



**CITY OF NEWPORT
REGULAR COUNCIL MEETING
NEWPORT CITY HALL
APRIL 17, 2014 – 5:30 P.M.**

MAYOR:	Tim Geraghty	City Administrator:	Deb Hill
COUNCIL:	Tom Ingemann	Supt. of Public Works:	Bruce Hanson
	Bill Sumner	Chief of Police:	Curt Montgomery
	Tracy Rahm	Fire Chief:	Mark Mailand
	Steven Gallagher	Executive Analyst:	Renee Helm

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.
 - A. Minutes of the April 3, 2014 Regular City Council Meeting
 - B. Minutes of the April 3, 2014 City Council Workshop Meeting
 - C. List of Bills in the Amount of \$236,563.66
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
 - A. **Ordinance No. 2014-5** - Approving a Zoning Amendment to Section 1330 General District Regulations, Section 1350 Non-Residential Districts, and Section 1370.09 River Redevelopment Overlay District and Amending the Zoning Map
 - B. Application from David Sullivan for Approval of a Rezoning and Conditional Use Permit for Property Located on 7th Avenue between 3rd and 6th Streets
 1. **Resolution No. 2014-12** - Approving a Rezoning from B-1 to B-2
 2. **Resolution No. 2014-13** - Approving a Conditional Use Permit for a Vehicle Storage Lot Use/Automobile Repossession Business Use
 - C. **Resolution No. 2014-14** - Approving Participation in the Performance Measurement Program Established by the State of MN and the Council on Local Results and Innovation
 - D. Discussion Regarding Pioneer Day Expenditures

Agenda for 04-17-14

10. ATTORNEY'S REPORT

- A. Prosecution Report

11. POLICE CHIEF'S REPORT

- A. March 2014 Activity Report

12. FIRE CHIEF'S REPORT

13. ENGINEER'S REPORT

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

- A. Agreement Between the City of Newport and Cottage Grove to Obtain Street Maintenance and Repair Services

15. NEW / OLD BUSINESS

16. ADJOURNMENT

Upcoming Meetings and Events:

- | | | |
|--------------------------------|----------------|-----------|
| 1. Park Board Meeting | April 24, 2014 | 7:00 p.m. |
| 2. City Council Meeting | May 1, 2014 | 5:30 p.m. |
| 3. Planning Commission Meeting | May 8, 2014 | 6:00 p.m. |
| 4. City Council Meeting | May 15, 2014 | 5:30 p.m. |



**City of Newport
City Council Minutes
April 3, 2014**

1. CALL TO ORDER

Mayor Geraghty called the meeting to order at 5:30 P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL -

Council Present – Tim Geraghty; Tom Ingemann; Bill Sumner; Tracy Rahm; Steven Gallagher

Council Absent –

Staff Present – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney; John Stewart, City Engineer;

Staff Absent –

4. ADOPT AGENDA

Mayor Geraghty - Where would you like to put Resolution No. 2014-11?

Councilman Gallagher - We can add it to the Consent Agenda.

Admin. Hill - I will be removing item 9.A from my report as well.

Motion by Geraghty, seconded by Rahm, to adopt the Agenda as amended. With 5 Ayes, 0 Nays, the motion carried.

5. ADOPT CONSENT AGENDA

Motion by Gallagher, seconded by Ingemann, to approve the Consent Agenda as amended which includes the following items:

- A. Minutes of the March 20, 2014 Regular City Council Meeting
- B. List of Bills in the Amount of \$335,269.26
- C. **Resolution No. 2014-10** - Accepting Donations for the Period of December 13, 2013 - March 31, 2014
- D. Publication of Ordinance No. 2014-1
- E. **Resolution No. 2014-11** - Supporting the Findings of the Red Rock Corridor Alternatives Analysis Update (AAU) Study

With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

7. MAYOR'S REPORT –

Mayor Geraghty - Deb and I attended the Chamber Breakfast on Tuesday. They had a representative from the

Federal Reserve, an economist, speak. It looks like everything is good for 2014 in his opinion. The other item I wanted to talk about which was put in the newspaper was Deb's performance evaluation that was done at the March 6 workshop during a closed session. I wasn't at the actual workshop but I'll summarize what I think happened. We talked about Deb's performance, her strengths and weaknesses. Overall, I think it was satisfactory. It wasn't mentioned at the last meeting because of an oversight.

8. COUNCIL REPORTS –

Councilman Gallagher - I had a Red Rock meeting and we talked about Resolution No. 2014-11. The construction is on track.

Councilman Sumner - I'll remind people about the Stone Soup fundraiser on May 17th. There are multiple times available for bowling. It's a fun event. There will be plenty of food and people. You can get in touch with me for more information.

Councilman Ingemann - Nothing to report.

Councilman Rahm - Nothing to report.

9. ADMINISTRATOR'S REPORT –

A. Discussion Regarding Investment CD

This item was removed from the agenda.

B. Discussion Regarding Hiring a Full-Time Police Officer

Admin. Hill - At our last meeting, there was discussion about hiring a police officer right away. It's my recommendation that we postpone this discussion until we start the budget process in July or August. The main reason is that we'll be doing this large street project and don't know what the tax impact will be. At first blush, our bonding was going to be \$2.7 million but we've added some areas and now it's \$3.6 million. Stacie Kvilvang from Ehlers has not run the numbers to see exactly how we can structure it to lessen the blow but it will be a levy increase. I would really think we should wait to see where we're at at that point with the budget.

Mayor Geraghty - I would also agree with Deb's thinking. We've barely completed the first quarter of our fiscal year and other than taking it out of surplus funds we have no other options. That wouldn't fund it long-term either.

Admin. Hill - We do have two union negotiations this year and don't know what our impact will be on that. Our bonding for the streets is large and the projects for next year will be added to that.

Councilman Rahm - Have we started negotiations yet?

Admin. Hill - No.

Councilman Ingemann - We're sitting with 7 and the FBI recommended ration is 2.7, which says we should have 9. We had 8. If we were to take the CSO or whatever you're paying him and bring in a full-time police officer, the cost difference, because you're already budgeted for the CSO, will not be that much, let's say another \$60,000 with benefits. By the time everything gets going it'll be June so we're looking at half a year. We'll have to bite the bullet and put it in the budget. These guys are overworked.

Mayor Geraghty - Is that everyone's opinion?

Councilman Gallagher - I don't know if they'll respond.

Mayor Geraghty - That's not what I took out of the memo that Deb gave us.

Admin. Hill - That's not the impression I got from the Officers I spoke with.

Mayor Geraghty - We set a budget for 2014, we should have had the discussion last August or September.

Councilman Ingemann - We did bring it up.

Mayor Geraghty - It didn't pass.

Councilman Ingemann - No, you blew it off.

Mayor Geraghty - I constantly hear that people don't want to raise taxes. Mr. Flood, I get constantly criticized for it.

Councilman Gallagher - Dan is in favor of this.

Mayor Geraghty - Then he speaks from both ends because he said he wasn't going to support me because I raise taxes. He'll fund money to buy out houses and now he'll fund an officer, we're talking \$80,000 to \$100,000. Next September, if you decide to run, will you campaign on that theme that you want to raise taxes \$100,000?

Councilman Gallagher - Yes, I'm in support of this.

Mayor Geraghty - And you're talking about a police officer, not code enforcement?

Councilman Ingemann - Yes.

Mayor Geraghty - Who will do code enforcement?

Councilman Ingemann - The Officers.

Mayor Geraghty - They don't want to.

Councilman Rahm - I thought the Chief said he would designate one officer to do code enforcement. My concern is that it's a hasty decision.

Councilman Ingemann - I don't think it's hasty. We talked about it last year and they blew it off and said bring it up again so we are.

Mayor Geraghty - You want to buy a City Hall too.

Councilman Ingemann - I never said that.

Mayor Geraghty - You said we blew that off too. Do you want to put out another \$150,000 a year for a new City Hall?

Councilman Ingemann - Sure we have money.

Mayor Geraghty - We do have money but it was set aside in the event that LGA would go away. We're in good times now but it won't be that way all the time. That's why we have the rating we do have.

Councilman Ingemann - Per 1,000 population, we have a higher crime rate than Minneapolis. What do you think about that?

Mayor Geraghty - What kind of crimes?

Councilman Ingemann - It doesn't make any difference.

Mayor Geraghty - It sure does.

Councilman Gallagher - They all needed police response. Chief do you want to say anything?

Chief Montgomery - The budget is in your hands.

Mayor Geraghty - Maybe we should look at other alternatives too.

Councilman Ingemann - What's that?

Mayor Geraghty - Merging or County participation, there are other options.

Councilman Rahm - I would like to see the data on the rates per population. The Chief has also given us calls per officer and said it's higher for the area. Longer-term though, I'm not against an officer, I think we need to look at how we'll fit it in the budget and the priorities and how much we want to raise or keep taxes. I don't know if I want to make a hasty decision right now, I think it should be done during a budgeting situation. If we blew it off last year, I don't remember that.

Mayor Geraghty - We didn't blow it off, we made a decision not to.

Councilman Rahm - I'd rather have some more facts about the crime rate, loading, and cost and I don't have that in front of me to make a good decision.

Mayor Geraghty - As far as calls, I don't know if we're comparing apples to apples.

Councilman Ingemann - It all requires a response.

Mayor Geraghty - Does every other city log every call or incident?

Councilman Ingemann - Yes.

Chief Montgomery - They use the same dispatcher.

Councilman Rahm - When we look at costs, I want to make sure we're looking at all of the costs such as uniforms, equipment, benefits, etc. and right now I don't see that information in front of me.

Councilman Gallagher - Did we ask for that information?

Councilman Ingemann - Yes.

Mayor Geraghty - She has some numbers in her memo.

Councilman Rahm - Does that include equipment cost?

Admin. Hill - That's just salary and benefits. There's uniforms, ammo and other items. We don't factor in squad cars.

Councilman Gallagher - You did put a squad car in there.

Councilman Rahm - We have another budget that we put money in for those type of replacements.

Councilman Gallagher - We have the money.

Mayor Geraghty - Not on a long-term basis. You have to budget it in going forward otherwise we'll deplete every dollar we have.

Councilman Gallagher - There's reserve built up and there's no indication that LGA will decrease in the next four years.

Mayor Geraghty - We don't know that and I'm not in favor of taking it out of the EDA fund. If you want to go out and campaign that you want to build a City Hall and raise taxes \$250,000 maybe we'll be number one in the State tax-wise.

Councilman Gallagher - I don't have to campaign now, I'm sitting on the Council.

Mayor Geraghty - Why is it being brought up now then? Let's do it in August or September, right before the election, to talk about it.

Motion by Gallagher, seconded by Ingemann to hire a Full-Time Police Officer. With 2 Ayes, Geraghty, Sumner and Rahm voting Nay, the motion failed.

Councilman Sumner - Bring it up with the budget.

Councilman Ingemann - Put this on the agenda for the first meeting in July please.

10. ATTORNEY'S REPORT – Nothing to report

11. POLICE CHIEF'S REPORT – Nothing to report

12. FIRE CHIEF'S REPORT – Nothing to report

13. ENGINEER'S REPORT –

A. Fats, Oils, and Grease Ordinance

Grant Brekke of Brekke Sale Corporation presented on grease interceptors as attached.

Councilman Gallagher - John, does the State Plumbing Code say that you have to have a grease interceptor? I'm reading the Code and don't see that anywhere. It's city ordinances, not the State Code.

Engineer Stewart - Correct. What we're going to do here is coming up with an ordinance that says if you discharge grease in excess of 100 parts per million then you need to worry about a grease interceptor. If you don't do that, you don't need to worry about it. When we're dealing with a fast food restaurant that does a lot of cooking and washing, then it's required. When we deal with churches and all they're doing is bringing in food that's already been cooked then we don't need to worry about it, unless they do it all the time. Tinucci's had a backup this year and I went out and took a look at the sewer tapes and met with them and toured the shop and it was clean. You would never know that they have a grease problem that built up over a year because they did such a good job of containing it. Gus, you do have that one sink in the back that I think you would want an interceptor on.

Gus Tinucci - There was a thing on T.V. a week ago and someone said that we're pouring grease down the drain. We're not doing that and no one in our industry does that because it would clog our lines before it clogs the City's

Engineer Stewart - I would agree with that, there's no evidence of that at all, but when we got to your outlet pipe it was down to 2 inches. That fat and oil was coming from somewhere. If you had one of these interceptors, that wouldn't happen.

Mr. Tinucci - Are you saying that if we put an interceptor on we won't need to have our lines backwashed anymore?

Engineer Stewart - I would say that this would diminish the need but you won't be able to get away from it all together. You're putting it on the three-compartment sink?

Mr. Tinucci - Yes, that's where we need to put it correct?

Engineer Stewart - You can put it on any sink but I think you would want to put it where the most concentration is. You'll get most of your fat, oil and grease with an interceptor.

Mr. Tinucci - Last year, we recycled 25,000 pounds of grease with Sanimax. I agree the interceptor will help.

Engineer Stewart - This ordinance did arise from an incident at Tinucci's. The restaurant was clean and you wouldn't think a problem existed but when you televised the sewer pipe there was 2 inches out of 6 inches left.

Mr. Tinucci - We've had it cleaned every six months since 2006 and we would call Chuck Johnson to have him backwash it and we never had a problem but no one came and backwashed this last time and then we have a problem. Who's fault is that? It didn't get pushed down the line far enough because we're at a dead end.

