or any provision of law applicable to the premises, equipment, or operation of the licensed business;
- (3) The licensee has obtained his or her license through any fraud or misrepresentation;
- (4) The licensed business or activity is being conducted in a manner detrimental to health, safety or general welfare of the public, or is a nuisance, or is being operated or carried on in any unlawful manner; or
- (5) The licensed business or activity is no longer being operated or carried on.

(B) *Suspension.* The license to operate a salvage yard may be suspended upon a City Council finding of a violation of any part of this chapter. The City Council shall conduct a hearing upon the suspension and give appropriate notice to all parties directly interested in the action under consideration. At such hearing, the Council shall determine whether the suspension of the license is in accordance with the provisions of this chapter and shall issue written findings of fact, conclusions of law and an order to carry out its findings and conclusions. These findings of fact and conclusions of law shall become part of the public record of the hearing. The length of suspension shall be no less than 30 days. The licensee shall not accept any new material into the salvage yard during the period of license suspension. The city reserves the right to cure a violation which in its judgement is determined to be detrimental to the health, safety or general welfare of the public or is a nuisance. The city shall assess the cost of the action to the licensee.

(C) *Revocation.* The license to operate a salvage yard shall be revoked by the City Council upon a Council finding of violation. At its discretion, the City Council may conduct a public hearing upon the revocation of the salvage yard license, in accordance with existing city policy.

(D) *Reinstatement.* Upon revocation of the license to operate a salvage yard, the license holder may request in writing that the license be reinstated. The request shall within 24 hours be forwarded to the Planning and Zoning Commission for investigation. A reinstatement fee shall accompany the request for reinstatement, which is treble the licensing fee. The Planning and Zoning Commission, Police Department, Fire Department and Health Officer shall conduct an investigation as outlined in this chapter and report its findings to the City Council before the next regularly scheduled meeting or as soon thereafter as possible. The City Council shall conduct a hearing on reinstatement of the license and give appropriate notice to all parties directly interested in the action under consideration.

(Ord. 234, passed 10-4-2000)

#### § 111.06 BOND REQUIRED.

No license for the operation of any salvage yard or similar entity shall be issued within the limits of the city unless the application for such license provides a bond in the sum of at least \$250,000 (and such additional amount as set by the City Council in its discretion) in favor of the city. The conditions of which shall include the following:

- (A) Compliance with all city ordinances and applicable state and federal laws and regulations;
- (B) Payment of any and all amounts deemed to be due to the city or any person or entity doing business with the licensee within the city; and
- (C) Payment of any and all assessments, fines, penalties or other amounts determined to be due and owing by the licensee to any of the city, the state or any subdivision thereof.

(Ord. 234, passed 10-4-2000)

### REQUIREMENTS FOR LICENSING; GENERAL OPERATING REQUIREMENTS

#### § 111.15 FENCING/SCREENING.

The salvage yard operation shall be screened by either a fence or vegetative screening which shall have the purpose of creating a visual buffer which is intended to effectively conceal the salvage yard operation subject to the following.

- (A) *Screening.* Screening shall be placed which is intended to conceal the salvage yard operation from the direct view, at ground level, of residential dwellings that are within 100 feet of the salvage yard.
- (B) *Fencing.* Fencing shall be of a material which effectively impedes sight of the salvage yard operation. The top of the fence shall be no less than six feet high from the ground and no higher than ten feet from the ground. The bottom of the fence shall be no more than 12 inches above the ground. Salvage yard items shall not extend past the plane of the fence. Items shall not be stacked higher than the top of the fence.
- (C) *Vegetative screening.* At the option of the salvage yard licensee, vegetative screening may be used either exclusively or be intermixed with approved fencing. If the licensee chooses to utilize vegetative screening, the licensee must obtain a permit from the Planning and Zoning

Commission. To obtain a permit, the licensee shall file a plan which shall detail the location, size and type of vegetative screening which is planned and provide the Planning and Zoning Commission any other information it may request.

(D) *Materials to be screened.* All materials of the salvage yard must be screened, excluding those items which may be visible at the fence bottom or through the entrance.

(Ord. 234, passed 10-4-2000) Penalty, see § 10.99

#### § 111.16 ENTRANCES.

The salvage operation shall have no more than two access/egress points. Each entrance shall be no more than 40 feet wide.

(Ord. 234, passed 10-4-2000) Penalty, see § 10.99

#### § 111.17 SECURITY.

The salvage yard operator shall be responsible for providing security for its operation. This responsibility shall include taking measures to prevent the dropping off of items not approved by the operator and taking measures to prevent unwanted visitors from entering the operation.

(Ord. 234, passed 10-4-2000) Penalty, see § 10.99

#### § 111.18 USE OF ADJACENT STREET.

Streets adjacent to the salvage yard operation may be used for ingress and egress to the salvage yard and for parking, loading and unloading which would block traffic on the street for in excess of more than 30 minutes. The salvage yard operator/licensee shall have the responsibility for removal of all debris from the roadway and adjacent boulevard within 30 minutes following any loading or unloading.

(Ord. 234, passed 10-4-2000)

#### § 111.19 OTHER.

In all other respects the salvage yard must be maintained in a reasonable condition and in compliance with all applicable laws and regulations.

(Ord. 234, passed 10-4-2000)

# Zoning Ordinance

## § 153.019 NON-CONFORMING USES.

(G) No **junk** yard may continue as a non-conforming use after June 3, 1982, except that a **junk** yard may continue as a non-conforming use in a commercial or industrial district if, within that period, it is completely enclosed within a building or within a continuous solid fence of not greater than eight feet in height or other approved screening which screens completely the operation of the **junk** yard. Approval of the fence or screen design shall be obtained from the Planning and Zoning Commission.