Engineer Stewart - The bowling alley runs through your system too. We have a State Code that says they can be required to put on a grease trap. The ordinance before you says that you don't need one if you don't go over 100 parts per million. We've been televising the restaurants in town to determine which ones have grease and which ones don't. What we'd like to do is have you consider this ordinance that requires the restaurant owner to prove that they don't need one. If they do, it would require up to monthly pumping. I would suggest that most of the places will be pumping quarterly. It's something that we do have a need for. Our main lift station has about a foot of grease on the walls. We don't have to treat it but it is an issue. We would like to get to the point where the City can require a restaurant to put on an interceptor. We're not talking about septic tanks, we're talking about something smaller.

Councilman Ingemann - Who determines 100 parts per million and at what point?

Engineer Stewart - What we're going to do is look at the televising tapes and if there's evidence of grease, we'll do some more investigation. If the pipe is pretty clean we'll walk away from it. The 100 parts per million is if we get into an argument. We would require the owner of the restaurant to take a sample and show us it isn't 100. We're not looking to create trouble.

Councilman Rahm - Do our surrounding communities require these?

Engineer Stewart - I'm not sure about St. Paul Park but Cottage Grove and Woodbury do.

Superintendent Hanson - Like John said, we're going to restaurants to televise and if there's no issue then we'll walk away but if there's an issue we'll talk with them.

Mr. Tinucci - They were at our restaurant the other day and said there was no issue. I think we're at a disadvantage because we're at the end of the line. Brian has water flowing by him constantly so it can't build up at his place. How many houses have garbage disposals for the main lift station, that ends up there too.

Superintendent Hanson - We know we have an issue at your place because you have to clean it every six months.

Mayor Geraghty - Are you suggesting that we take out the monthly on item 6?

Engineer Stewart - No, I'm suggesting we leave it in, it says quarterly later on. I don't know if we'll have to make people pump monthly unless they're bad actors.

Brian North - Who pays for the pumping?

Engineer Stewart - You do.

Mr. North - So we have to pay for the installation and quarterly pumping?

Engineer Stewart - Yes.

Mr. Tinucci - Who pays for the inspector?

Engineer Stewart - We'll ask you to give us a copy of your pumping invoice and if there's a problem we'll come and inspect.

Councilman Sumner - How do they pull the grease off?

Engineer Stewart - They suck everything out of the tank.

Councilman Sumner - But the grease will stay on the edge.

Engineer Stewart - I have seen them flush it out too.

Councilman Sumner - What's a typical cost?

Mr. Brekke - I've heard \$0.25 per gallon so about \$50.

Councilman Sumner - Can these be installed in the basement?

Engineer Stewart - No. For Tinucci's, they thought about putting it underneath their sink. We're not talking about digging big holes.

Mr. North - Are you acting on this tonight?

Mayor Geraghty - If you think it's user-friendly enough.

Engineer Stewart - Have you had a chance to look at it yet?

Mr. North - No.

Engineer Stewart - Why don't we give them a chance to look at it.

Mayor Geraghty - I think the fundamental thing is that you put in a grease trap and it's not a high cost.

Councilman Gallagher - You can get out of this too if you don't have grease?

Superintendent Hanson - Yes. If we don't see any grease on the tapes it's not an issue.

Mr. Tinucci - We have a national chain in town and they are on a main line and run more grease than anyone.

Superintendent Hanson - I look at their line not the main line, that makes no difference.

Councilman Sumner - How many restaurants do we have in town?

Superintendent Hanson - We're doing 10 facilities and have looked at 3 so far.

Councilman Sumner - Let's table it until we get all of the information.

Superintendent Hanson - It's still an issue if they're putting grease down the line/

Councilman Ingemann - A month won't make a difference will it?

Engineer Stewart - No.

Councilman Rahm - This is not unusual for other cities that are looking at these things too.

Engineer Stewart - Right.

Councilman Gallagher - Regardless of how the televising goes, we're still going to look at this ordinance. I don't think it matters how the televising goes, we would still have to pass something like this.

Mayor Geraghty - Is new construction addressed in here?

Engineer Stewart - Yes. There's no pressing issue to do it tonight.

Mayor Geraghty - I know you don't want to do it but it doesn't seem like it'll cost as much as we had originally thought.

Councilman Rahm - How do we measure the 100 parts per million?

Engineer Stewart - We would put in a sewer sampler for 24 hours and takes some sewage every 15 minutes. We would test it from that and it would tell us if it's over 100 parts per million.

Councilman Rahm - As a restaurant owner, wouldn't I want you to prove that I need it?

Engineer Stewart - I would make you pay for it though and prove that you don't.

Councilman Sumner - We can exempt a restaurant by looking at the televising?

Engineer Stewart - Yes, if there's no grease in the sewer we won't require them to put one in.

Mayor Geraghty - Does this apply to residential properties too?

Engineer Stewart - If they are producing more than 100 parts per million then yes.

Motion by Geraghty, seconded by Sumner, to table Ordinance No. 2014-4 until May 1, 2014. With 5 Ayes, 0 Nays, the motion carried.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT – Nothing to report.

15. NEW/OLD BUSINESS

Admin. Hill - There is a memo from the Washington County HRA for a bus tour for them to present some marketing efforts and to visit some housing developments. This would be Wednesday, April 30 from 4 to 8. I'll send an email out next week.

Councilman Gallagher - Make sure you notice this on the website.

Executive Analyst Helm - Of course.

Councilman Gallagher - Can you also put something on our website about the Stone Soup Fundraiser?

Executive Analyst Helm - Typically, I get something from them but I haven't yet.

16. ADJOURNMENT

Motion by Geraghty, seconded by Rahm, to adjourn the regular Council Meeting at 6:48 P.M. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst

Grease Interceptors

FOG (fats, oils and grease)

Presented To

City of Newport

4-3-2014

By Grant Brekke

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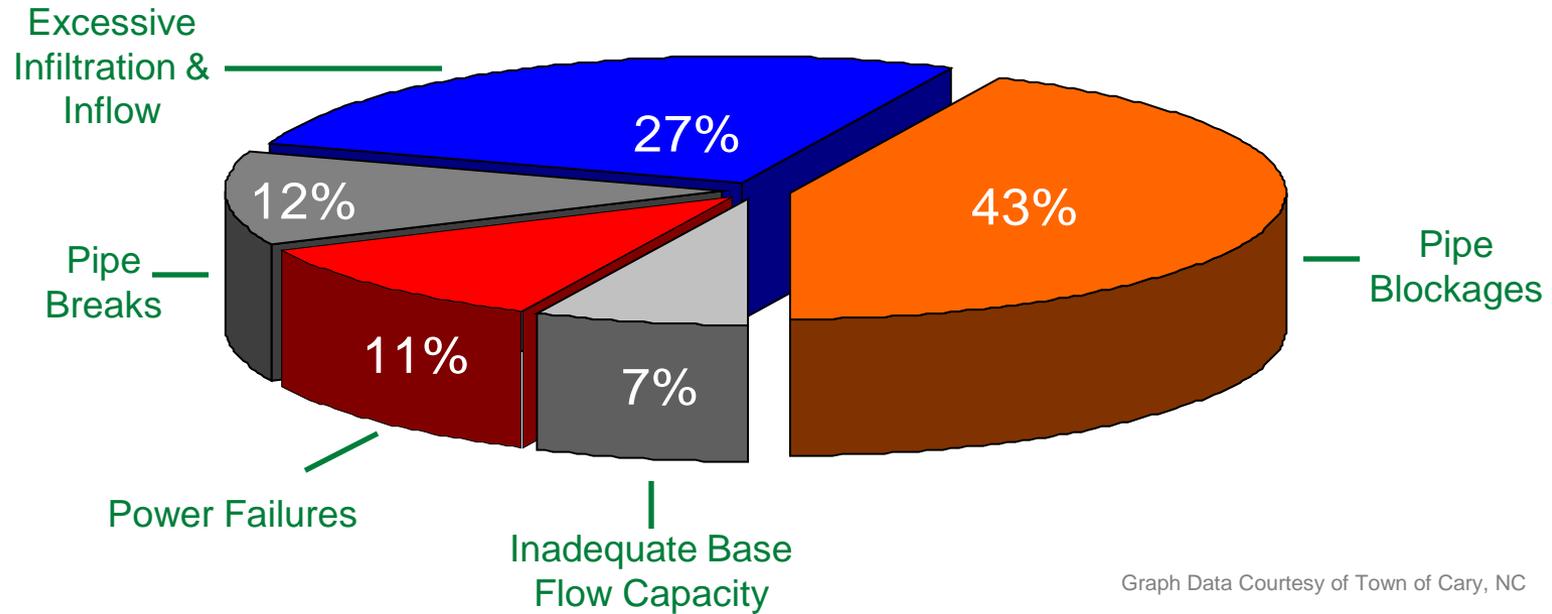
- I. Why is grease pre-treatment so important?
- II. What are the local and national standards for grease interceptors?
- III. Types of GI's.
- IV. How do grease interceptors work?
- V. Available materials for grease interceptors.



Why is grease pre-treatment so important?

- A. Clogs municipal sewer lines and causes Sanitary sewer overflows.
- B. FOG is not digestible by treatment plants
- C. FOG-laden waste hurts the environment
- D. Codes require treatment and containment.

Causes of Sanitary Sewer Overflows



Graph Data Courtesy of Town of Cary, NC

Quick Take FOG blockages are the primary cause in 40% to 50% of pipe blockages (Southerland, 2002).



- **What is FOG?** FOG refers to Fats, Oil, and Grease from food preparation, food services and kitchen clean up. It is generated in most types of restaurants and food service establishment kitchens.

- **Why is FOG a problem?** When poured down the drain, FOG can build up in pipes, pumps, and equipment, causing significant problems in the community's sewer system and wastewater treatment plants. Typical problems include sewer line blockages that can lead to sewer overflows and spills that cause environmental and health hazards, odors, property damage, and loss of customers.



Clogs municipal sewer lines



Accumulated grease deposits in sanitary sewer main.



Sanitary Sewer Overflow (SSO)

Quick Take

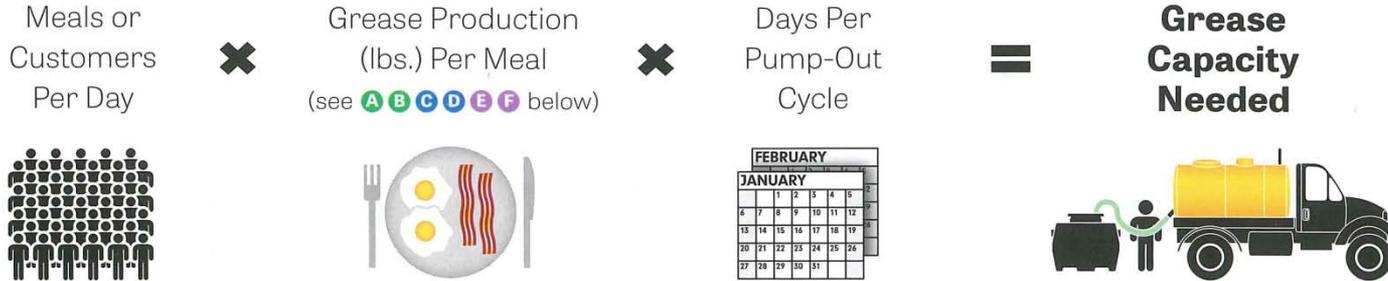
FOG greatly reduces the capacity (shrinking I.D.) of sewer lines, and clogs lift stations.



How much grease can be produced?

Step 2 of 2: calculate grease capacity

After sizing for flow rate, calculate the grease capacity needed per the formula below. Recommended interceptor should have adequate grease storage capacity to support desired pump-out frequency.



- Examples:
- Pizza 200 meals per day, times .0325 = 6.5 lbs of grease per day. Times 30 days = 195 lbs per month. 585 lbs per qtr.
- Burger or chicken fast food 300 meals per day, times .034 = 10.5 lbs per day, times 30 days = 315 lbs per month. 409 lbs with flatware. 1227 lbs per qtr.

Low Grease Production⁵

- A No Flatware:** 0.005 lbs./meal
- B With Flatware:** 0.0065 lbs./meal



Examples: Sandwich Shop, Convenience Store, Fresh, Bar, Sushi Bar, Delicatessen, Snack Bar, Frozen Yogurt, Hotel Breakfast Bar, Residential

Medium Grease Production⁵

- C No Flatware:** 0.025 lbs./meal
- D With Flatware:** 0.0325 lbs./meal



Examples: Coffee House, Pizza, Grocery Store (no fryer), Ice Cream Parlor, Cafeteria (no food prep), Japanese, Fast Food, Drive-In, Greek, Indian, Low Grease Output FSE (w/fryer)

High Grease Production⁵

- E No Flatware:** 0.035 lbs./meal
- F With Flatware:** 0.0455 lbs./meal



Examples: Cafeteria, Family Restaurant, Italian, Steak House, Bakery/Donut Shop, Chinese, Buffet, Mexican, Seafood, Fried Chicken, Grocery Store (w/fryer), Barbecue



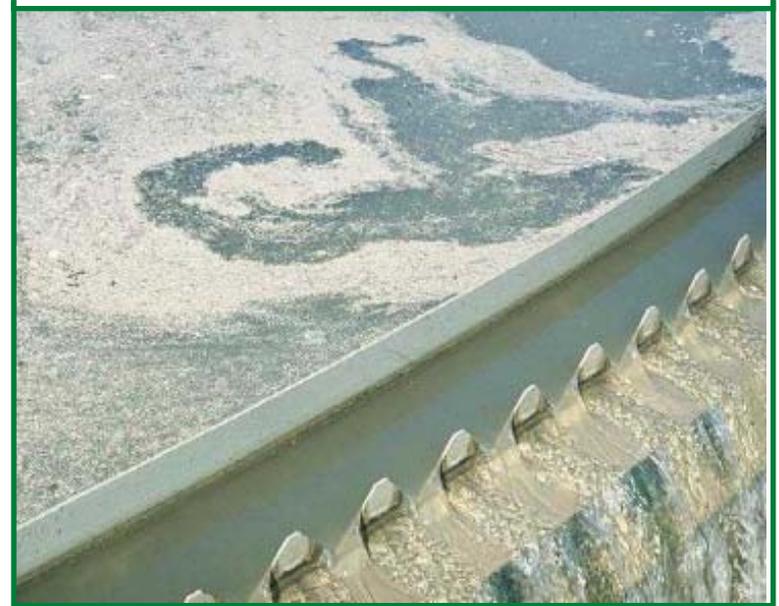
Why Do We Need Grease Interceptors

FOG is not digestible by treatment plants

Clean water exiting treatment facility



FOG Laden water exiting treatment facility



Quick Take

Treatment Plants cannot adequately process FOG-laden water



Hard on the environment



1 FOG-laden water exits to rivers from treatment plants.

2 Increased nutrients stimulate and accelerate algae growth (bloom)



3 Algae increase causes small fish population to likewise increase



• Increase in fish numbers contributes to *Phisteria* outbreaks: causes fish kills

4 • Death of algae and its decomposition causes oxygen levels to decrease: causes fish kills



Quick Take FOG - laden water bad for river/lake health



What are the local and national standards for grease interceptors?

- A. Flow Rate Based Grease Interceptor Standards
- B. Volume Based Grease Interceptor Standards

Grease Interceptor Standards: Hydromechanical

- There are three “performance-based” national standards for grease interceptors 100 GPM and below.

Standards Comparison	Standard Name	Recognized by IPC & UPC	Allow External Flow Control	Allows Built-In Flow Control	Covers 4-100 GPM	Standard Type
	A112 Series	Yes	Yes	Yes	Yes	Consensus
	CSA-B481	No	Yes	Yes	Yes	Consensus
	PDI-G101	No	Yes	No	Yes	Proprietary

- ***Consensus Standard** An open process with balanced committees where all interests are represented in the creation of a standard. There is only one consensus grease interceptor standard in the U.S.: ASME’s A112.14 Series (A112.14..3, A112.14.4, A112.14.6).

- ***Proprietary Standard** Written by a group of individuals who have a proprietary interest in the way the standard reads. The standard is not open to anyone beyond selected committee for review. PDI-G101 is a proprietary standard.



Minnesota Code history.



4715.1110 GREASE INTERCEPTORS FOR COMMERCIAL BUILDINGS.

A grease interceptor of sufficient size and efficiency shall be installed in the waste line leading from sinks, drains, or other fixtures when, in the opinion of the administrative authority, greasy wastes can be introduced into the drainage system in quantities that can cause line stoppage. Grease interceptors shall be placed as near as possible to the fixture and the grease interceptor shall be vented. No food waste disposer or dishwashing machine shall discharge into the building drainage system through a grease interceptor. Sinks or other fixtures served by grease interceptors shall be trapped and vented ahead of the grease interceptor.

Grease interceptors, when used, shall have a grease retention capacity in pounds of grease, of at least twice the flow-through rate, in gallons per minute.

Grease interceptors shall be equipped with devices to control the rate of water flow through the interceptors so that it does not exceed the rated flow of the interceptor. Air openings on flow control devices must connect to the plumbing vent system.

STAT AUTH: MS s 16B.62; 326.37 to 326.45
HIST: 19 SR 590

- 1998 code language.
- A 35 gpm Hydromechanical GI has to retain 70 lbs of grease.
- No mention of Gravity style GI's.



4715.1100 INTERCEPTORS AND SEPARATORS REQUIRED.

Interceptors for oil, grease, sand, and other substances harmful or hazardous to the building drainage system shall be provided as stated elsewhere in these rules.

The size, type, and location of each interceptor, and of each separator shall conform to the requirements of this chapter, except that units may be accepted which are engineered and manufactured specifically for the intended function and which are documented by the manufacturer and project design engineer to be properly designed and sized for the specific project, and no waste other than those requiring treatment or separation shall discharge into any interceptor.

STAT AUTH: MS s 16B.62; 326.37 to 326.45; 326B.121; 326B.43 to 326B.49
HIST: 19 SR 590; L 2007 c 140 art 4 s 61; art 6 s 15; art 13 s 4

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A grease interceptor of sufficient size and efficiency shall be installed in the waste line leading from sinks, drains, or other fixtures when, in the opinion of the administrative authority, greasy wastes can be introduced into the drainage system in quantities that can cause line stoppage. Grease interceptors shall be placed as near as possible to the fixture and the grease interceptor shall be vented. No food waste disposer or dishwashing machine shall discharge into the building drainage system through a grease interceptor. Sinks or other fixtures served by grease interceptors shall be trapped and vented ahead of the grease interceptor.

Grease interceptors, when used, shall have a grease retention capacity in pounds of grease, of at least twice the flow-through rate, in gallons per minute.

Grease interceptors shall be equipped with devices to control the rate of water flow through the interceptors so that it does not exceed the rated flow of the interceptor. Air openings on flow control devices must connect to the plumbing vent system.

STAT AUTH: MS s 16B.62; 326.37 to 326.45; 326B.121; 326B.43 to 326B.49
HIST: 19 SR 590; L 2007 c 140 art 4 s 61; art 6 s 15; art 13 s 4

4715.1115 EXTERIOR GREASE INTERCEPTORS.

Subpart 1. **Authorized uses.** An exterior grease interceptor may be installed if it is acceptable to the administrative authority. Only fixtures that discharge greasy waste may be piped to the interceptor. Dishwashing machines and food waste grinders may not be routed through the interceptor unless the routing is acceptable to the administrative authority.

Subp. 2. **Construction.** The grease interceptor tank must be readily accessible for inspection and maintenance. The tank must comply with parts 5 and 6 of ASTM Standard C1227-98. The name of the tank manufacturer, the liquid holding capacity, and compliance with ASTM C1227-98 for the tank construction must be permanently affixed to the tank.

The grease interceptor must allow a detention time of at least 30 minutes and must be protected from freezing. The landscape must be bermed to divert runoff. The tank must be protected to prevent loadings that may lead to structural collapse.

The materials used in piping to the inlet of the tank must comply with building drain requirements. The tank outlet piping may comply with building sewer materials, unless the outlet piping reenters the building, in which case, the materials must be approved for building drain to point of connection to building sewer.

Baffles or tees must be provided at the inlet and outlet of the tank. The invert of the inlet must be at least two inches above the invert of the outlet. The inlet baffle/tee must extend at least six inches below the liquid level, and the outlet baffle/tee must extend at least 12 inches below the liquid level of the tank. Both inlet and

- 2009 code language
- Hydromechanical still the same. Code now acknowledges Gravity Style GI's.
- ASTM standard only allows concrete construction.
- Code now separates inside and exterior GI's.
- No standards on gravity units, so, they sited a septic tank ASTM design.



New Grease Interceptor code language has been written into the 2012 Minnesota Plumbing Code. This language was voted on and approved with a 12-0 vote by the Plumbing code committee.



4715.1100 INTERCEPTORS AND SEPARATORS REQUIRED.

Interceptors for oil, grease, sand, and other substances harmful or hazardous to the building drainage system shall be provided as stated elsewhere in these rules.

The size, type, and location of each interceptor, and of each separator shall conform to the requirements of this chapter, except that units may be accepted which are engineered and manufactured specifically for the intended function and which are documented by the manufacturer and project design engineer to be properly designed and sized for the specific project, and no waste other than those requiring treatment or separation shall discharge into any interceptor.

STAT AUTH: MS s 16B.62; 326.37 to 326.45; 326B.121; 326B.43 to 326B.49
HIST: 19 SR 590; L 2007 c 140 art 4 s 61; art 6 s 15; art 13 s 4

4715.1105 GREASE INTERCEPTORS.

Subpart 1. **Uniform Plumbing Code (UPC).** For the purposes of this part, "UPC" means the 2009 edition of the Uniform Plumbing Code as adopted by the International Association of Plumbing and Mechanical Officials (IAPMO), 5001 East Philadelphia Street, Ontario, CA 91761. Portions of this part reproduce text and tables from the UPC, with permission of IAPMO. The UPC is not subject to frequent change and a copy of the UPC is available in the office of the commissioner of labor and industry. The UPC is copyright 2009 by the IAPMO. All rights reserved.

Subp. 2. **General requirements.** A grease interceptor complying with this part shall be installed in waste lines leading from fixtures or equipment in establishments where grease may effect line stoppage as determined by the administrative authority. Only waste requiring separation may discharge to a grease interceptor. Food waste grinders and dishwashers may discharge to a gravity grease interceptor where permitted by the manufacturer and the administrative authority.

Each establishment for which a grease interceptor is required shall have an interceptor that serves only that establishment unless otherwise approved by the administrative authority. Grease interceptors must be installed in approved locations and must be readily accessible for inspection and maintenance.

Grease interceptors shall be located as close as practical to the fixtures served. Each grease interceptor installation must preclude siphoning and provide air relief. Each fixture discharging to a grease interceptor shall be trapped and vented according to this chapter.

A grease interceptor located outside the building that is a part of an individual sewage disposal system is not subject to the requirements of this chapter.

Subp. 3. **Hydromechanical grease interceptors.**

A. Hydromechanical grease interceptors shall comply with ASME Standard A112.14.3. Plumbing fixtures or equipment connected to a hydromechanical grease interceptor shall discharge through an approved type of flow control installed in a readily accessible and visible location. The total flow through the flow control device shall not be greater than the rated flow of the grease interceptor. No external flow control device having adjustable or removable parts shall be installed. Except for integral flow control devices, each flow control vent shall connect to the plumbing vent system. A vent shall be installed downstream of the grease interceptor according to this chapter.

B. Hydromechanical grease interceptors shall be sized using one of the following methods.

(1) When the flow rate of fixtures or appliances are unknown, the grease interceptor shall be sized based on the diameter of the drain discharging to the interceptor according to the following table:

•2012 code language.

•New language gets rid of inside/exterior GI's.
But, now includes sizing.



Hydromechanical Interceptor Sizing Using Gravity Flow Rates

waste pipe diameter, in.	min. interceptor size, gpm
2	20
3	75
4	150
5	250
6	500

(2) Where fixture dimensions and flow rates of all connected fixtures and equipment are known, the interceptor must be sized as follows:

(a) calculate the volume of each connected fixture;

(b) multiply the volume of all connected fixtures by a fill factor of 0.75 to obtain the discharge volume;

(c) divide the fixture discharge volume by a drain period of one minute; and

(d) add flow rates of appliances, hydrants, and equipment. The minimum grease interceptor size is the sum of all flow rates discharging to the interceptor.

C. Example for sizing using fixture capacity: Two compartments of a sink, a hose bibb, and an appliance will discharge to the interceptor.

(1) Calculate the volume of each fixture.

$$[\text{Length, in.}] \times [\text{Width, in.}] \times [\text{Depth, in.}] / 231 = [\text{Volume, gallons}]$$

$$24'' \times 24'' \times 12'' \times 2 \text{ compartments} / 231 = 59.8 \text{ gallons}$$

(2) Calculate the discharge volume of each fixture.

$$[\text{total volume}] \times 0.75 \text{ fill factor} = [\text{discharge volume}]$$

$$59.8 \text{ gallons} \times 0.75 = 44.9 \text{ gallons}$$

(3) Calculate the flow rate from each fixture.

$$[\text{discharge volume}] / [1\text{-minute drainage period}] = [\text{flow rate}]$$

$$44.9 \text{ gallons} / 1 \text{ minute} = 44.9 \text{ gpm}$$

(4) Add flow rates from appliances, equipment, and hydrants.

2 compartments of a sink	44.9 gpm
Hose bibb	5 gpm
Appliance	2 gpm
	51.9 gpm

(5) Minimum interceptor size.

The interceptor must be rated at 51.9 gpm or greater.

Subp. 4. **Gravity grease interceptors.** Gravity grease interceptors shall comply with IAPMO/ANSI Standard Z1001 or ASTM Standard C1613. Gravity grease interceptors shall provide for free air circulation through the interceptor and inlet and outlet pipes. Gravity grease interceptors shall be sized by the drainage fixture unit value for all connected fixtures according to the following table.

Drainage fixture units (A,B,C)	Interceptor volume, gallons
8	500
21	750
35	1,000
90	1,250
172	1,500
216	2,000
307	2,500
342	3,000
428	4,000
576	5,000
720	7,500
2,112	10,000
2,640	15,000

A. The maximum allowable drainage fixture units plumbed to the kitchen drain lines must be connected to the grease interceptor.

B. When the flow rate of directly connect fixtures or appliances have no assigned drainage fixture unit values, the additional grease interceptor volume shall be based on the known flow rate (gpm) multiplied by 30 minutes.

C. Drainage fixture unit values must be determined according to part 4715.2300.

Subp. 5. **Protective Treatments.** Grease interceptors constructed of metal, concrete, or other materials subject to corrosion shall have protective treatment approved by the manufacturer.

•ASTM standard is finally a GI standard.

•Pot or scullery sink is 4 FU.
Three compartment sink would be valued at 12 FU. 750 gal. unit.

•Above and beyond UPC language.



Subp. 6. **Interceptors located outside of buildings.** A grease interceptor outside of the building must be installed to be protected from freezing. Buoyancy protection must be provided when required by the manufacturer's installation instructions. If installed in a nonpaved area, the landscape must be bermed to divert runoff. Accessways for exterior grease interceptors must be at least 20 inches square or a diameter to allow adequate access to tank interior for inspection and maintenance. Access to the inlet and outlet must be provided. The grease interceptor and covers must be protected from loadings that may lead to structural collapse and must be designed to withstand any anticipated traffic loadings. Exterior grease interceptors to be abandoned are subject to the requirements of the Minnesota Pollution Control Agency for abandoning septic tanks.

Subp. 7. **Labeling.** All grease interceptors must contain a clear and permanent product identification label listing the construction standard identified in subpart 3 or 4 and any additional labeling requirements of that standard.

Subp. 8. **Testing, maintenance, and records.** Each grease interceptor installation must pass a manometer test with one inch of water column for five minutes or a vacuum test with two inches of mercury for 60 minutes.

Grease interceptors shall be inspected at least once every three months and shall be maintained in efficient operating condition by periodic removal of the accumulated grease and latent material. Records of inspection and maintenance must be kept. The administrative authority shall set the exact frequency, duration, and availability of the inspection, cleaning, and record-keeping information.



How Do Grease Interceptors Work?

- A. Flow Control or Hydromechanical
- B. Retention Time, Gravity Style



Flow Control, Hydromechanical

- Hydromechanical grease interceptors work by using the wastewater as a separation medium. Particles less dense than water float to the surface, while heavier-than-water particles settle at the bottom. Because this “processing” takes time, the Hydromechanical interceptor requires a flow control device to meter the flow of the effluent.

Without Flow Control

- Effluent can move too quickly through the unit, keeping the grease entrained in the water and carrying it through the outlet.
- Turbulence is created inside the unit, which also keeps grease entrained in the flowing water and carries it through the outlet.

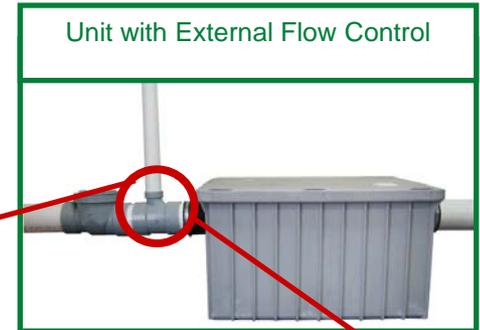
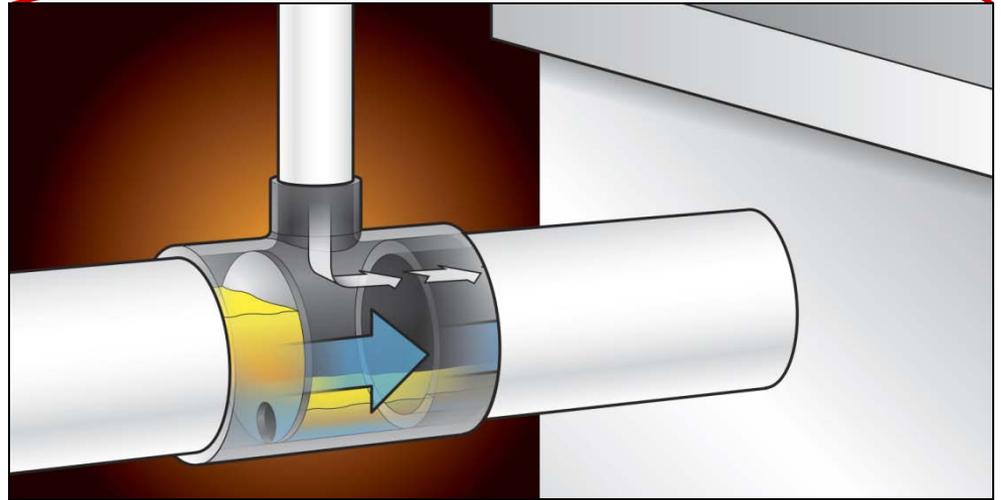
Quick Take Flow control is a crucial part of a Hydromechanical grease separator.



Flow Control: External flow control

External Flow Control – The traditional design

- Requires additional labor and materials to install.
- Requires venting/air intake to function properly.



Quick Take

External flow control is harder to enforce during installation and is hard to keep clog-free.



Flow Control: Built-In, internal

Built-In Flow Control

- Requires no additional labor or materials to install, thus promoting correct installation.
- Does not require additional venting (pipe, fittings, glue, pipe hangers, labor).
- Is easy to clean from inside the unit.

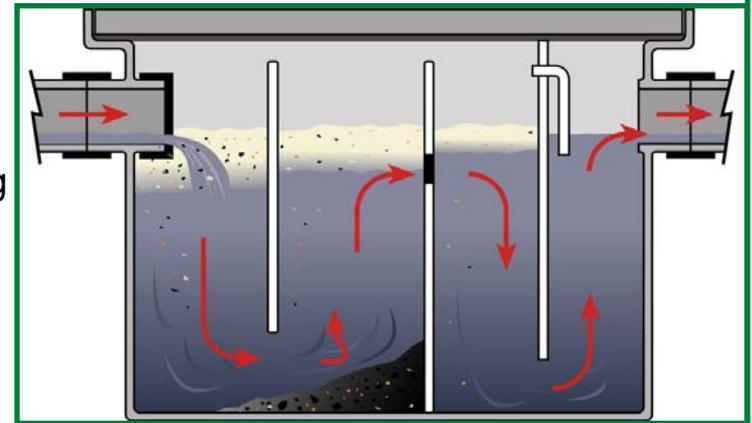


Baffles, good or bad?

- **Baffles** have been a key tenet of interceptor design for over 60 years. Baffles force effluent to travel a longer route, aiding separation while limiting turbulence.

Research has shown that baffles also

- Create sharp and narrow turns in the effluent path, which increases velocity and turbulence. Turbulence slows separation and reincorporates settled grease and sediments back into the effluent travel path, and eventually carries them through the outlet.
- Make grease interceptors more difficult to clean by restricting access and creating unnecessary surface areas for grease to stick to.
- Create 'dead spots' of no flow, effectively reducing the size of the interceptor by not making the entire wet volume available during separation.

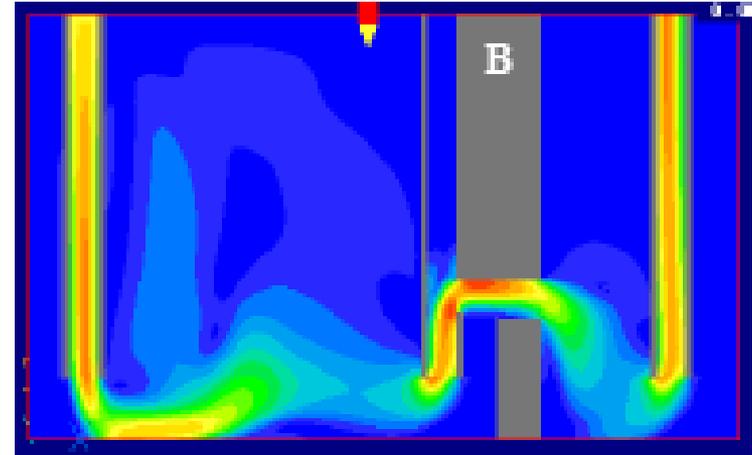
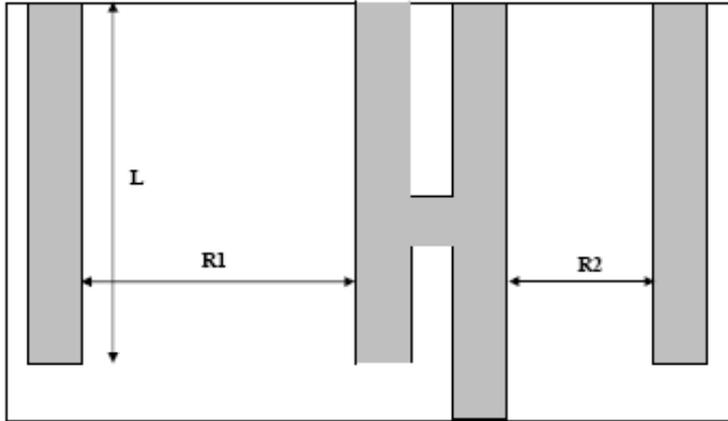


Quick Take

Baffles are the traditional internal design for grease interceptors.



Flow Pattern: WERF (water environment research foundation) F.O.G. Study



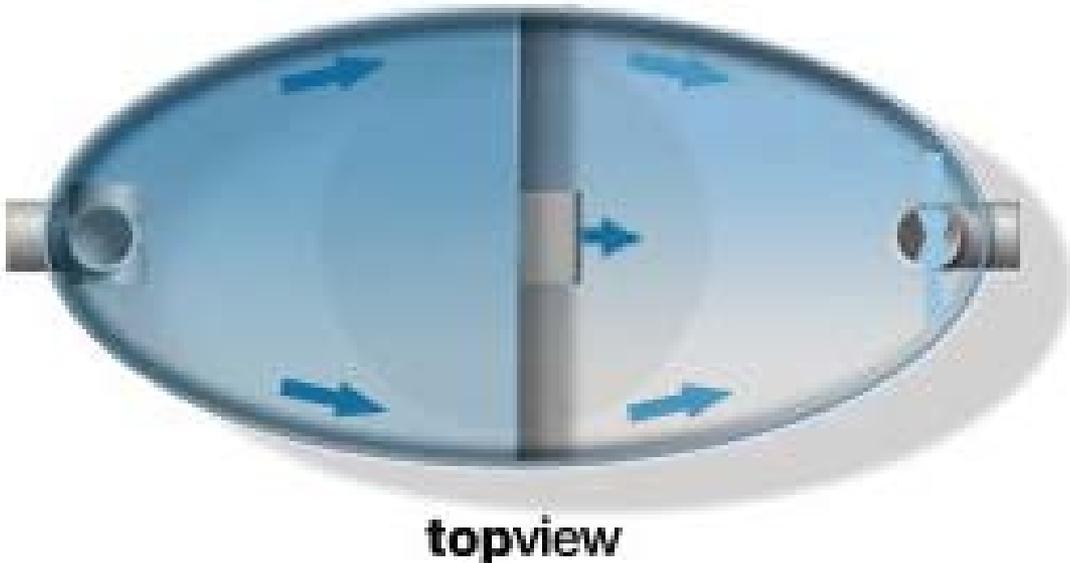
- 25 Simulations were performed using different combinations of the variables above, including a simulation with an R2/R1 value of “0” denoting the absence of a baffle.
- The best-performing simulation had no baffle
- Contradicts IAPMO Z1001, ASTM F2649-08, & UPC Section H which all mandate a baffle

“Analysis of the results of the simulation suggests that the inclusion of a baffle wall may be detrimental to the removal of influent oil.”

- Baffle wall orifice creates acceleration of flow which can lead to short-circuiting (see above)

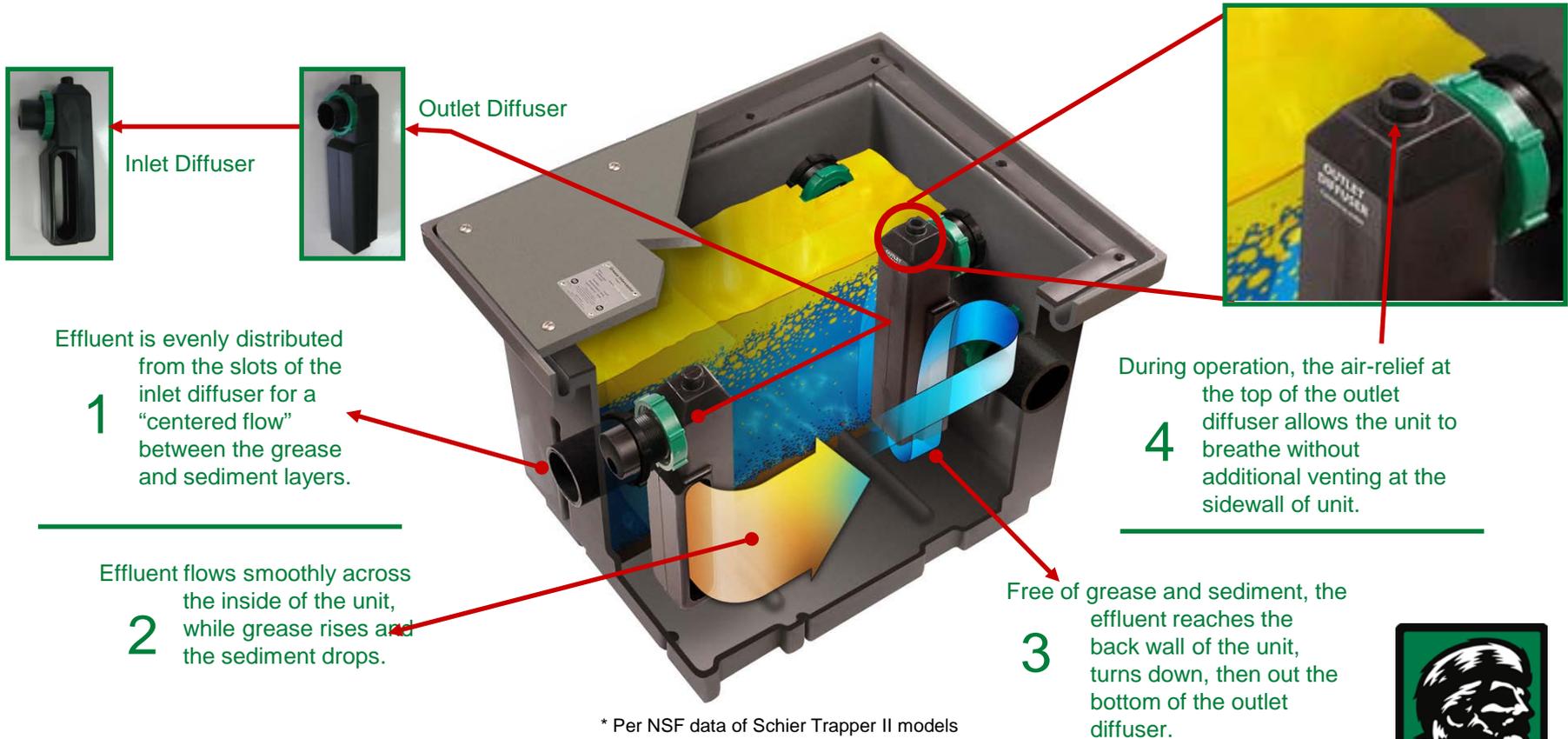
Quick Take **Baffles caused a performance reduction**





Hydromechanical with inlet Diffusers

• **Inlet and Outlet Flow Diffusers** create a distributed flow pattern inside the interceptor which makes all of the wet volume available for separation.



Retention Time: Theoretical vs. Actual



- The simple formula for retention time only holds true if there is a perfectly distributed flow through the static body of water (interceptor).
- If the St. Clair River dumps into Lake St. Clair at 1 Million Gallons Per Hour, and Lake St. Clair has a volume of 1 Billion Gallons, we could say that St. Clair River water is retained by the lake for 1,000 hours. In reality, most of the incoming river water flows to the Detroit River in much less time. The same is true with grease interceptors with poor flow pattern design. Larger does not always = better.

*For example only, not actual data



Available materials for grease interceptors

- A. Steel
- B. Stainless Steel
- C. Concrete
- D. Fiberglass
- E. Thermoplastics



Steel



1 Heavy, increasingly thinner, rust-prone covers

2 Rust-prone construction, guaranteed to rust and fail.

3 Interior walls become rusted, pitted – harboring FOG and bacteria and leaching waste into the surrounding soil

4 Increasingly thinner walls and baffles accelerate time to failure

5 Difficult to carry and install. Increases labor costs and jobsite injury.



Unprotected Steel is the wrong material for grease interceptors.

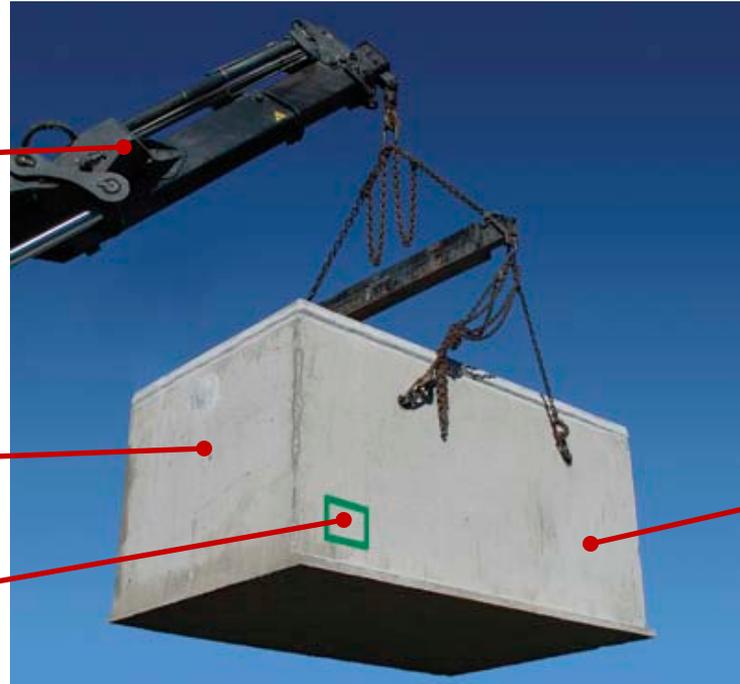
Target!!!



Concrete

1 Heavy. Cranes needed to place the unit at the jobsite. Extra reinforcements needed due to weight.

2 Large footprint required for placement



5 Currently there are no pre-cast concrete grease interceptors that offer third-party certified flow-rates or grease capacities.



3 Concrete corrodes when in contact with F.O.G., Per, Portland Cement Handbook. Mn code requires internal lining.

Quick Take Concrete is the wrong material for grease interceptors.



Replacing a concrete unit, after 5 years in use, with a HDPE unit

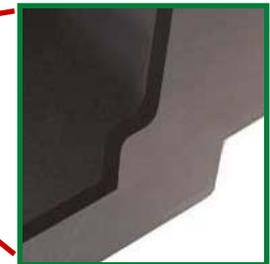
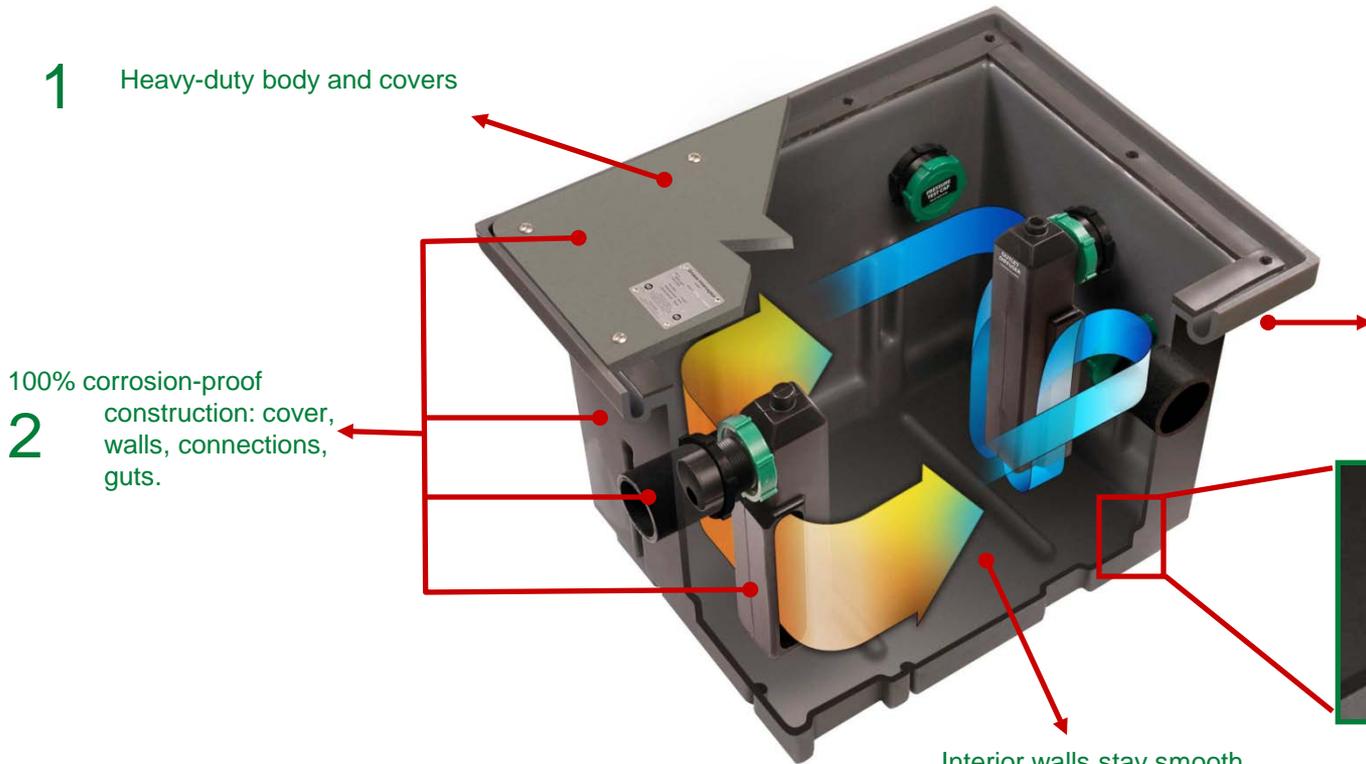


Polyethylene

1 Heavy-duty body and covers

2 100% corrosion-proof construction: cover, walls, connections, guts.

5 Ergonomically-designed for easy transport to installation location. Reduces labor costs.



4 Polyethylene has uniform wall thickness. Durable and crack-resistant.

3 Interior walls stay smooth, easy-to-clean, sanitary.

Quick Take

Thermoplastics are a good material choice for grease interceptors. One Manufacturer offers a Lifetime Warranty.



Comparison of Available Materials

•Materials •Comparison	Corrosion Proof?	•Lightweight?	•Inexpensive?	•Easy to Install?
•Steel	No	•No	•Yes	•No
•Stainless Steel	Yes	•No	•No	•No
•Concrete	No	•No	•Yes	•No
•Fiberglass	Yes	•No	•No	•No
•Thermoplastics	Yes	•Yes	•Yes	•Yes



Concrete



Steel



Thermoplastic



Stainless



Fiberglass

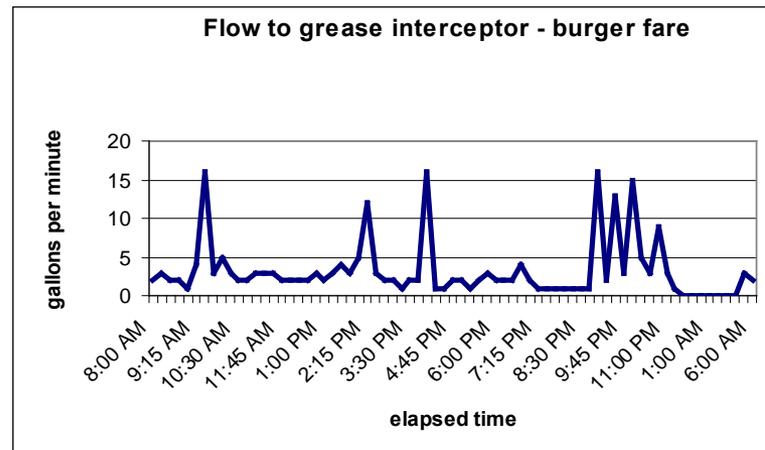
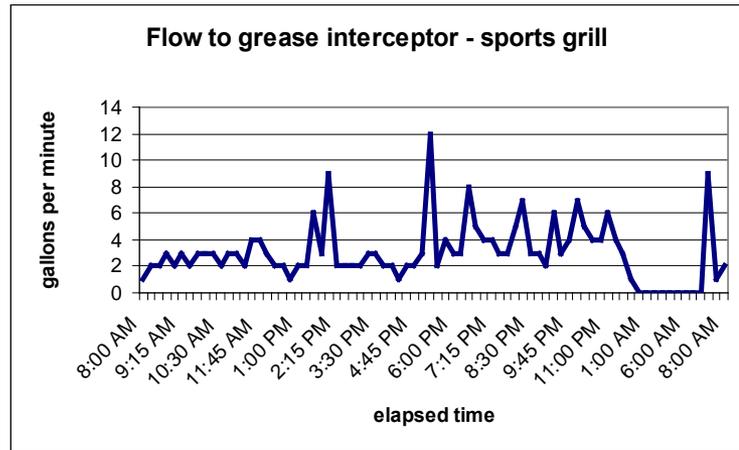
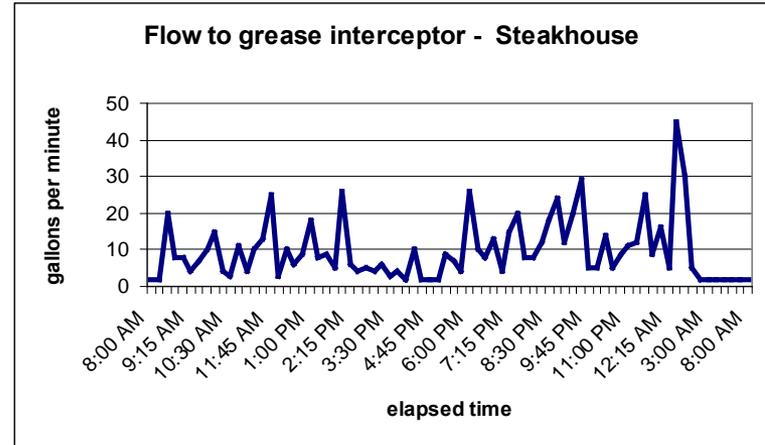
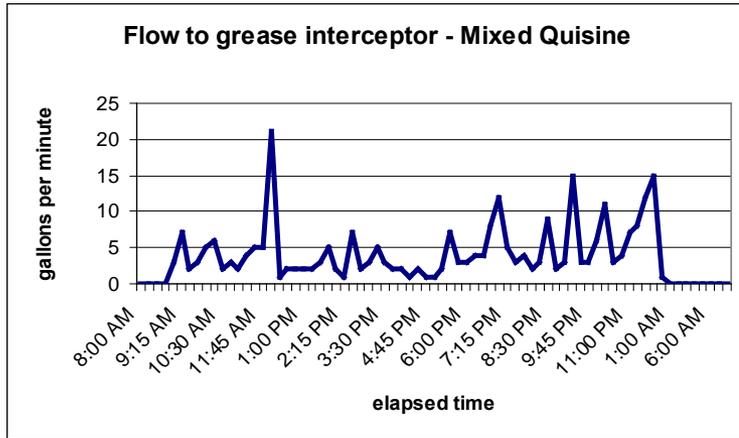


GI Flow Analysis

- Flow observations were made at 23 restaurants in the Town of Cary.



GI Flow Analysis



GI Flow Analysis

- 23 restaurants observed
- GI Sizes ranged from 1,000 to 1,500 gallons
- Water use ranged from 1,700 to 6,300 GPD
- 90-95% of flows fell below 10 gpm
- Peak flow rates were 3-7 times the average flow for the day
- Data suggests long average retention times, exceeding 2 hrs
- Gravity units oversized.



Thank You For Your Time!





**City of Newport
City Council Workshop Meeting Minutes
April 3, 2014**

1. ROLL CALL -

Council Present – Tim Geraghty, Tom Ingemann, Bill Sumner, Steven Gallagher, Tracy Rahm

Council Absent –

Staff Present – Deb Hill, City Administrator; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney;

Staff Absent - Bruce Hanson, Superintendent of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Jon Herdegen, City Engineer;

2. DISCUSSION REGARDING PROPOSED AMENDMENTS TO CHAPTER 5, ALCOHOLIC BEVERAGES

Executive Analyst Helm presented on this item as outlined in the April 3, 2014 City Council Workshop packet. The following items were discussed:

Section 500.02, City may be More Restrictive than State Law - The City Council agreed to add this language.

Section 500.03, Definitions - The City Council agreed to add this language.

Section 500.04, Licenses - The City Council agreed to add the following licenses: Brewer Taproom, On-Sale Brew Pub, Off-Sale Brew Pub, On-Sale 3.2% Malt Liquor, Temporary On-Sale License, Temporary On-Sale 3.2% Malt Liquor, Off-Sale 3.2% Malt Liquor, and Optional 2:00 a.m.. The business owner applies to the State of MN for the Optional 2:00 a.m. License and pays a fee to them based on their revenue from the previous year. The State will not issue a 2:00 a.m. License unless it is allowed in the City Code. Councilman Sumner asked staff to look at the State Statutes in regards to who an On-Sale 3.2% Malt Liquor License can be issued to and what level of non-profit is being referred to for both the Temporary On-Sale and Temporary On-Sale 3.2% Malt Liquor Licenses.

Section 500.05, Application for License

- **Subd. 1, Form** - Councilman Sumner asked if the City uses the Commissioner of Public Safety's form. The City was provided a sample from the Commissioner and drafted the application from that.
- **Subd. 2, Bond** - Councilman Sumner asked if the bond amount of \$3,000 for on-sale and \$1,000 for off-sale was set by the State or City. Executive Analyst Helm will look into it.

Section 500.06, License Fees

- **Subd. 3, Term; Pro Rata Fee** - Councilman Sumner asked who sets the expiration date of liquor licenses. The State of MN does.
- **Subd. 4, Refunds** - The City Council agreed to add the following language: "No refund of any fee shall be made except as authorized by this Chapter or State Statutes."

Section 500.07, Granting of Licenses

City Council Minutes of 04-03-14 Workshop

- **Subd. 1, Investigation** - Councilman Sumner asked staff to put on the application the likely costs of investigation. Staff does not find that out until after the investigation is complete but can put an average on the application.
- **Subd. 4, Transfers** - Councilman Sumner asked if the language could be amended from " Any transfer of a controlling interest or any lesser transfer of at least ten percent in stock" to "Any transfer of at least ten percent." Staff will take a look to see if that language is from the State Statutes.

Section 500.08, Conditions of License - The City Council agreed to keep the sections that were moved from Section 500.09 to this Section and directed staff to keep the hours of operation as amended. Mayor Geraghty asked staff to look into legislative changes regarding Sunday off-sale for growlers. The City Council agreed to add language regarding illegal sales, restrictions on employment of minors, and minors prohibited on premises.

Section 500.09, Restrictions on Purchase and Consumption - The City Council agreed to keep this Section as presented.

Section 510, Beer Licensing - Since Section 500 regulates 3.2% malt liquor, the City Council directed staff to repeal this Section.

Section 520, Liquor Entertainment Licenses - The City Council directed staff to replace this Section with language similar to South St. Paul's Special Event License which requires a business to obtain a Special Event License if an event is being held outside.

Section 530.02, Subd. 2 - Councilman Sumner asked to removed "within any 4 year period" from item A since it is the first violation. He also asked to add "in addition to any criminal or civil penalties which may be imposed" to items A and D.

Fees - The City Council directed staff to amend the Fee Schedule to add fees of \$200 each for Brewer Taproom, On-Sale Brew Pub, and Off-Sale Brew Pub Licenses.

3. ADJOURNMENT

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst

Non-Recurring Bills

Paid Chk# 016165	ARAMARK REFRESHMENT SERV.	4/17/2014	\$114.98	
Paid Chk# 016166	BECKER FIRE AND SAFETY SERVICE	4/17/2014	\$174.50	PD Fire Extinguisher
Paid Chk# 016167	Cardmember Services	4/17/2014	\$989.16	Visa bill
Paid Chk# 016168	CARLSON MCCAIN, INC	4/17/2014	\$1,034.48	Knauff salvage yard grant prep
Paid Chk# 016169	CITY OF WOODBURY	4/17/2014	\$1,680.95	Special response team
Paid Chk# 016170	DEPT OF EMPLOYMENT & ECON DEV	4/17/2014	\$298.40	Unemployment payment
Paid Chk# 016171	DIETRICH ELECTRIC, INC	4/17/2014	\$543.00	Electrical inspections
Paid Chk# 016172	EARL F. ANDERSEN	4/17/2014	\$348.10	Barricade sheeting
Paid Chk# 016173	EXPRESS AUTO PARTS	4/17/2014	\$466.41	PD Repair
Paid Chk# 016174	FERRELLGAS	4/17/2014	\$679.04	Propane for parks
Paid Chk# 016175	FLEET ONE LLC	4/17/2014	\$1,812.13	Petrol
Paid Chk# 016176	GOPHER STATE ONE-CALL	4/17/2014	\$52.20	
Paid Chk# 016177	GRAINGER PARTS	4/17/2014	\$94.25	Air Comp Repair
Paid Chk# 016178	INSTRUMENTAL RESEARCH, INC.	4/17/2014	\$36.00	Coliform Bacteria
Paid Chk# 016179	INTERNATIONAL UNION OF OP. ENG	4/17/2014	\$131.00	
Paid Chk# 016180	JHF	4/17/2014	\$169.55	Equipment repair
Paid Chk# 016181	LIBERTY NAPA OF NEWPORT	4/17/2014	\$378.93	Parts and repair
Paid Chk# 016182	MENARDS - COTTAGE GROVE	4/17/2014	\$108.50	Supplies
Paid Chk# 016183	MN DEPT OF LABOR AND INDUSTRY	4/17/2014	\$391.61	Quarterly Building Permit Surc
Paid Chk# 016184	MN SECRETARY OF STATE-NOTARY	4/17/2014	\$120.00	New appointment notary
Paid Chk# 016185	NEOPOST	4/17/2014	\$128.39	Quarterly rental fee
Paid Chk# 016186	OXYGEN SERVICE CO.	4/17/2014	\$39.68	
Paid Chk# 016187	PIONEER PRESS	4/17/2014	\$113.98	Yearly subscription
Paid Chk# 016188	POWER PLAN OIB	4/17/2014	\$50.00	Chipper repair
Paid Chk# 016189	RIVER COUNTRY COOPERATIVE	4/17/2014	\$497.25	Drum charge
Paid Chk# 016190	RIVERTOWN MULTIMEDIA	4/17/2014	\$126.00	So. Wash Co. Bulletin & Woodbu
Paid Chk# 016191	SOUTH SUBURBAN RENTAL, INC.	4/17/2014	\$18.50	Propane
Paid Chk# 016192	STREICHERS	4/17/2014	\$144.99	Police uniforms
Paid Chk# 016193	TKDA	4/17/2014	\$10,329.29	City planning
Paid Chk# 016194	TRI-STATE BOBCAT	4/17/2014	\$359.26	
Paid Chk# 016195	WASHINGTON CTY SHERIFF	4/17/2014	\$381.00	Code red calls
Paid Chk# 016196	ZIEGLER	4/17/2014	\$1,318.26	Parts

Recurring Bills

Paid Chk# 000274E	FEDERAL TAXES	4/3/2014	\$9,100.87	ss, med, federal
Paid Chk# 000275E	MN REVENUE	4/3/2014	\$1,881.02	State taxes
Paid Chk# 000276E	ING LIFE INSURANCE & ANNUITY	4/3/2014	\$419.45	MSRS
Paid Chk# 000280E	PSN	4/8/2014	\$51.82	Electronic water bill payment
Paid Chk# 000281E	MORGAN STANLEY	4/10/2014	\$120,000.00	Transfer funds for investment
Paid Chk# 016151	ATOMIC-COLO, LLC	4/3/2014	\$2,406.37	IT support and phones
Paid Chk# 016152	ING LIFE INSURANCE & ANNUITY	4/3/2014	\$1,834.60	
Paid Chk# 016153	Holstad & Knaak, PLC	4/3/2014	\$5,200.00	Legal fees
Paid Chk# 016154	PERA	4/3/2014	\$8,298.39	
Paid Chk# 016155	SELECTACCOUNT	4/3/2014	\$658.16	
Paid Chk# 016156	SW/WC SERVICES COOPERATIVES	4/3/2014	\$14,346.00	
Paid Chk# 016157	TENNIS SANITATION LLC	4/3/2014	\$21.80	Garbage city hall and PW
Paid Chk# 016158	CENTURY LINK	4/8/2014	\$258.67	Phone service
Paid Chk# 016159	DEB SCHULZ	4/8/2014	\$64.51	Petty cash
Paid Chk# 016160	DEBORA HILL	4/8/2014	\$126.37	Mileage reimbursement
Paid Chk# 016161	COMCAST	4/10/2014	\$326.06	
Paid Chk# 016162	G & K SERVICES	4/10/2014	\$209.75	Uniforms
Paid Chk# 016163	Metropolitan Council	4/10/2014	\$15,754.64	
Paid Chk# 016164	XCEL ENERGY	4/10/2014	\$2,452.82	Electricity and natural gas
	Staff		\$30,022.57	

\$236,563.66

Cardmember Services

Apr-14

Hanson	Mills Fleet Farm	Clips, pins, and tape	\$ 62.69	yes
Neska	MN DVS Cottage Grove	License tabs for 12 public works veh.	\$ 227.75	yes
	MN DVS Cottage Grove	License fee for tabs of 12 public works	\$ 5.57	yes
	Electro Mavin	Garage door opener for Fire Hall 1	\$ 138.01	yes
	Batteries Plus	Multiple batteries	\$ 47.52	yes
	Wheelco Brake & Supply	Sleeve, tee, and insert	\$ 24.80	yes
	PayPal for Training course	2014 Metro District Waterworks School	\$ 210.00	yes
	PayPal for Training course	2014 Metro District Waterworks School	\$ 210.00	yes
Mailand	USPS	Postage	\$ 8.70	yes
Helm	Target	Lunch room and office supplies	\$ 15.34	yes
	Comcast	Library Norton Antivirus-monthly	\$ 5.30	yes
	Office Max	Office and police department supplies	\$ 33.48	yes

#REF! #REF!



City of Newport, MN

Financial Status Report

Period ended March 31, 2014

(Un-Audited)

Prepared by:
Administration Department



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Section 1 – Cash & Investment Report

Section 2 – Budget Control Summary

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Section 1 – Cash & Investment

Purpose:

This report provides a detailed view of current cash, investments and rates of return for the specified time period. City funds are maintained in accordance with the City's Investment Policy which defines the manner in which the City accounts for and protects cash and investments.

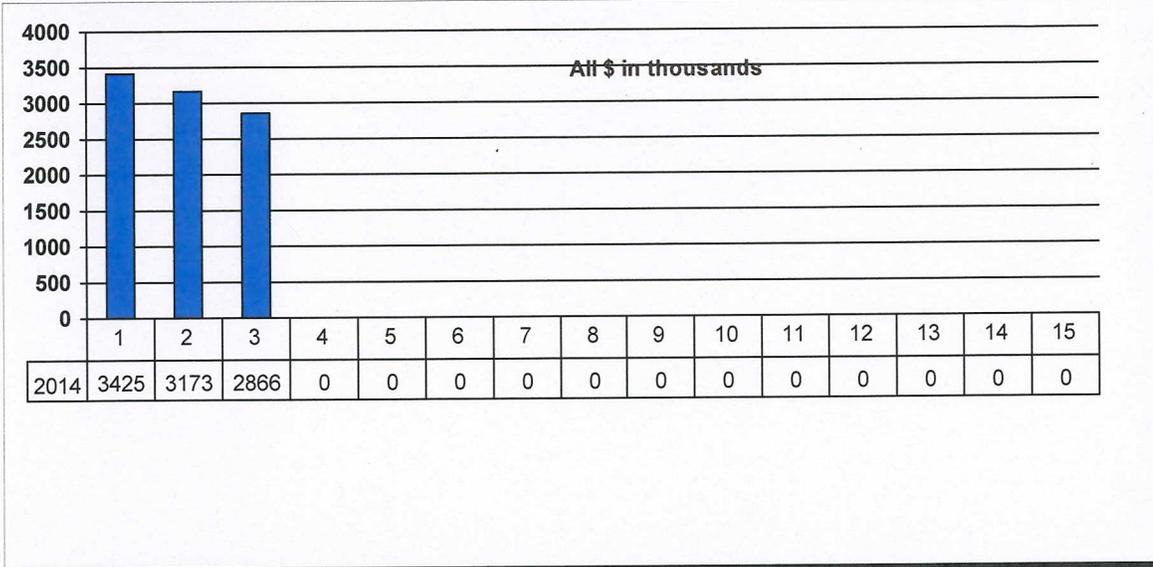


CITY OF NEWPORT
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Page 1

Central Bank
10100 CASH
March 2014



Account Summary

Beginning Balance on	3/1/2014	\$3,216,049.61	Cleared	\$2,887,481.52
+ Receipts/Deposits		\$81,700.01	Statement	\$2,887,481.52
- Payments (Checks and Withdrawals)		\$410,268.10	Difference	\$0.00
Ending Balance as of	3/28/2014	\$2,887,481.52		

Check Book Balance

Active	G 101-10100	GENERAL FUND	\$252,486.18
Active	G 201-10100	PARKS SPECIAL FUND	\$43,493.45
Active	G 204-10100	HERITAGE PRESERVATIO	\$6,618.26
Active	G 205-10100	RECYCLING	\$25,480.92
Active	G 206-10100	FIRE ENGINE	\$0.00
Active	G 208-10100	BUY FORFEITURE	\$1,304.46
Active	G 225-10100	PIONEER DAY	\$19,714.21
Active	G 270-10100	EDA	\$599,290.43
Active	G 301-10100	G.O. CAPITAL IMP. PLAN 2	-\$122,445.97
Active	G 305-10100	2013 Street Assessments	\$32,574.81
Active	G 307-10100	GO TIF 1994B	\$0.00
Active	G 308-10100	CERIFICATES OF INDEBT	\$0.00
Active	G 313-10100	GO IMP BOND 2000B	\$0.00
Active	G 315-10100	\$690,000 BOND 2002A	-\$136,118.38
Active	G 316-10100	PFA/TRLF REVENUE NOT	\$337,345.88
Active	G 321-10100	EQUIP CERTIFICATE 2006	\$0.00
Active	G 322-10100	GO BONDS OF 2011A	-\$150,109.34
Active	G 401-10100	EQUIPMENT REVOLVING	\$226,422.36
Active	G 402-10100	TAX INC DIST 1	\$4.77

Active	G 405-10100	T.H. HWY 61	\$233,666.41
Active	G 409-10100	STREET RECONSTRUCTI	\$143,070.61
Active	G 411-10100	BUILDING FUND	\$110,035.10
Active	G 416-10100	4TH AVENUE RAVINE	\$12,760.78
Active	G 417-10100	NORTH RAVINE	\$732.31
Active	G 422-10100	2011A UTILITY CAPITAL	\$0.00
Active	G 423-10100	2011A EQUIPMENT CAPIT	\$0.00
Active	G 601-10100	WATER FUND	\$486,510.58
Active	G 602-10100	SEWER FUND	\$716,151.78
Active	G 603-10100	STREET LIGHT FUND	\$16,109.27
Active	G 604-10100	STORM WATER FUND	\$11,190.91
		Cash Balance	\$2,866,289.79

Beginng Balance	\$3,216,049.61	
+ Total Deposits	\$81,850.01	
- Checks Written	\$431,609.83	
		Check Book Balance
		\$2,866,289.79
		Difference
		\$0.00

City of Newport
INVESTMENTS
Mar-14

<u>TYPE</u>	<u>BOUGHT DATE</u>	<u>MATURITY DATE</u>	<u># OF DAYS</u>	<u>COST</u>	<u>RATE</u>	<u>GASB #40 Value</u>
SB (Morgan)						
BK China NY CD	10/21/2013	4/30/2014	192	120,000	0.30%	119,986.80
BK China NY CD	10/21/2013	10/30/2014	374	120,000	0.40%	119,937.60
BMW CD	6/28/2013	6/29/2015	728	120,000	0.75%	119,868.00
AMEX Cent.	7/5/2013	7/5/2016	1,092	120,000	1.10%	120,031.20
BMW CD	6/28/2013	6/28/2017	1,456	125,000	1.30%	124,378.75
AMEX Cent.	7/5/2013	7/5/2018	1,820	125,000	1.70%	122,832.50
Accrued Interest	all CDs above					7,921.92
Fed Farm Cr Bk	7/17/2013	7/17/2020	2,548	125,000	2.87%	126,381.18
409-2013 Street Project						
Fifththird Bank CD	10/21/2013	4/30/2014	192	245,000	0.35%	244,992.65
BK of India NY CD	10/21/2013	4/23/2014	185	245,000	0.40%	244,982.85
sub total						1,351,313.45
NORTHLAND						
MNY MKT	Govmt security money market class B					0.00
GO BOND	10/6/2010	3/1/2015	365	240,000.00	1.85%	242,717.20
GO BOND	10/6/2010	3/1/2015	365	100,000.00	1.75%	101,440.33
Accrued Interest						0.00
subtotal						344,157.53
Sub-total Investments GASB 40						1,695,470.98
Central Bank						
305-2013 Street Assessment						
Central Bank	10/17/2013	1/17/2015	547	60,000.00	0.40%	60,000.00
Central Bank	10/17/2013	4/17/2014	183	25,000.00	0.25%	25,000.00
Checking						2,887,481.52
Total Cash, Investments and CD's						4,582,952.50

Section 2 – Budget Control Summary

Purpose:

This section provides a detailed summary on the General Fund and Enterprise Fund accounts as it corresponds to the annual budget. The variance provides a percentage of the amount of the budget that remains in each account.



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Varianc	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
FUND 101 GENERAL FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$105,128.07	-\$105,128.07	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 45000 Parks (GENERAL)	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 45100 Recreation (GENERAL)	\$0.00	\$361.76	-\$361.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$105,489.83	-\$105,489.83	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$358,929.05	-\$358,929.05	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 41000 Administration (GENERAL)	\$283,550.75	\$58,491.24	\$225,059.51	79.37%	\$0.00	\$283,550.75	-\$283,550.75	0.14	-0.67
DEPT 41110 Mayor and Council	\$22,714.00	\$5,345.79	\$17,368.21	76.46%	\$0.00	\$22,714.00	-\$22,714.00	0.09	-0.55
DEPT 41410 Elections	\$5,050.00	\$470.00	\$4,580.00	90.69%	\$0.00	\$5,050.00	-\$5,050.00	0.19	-0.81
DEPT 41600 Professional Services	\$294,000.00	\$46,588.12	\$247,411.88	84.15%	\$0.00	\$294,000.00	-\$294,000.00	0.16	-0.64
DEPT 41910 Planning and Zoning	\$34,388.00	\$7,362.80	\$27,025.20	78.59%	\$0.00	\$34,388.00	-\$34,388.00	0.01	-0.32
DEPT 41940 City Hall Bldg	\$18,600.00	\$2,943.56	\$15,656.44	84.17%	\$0.00	\$18,600.00	-\$18,600.00	0.22	-0.78
DEPT 42000 Police Department(GENERAL)	\$839,417.00	\$202,039.78	\$637,377.22	75.93%	\$0.00	\$839,417.00	-\$839,417.00	0.23	-0.59
DEPT 42100 Civil Defense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 42260 Fire Protection	\$185,800.00	\$16,258.66	\$169,541.34	91.25%	\$0.00	\$185,800.00	-\$185,800.00	0.11	-0.69
DEPT 42280 Fire Stations No. 1	\$10,500.00	\$4,431.29	\$6,068.71	57.80%	\$0.00	\$10,500.00	-\$10,500.00	0.19	-0.82
DEPT 42290 Fire Station No. 2	\$2,300.00	\$1,150.12	\$1,149.88	49.99%	\$0.00	\$2,300.00	-\$2,300.00	0.16	-0.34
DEPT 43000 PW Street (GENERAL)	\$368,823.00	\$84,777.99	\$284,045.01	77.01%	\$0.00	\$368,823.00	-\$368,823.00	0.14	-0.65
DEPT 43100 Public Works Garage	\$17,000.00	\$7,943.64	\$9,056.36	53.27%	\$0.00	\$17,000.00	-\$17,000.00	0.26	-0.75
DEPT 43160 Street Lighting	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 43260 Composting	\$5,150.00	\$3,744.43	\$1,405.57	27.29%	\$0.00	\$5,150.00	-\$5,150.00	0.78	0.23
DEPT 45000 Parks (GENERAL)	\$331,065.00	\$73,195.90	\$257,869.10	77.89%	\$0.00	\$331,065.00	-\$331,065.00	0.16	-0.62
DEPT 45100 Recreation (GENERAL)	\$3,200.00	\$0.00	\$3,200.00	100.00%	\$0.00	\$3,200.00	-\$3,200.00	0.00	-0.22
DEPT 45206 Parks Bldgs. & Warming Houses	\$14,075.00	\$13,591.74	\$483.26	3.43%	\$0.00	\$14,075.00	-\$14,075.00	0.99	0.13
DEPT 45501 Library Bldg	\$24,395.00	\$9,407.73	\$14,987.27	61.44%	\$0.00	\$24,395.00	-\$24,395.00	0.34	-0.66
DEPT 45550 Heritage Pres. Committee	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49470 Street Lights	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49754 Railroad Tower	\$1,100.00	\$72.46	\$1,027.54	93.41%	\$0.00	\$1,100.00	-\$1,100.00	0.04	-0.72
DEPT 49985 Special Contributions	\$2,000.00	\$0.00	\$2,000.00	100.00%	\$0.00	\$2,000.00	-\$2,000.00	0.00	-1.00
DEPT 49995 Miscellaneous Contingency	\$10,000.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$10,000.00	-\$10,000.00	0.00	-0.50
Total Expenditure Accounts	\$2,473,127.75	\$896,744.30	\$1,576,383.4	63.74%	\$0.00	\$2,473,127.75	-\$2,473,127.75	0.19	-0.53
Total FUND 101 GENERAL FUND	-\$2,473,127.75	-\$791,254.47	\$1,681,873.2	68.01%	\$0.00	\$2,473,127.75	\$2,473,127.75		



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$1,586.54	-\$1,586.54	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$1,586.54	\$1,586.54	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 205 RECYCLING	\$0.00	\$1,375.32	-\$1,375.32	0.00%	\$0.00	\$0.00	\$0.00		
FUND 206 FIRE ENGINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 206 FIRE ENGINE	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 208 BUY FORFEITURE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.30	-\$0.30	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.30	-\$0.30	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 208 BUY FORFEITURE	\$0.00	\$0.30	-\$0.30	0.00%	\$0.00	\$0.00	\$0.00		
FUND 225 PIONEER DAY									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$4.58	-\$4.58	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$4.58	-\$4.58	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 225 PIONEER DAY	\$0.00	\$4.58	-\$4.58	0.00%	\$0.00	\$0.00	\$0.00		



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 307 GO TIF 1994B	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 308 CERIFICATES OF INDEBTEDNESS									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 308 CERIFICATES OF INDEBTEDNES	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 313 GO IMP BOND 2000B									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 313 GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 315 \$690,000 BOND 2002A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$92,092.50	-\$92,092.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$92,092.50	\$92,092.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 315 \$690,000 BOND 2002A	\$0.00	-\$92,092.50	\$92,092.50	0.00%	\$0.00	\$0.00	\$0.00		
FUND 316 PFA/TRLF REVENUE NOTE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$4,159.19	-\$4,159.19	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$4,159.19	-\$4,159.19	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$1,695.80	-\$1,695.80	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$1,695.80	\$1,695.80	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 316 PFA/TRLF REVENUE NOTE	\$0.00	\$2,463.39	-\$2,463.39	0.00%	\$0.00	\$0.00	\$0.00		
FUND 321 EQUIP CERTIFICATE 2006A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 321 EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 322 GO BONDS OF 2011A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$108,017.50	-\$108,017.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$108,017.50	\$108,017.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 322 GO BONDS OF 2011A	\$0.00	-\$108,017.50	\$108,017.50	0.00%	\$0.00	\$0.00	\$0.00		
FUND 401 EQUIPMENT REVOLVING									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$139,052.63	-\$139,052.63	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$139,052.63	-\$139,052.63	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$424.00	-\$424.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$424.00	\$424.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 401 EQUIPMENT REVOLVING	\$0.00	\$138,628.63	-\$138,628.63	0.00%	\$0.00	\$0.00	\$0.00		
FUND 402 TAX INC DIST 1									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49995 Miscellaneous Contingency	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 402 TAX INC DIST 1	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 405 T.H. HWY 61									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$54.24	-\$54.24	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$54.24	-\$54.24	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$384.76	-\$384.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$384.76	\$384.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 405 T.H. HWY 61	\$0.00	-\$330.52	\$330.52	0.00%	\$0.00	\$0.00	\$0.00		
FUND 409 STREET RECONSTRUCTION 2013-14									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$39.72	-\$39.72	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$39.72	-\$39.72	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$58,723.40	-\$58,723.40	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$58,723.40	\$58,723.40	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 409 STREET RECONSTRUCTION 201	\$0.00	-\$58,683.68	\$58,683.68	0.00%	\$0.00	\$0.00	\$0.00		
FUND 411 BUILDING FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$70,025.53	-\$70,025.53	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$70,025.53	-\$70,025.53	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 411 BUILDING FUND	\$0.00	\$70,025.53	-\$70,025.53	0.00%	\$0.00	\$0.00	\$0.00		
FUND 416 4TH AVENUE RAVINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$2.96	-\$2.96	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$2.96	-\$2.96	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 416 4TH AVENUE RAVINE	\$0.00	\$2.96	-\$2.96	0.00%	\$0.00	\$0.00	\$0.00		
FUND 417 NORTH RAVINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.06	-\$0.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.06	-\$0.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 417 NORTH RAVINE	\$0.00	\$0.06	-\$0.06	0.00%	\$0.00	\$0.00	\$0.00		
FUND 422 2011A UTILITY CAPITAL									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 422 2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 423 2011A EQUIPMENT CAPITAL									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: March 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$3.86	-\$3.86	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 43160 Street Lighting	\$0.00	\$12,076.20	-\$12,076.20	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$12,080.06	-\$12,080.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 43160 Street Lighting	\$0.00	\$6,269.85	-\$6,269.85	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49470 Street Lights	\$0.00	\$4,934.46	-\$4,934.46	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$11,204.31	\$11,204.31	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 603 STREET LIGHT FUND	\$0.00	\$875.75	-\$875.75	0.00%	\$0.00	\$0.00	\$0.00		
FUND 604 STORM WATER FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$2.26	-\$2.26	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49460 Storm Water	\$0.00	\$2,431.76	-\$2,431.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$2,434.02	-\$2,434.02	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$20,000.00	-\$20,000.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49460 Storm Water	\$0.00	\$2,900.75	-\$2,900.75	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$22,900.75	\$22,900.75	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 604 STORM WATER FUND	\$0.00	-\$20,466.73	\$20,466.73	0.00%	\$0.00	\$0.00	\$0.00		
	-\$3,213,944.75	-\$865,883.38	\$2,348,061.3	73.06%	\$0.00	\$3,213,944.75	\$3,213,944.75		

FILTER: None

Section 3 – Cash Balances

Purpose:

This section provides a summary of the beginning cash balances for the year and ending cash balances at the end of each period, after receipts and disbursements. The funds listed in cash balances lists all City funds.



CITY OF NEWPORT
***Cash Balances**

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Current Period March 2014

Fund	2014 Begin Balance	Receipts	Disbursements	-----Transfers-----		JE Payroll	Balance	
				Rec/Disb	Journal Entry			
10100 Central Bank								
101 GENERAL FUND	\$1,044,838.95	\$112,691.49	\$396,638.18	\$0.00	(\$357,450.00)	(\$150,032.73)	\$253,409.53	In Bal
201 PARKS SPECIAL F	\$11,408.36	\$85.09	\$0.00	\$0.00	\$32,000.00	\$0.00	\$43,493.45	In Bal
204 HERITAGE PRESE	\$8,416.73	\$1.53	\$9,000.00	\$0.00	\$7,200.00	\$0.00	\$6,618.26	In Bal
205 RECYCLING	\$24,105.60	\$2,961.86	\$1,586.54	\$0.00	\$0.00	\$0.00	\$25,480.92	In Bal
206 FIRE ENGINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
208 BUY FORFEITURE	\$1,304.16	\$0.30	\$0.00	\$0.00	\$0.00	\$0.00	\$1,304.46	In Bal
225 PIONEER DAY	\$19,709.63	\$4.58	\$0.00	\$0.00	\$0.00	\$0.00	\$19,714.21	In Bal
270 EDA	\$593,895.69	\$19,054.70	\$122,909.96	\$0.00	\$109,250.00	\$0.00	\$599,290.43	In Bal
301 G.O. CAPITAL IMP	(\$118,822.22)	\$0.00	\$3,623.75	\$0.00	\$0.00	\$0.00	(\$122,445.97)	In Bal
305 2013 Street Assess	\$10,185.25	\$7,457.56	\$0.00	\$0.00	\$14,932.00	\$0.00	\$32,574.81	In Bal
307 GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
308 CERIFICATES OF I	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
313 GO IMP BOND 200	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
315 \$690,000 BOND 20	(\$44,025.88)	\$0.00	\$92,092.50	\$0.00	\$0.00	\$0.00	(\$136,118.38)	In Bal
316 PFA/TRLF REVEN	\$334,882.49	\$4,159.19	\$1,695.80	\$0.00	\$0.00	\$0.00	\$337,345.88	In Bal
321 EQUIP CERTIFICA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
322 GO BONDS OF 20	(\$42,091.84)	\$0.00	\$108,017.50	\$0.00	\$0.00	\$0.00	(\$150,109.34)	In Bal
401 EQUIPMENT REV	\$87,793.73	\$52.63	\$424.00	\$0.00	\$139,000.00	\$0.00	\$226,422.36	In Bal
402 TAX INC DIST 1	\$4.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4.77	In Bal
405 T.H. HWY 61	\$233,996.93	\$54.24	\$384.76	\$0.00	\$0.00	\$0.00	\$233,666.41	In Bal
409 STREET RECONS	\$201,754.29	\$39.72	\$58,723.40	\$0.00	\$0.00	\$0.00	\$143,070.61	In Bal
411 BUILDING FUND	\$40,009.57	\$25.53	\$0.00	\$0.00	\$70,000.00	\$0.00	\$110,035.10	In Bal
416 4TH AVENUE RAV	\$12,757.82	\$2.96	\$0.00	\$0.00	\$0.00	\$0.00	\$12,760.78	In Bal
417 NORTH RAVINE	\$732.25	\$0.06	\$0.00	\$0.00	\$0.00	\$0.00	\$732.31	In Bal
422 2011A UTILITY CA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
423 2011A EQUIPMEN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
601 WATER FUND	\$513,474.48	\$46,740.76	\$49,640.86	\$0.00	(\$2,748.00)	(\$19,838.18)	\$487,988.20	In Bal
602 SEWER FUND	\$756,041.99	\$72,855.69	\$80,712.94	\$0.00	(\$9,281.00)	(\$20,445.26)	\$718,458.48	In Bal
603 STREET LIGHT FU	\$15,809.55	\$12,080.06	\$9,542.19	\$0.00	\$0.00	(\$1,662.12)	\$16,685.30	In Bal
604 STORM WATER F	\$31,855.98	\$5,337.02	\$21,238.57	\$0.00	(\$2,903.00)	(\$1,662.18)	\$11,389.25	In Bal
	<u>\$3,738,038.28</u>	<u>\$283,604.97</u>	<u>\$956,230.95</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>(\$193,640.47)</u>	<u>\$2,871,771.83</u>	

Section 4 – Revenue Summary

Purpose:

This section provides a summary view of revenues for the specified period compared to the current year budget as amended. Revenues are reported on a cash basis. Adjustments are required at the end of the fiscal year for audit purposed and are not reflected in the report.



CITY OF NEWPORT
***Revenue Summary**

FUND	Description	2014 YTD Budget	March 2014 Amt	2014 YTD Amt	YTD Balance	% of YTD Budget
101	GENERAL FUND	\$0.00	\$21,026.11	\$105,489.83	-\$105,489.83	0.00%
201	PARKS SPECIAL FUND	\$0.00	\$78.44	\$32,085.09	-\$32,085.09	0.00%
202	POLICE FORFEITURE FUND	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
204	HERITAGE PRESERVATION C	\$0.00	\$0.52	\$7,201.53	-\$7,201.53	0.00%
205	RECYCLING	\$0.00	\$2.01	\$2,961.86	-\$2,961.86	0.00%
206	FIRE ENGINE	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
208	BUY FORFEITURE	\$0.00	\$0.10	\$0.30	-\$0.30	0.00%
225	PIONEER DAY	\$0.00	\$1.56	\$4.58	-\$4.58	0.00%
270	EDA	\$0.00	\$440.71	\$128,304.70	-\$128,304.70	0.00%
301	G.O. CAPITAL IMP. PLAN 2010	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
305	2013 Street Assessments	\$0.00	\$2.57	\$22,389.56	-\$22,389.56	0.00%
307	GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
308	CERIFICATES OF INDEBTEDN	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
313	GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
315	\$690,000 BOND 2002A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
316	PFA/TRLF REVENUE NOTE	\$0.00	\$26.64	\$4,159.19	-\$4,159.19	0.00%
321	EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
322	GO BONDS OF 2011A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
401	EQUIPMENT REVOLVING	\$0.00	\$17.92	\$139,052.63	-\$139,052.63	0.00%
402	TAX INC DIST 1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
405	T.H. HWY 61	\$0.00	\$18.45	\$54.24	-\$54.24	0.00%
409	STREET RECONSTRUCTION 2	\$0.00	\$11.31	\$39.72	-\$39.72	0.00%
411	BUILDING FUND	\$0.00	\$8.69	\$70,025.53	-\$70,025.53	0.00%
416	4TH AVENUE RAVINE	\$0.00	\$1.01	\$2.96	-\$2.96	0.00%
417	NORTH RAVINE	\$0.00	\$0.06	\$0.06	-\$0.06	0.00%
422	2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
423	2011A EQUIPMENT CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
601	WATER FUND	\$0.00	\$21,836.64	\$43,359.46	-\$43,359.46	0.00%
602	SEWER FUND	\$0.00	\$34,254.97	\$63,574.69	-\$63,574.69	0.00%
603	STREET LIGHT FUND	\$0.00	\$6,206.54	\$12,080.06	-\$12,080.06	0.00%
604	STORM WATER FUND	\$0.00	\$3,980.21	\$2,434.02	-\$2,434.02	0.00%
		\$0.00	\$87,914.46	\$633,220.01	-\$633,220.01	0.00%

FILTER: None

Section 5 – Expenditure Summary

Purpose:

This section provides a summary and detailed view of expenses for the specified period compared to the current budget as amended. Expenses are reported on a cash basis and do not reflect any outstanding encumbrances. Adjustments are required at the end of the fiscal year for audit purposes and are not reflected in the report.



CITY OF NEWPORT
***Expenditure Summary**

FUND	Description	2014 YTD Budget	March 2014 Amt	2014 YTD Amt	Enc Current	YTD Balance	% YTD Budget
101	GENERAL FUND	\$2,473,127.75	\$172,490.94	\$896,744.30	\$0.00	\$1,576,383.45	36.26%
201	PARKS SPECIAL FUND	\$34,500.00	\$0.00	\$0.00	\$0.00	\$34,500.00	0.00%
204	HERITAGE PRESERVATION C	\$9,000.00	\$0.00	\$9,000.00	\$0.00	\$0.00	100.00%
205	RECYCLING	\$0.00	\$815.00	\$1,586.54	\$0.00	-\$1,586.54	0.00%
208	BUY FORFEITURE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
225	PIONEER DAY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
270	EDA	\$0.00	\$117,019.00	\$122,909.96	\$0.00	-\$122,909.96	0.00%
301	G.O. CAPITAL IMP. PLAN 2010	\$0.00	\$3,623.75	\$3,623.75	\$0.00	-\$3,623.75	0.00%
305	2013 Street Assessments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
307	GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
308	CERIFICATES OF INDEBTEDN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
313	GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
315	\$690,000 BOND 2002A	\$0.00	\$0.00	\$92,092.50	\$0.00	-\$92,092.50	0.00%
316	PFA/TRLF REVENUE NOTE	\$0.00	\$0.00	\$1,695.80	\$0.00	-\$1,695.80	0.00%
321	EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
322	GO BONDS OF 2011A	\$0.00	\$0.00	\$108,017.50	\$0.00	-\$108,017.50	0.00%
401	EQUIPMENT REVOLVING	\$0.00	\$424.00	\$424.00	\$0.00	-\$424.00	0.00%
402	TAX INC DIST 1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
405	T.H. HWY 61	\$0.00	\$0.00	\$384.76	\$0.00	-\$384.76	0.00%
409	STREET RECONSTRUCTION 2	\$0.00	\$24,141.90	\$58,723.40	\$0.00	-\$58,723.40	0.00%
411	BUILDING FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
416	4TH AVENUE RAVINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
417	NORTH RAVINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
422	2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
423	2011A EQUIPMENT CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
601	WATER FUND	\$293,452.00	\$36,291.42	\$68,637.62	\$0.00	\$224,814.38	23.39%
602	SEWER FUND	\$403,865.00	\$25,509.52	\$101,158.20	\$0.00	\$302,706.80	25.05%
603	STREET LIGHT FUND	\$0.00	\$4,371.00	\$11,204.31	\$0.00	-\$11,204.31	0.00%
604	STORM WATER FUND	\$0.00	\$1,461.65	\$22,900.75	\$0.00	-\$22,900.75	0.00%
		\$3,213,944.75	\$386,148.18	\$1,499,103.39	\$0.00	\$1,714,841.36	46.64%

FILTER: None

Section 6 – Balance Sheets

Purpose:

The purpose of the GL Yearly Report is to provide a monthly snapshot of the funds' various assets, liabilities, and equity. Please note that the basic formula is:

$$\text{Assets} = \text{Liabilities} + \text{Equity}$$



CITY OF NEWPORT

GL Yearly

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Current Period: March 2014

FUND 101 GENERAL FUND

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 101-10100 Cash	\$1,044,838.95	\$23,973.15	\$175,980.03	\$120,975.43	\$912,404.85	\$253,409.53
G 101-10200 Petty Cash	\$74.73	\$0.00	\$0.00	\$0.00	\$0.00	\$74.73
G 101-10300 Bond Street Account	\$62,239.00	\$0.00	\$0.00	\$0.00	\$0.00	\$62,239.00
G 101-10400 Investments	(\$157,399.48)	\$0.00	\$0.00	\$0.00	\$0.00	(\$157,399.48)
G 101-10401 Northland Securities	\$355,794.26	\$0.00	\$0.00	\$0.00	\$0.00	\$355,794.26
G 101-10402 CDARS/Central Bank	\$312,321.07	\$0.00	\$0.00	\$0.00	\$0.00	\$312,321.07
G 101-10406 Smith Barney	\$101,930.27	\$0.00	\$0.00	\$0.00	\$0.00	\$101,930.27
G 101-10410 Smith Barney MM	\$533,506.17	\$0.00	\$0.00	\$0.00	\$0.00	\$533,506.17
G 101-10450 Interest Receivable	\$4,480.04	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.04
G 101-10500 Taxes Receivable-Current	\$26,552.41	\$0.00	\$0.00	\$0.00	\$0.00	\$26,552.41
G 101-10700 Taxes Receivable-Delinquent	\$84,605.12	\$0.00	\$0.00	\$0.00	\$0.00	\$84,605.12
G 101-13100 Due From Other Funds	(\$1.25)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1.25)
G 101-13200 Due From Other Government	\$4,565.76	\$0.00	\$0.00	\$0.00	\$0.00	\$4,565.76
G 101-15500 Prepaid Items	\$32,123.42	\$0.00	\$0.00	\$0.00	\$0.00	\$32,123.42
Total Asset	\$2,405,630.47	\$23,973.15	\$175,980.03	\$120,975.43	\$912,404.85	\$1,614,201.05
Liability						
G 101-20200 Accounts Payable	(\$58,188.25)	\$0.00	\$0.00	\$0.00	\$0.00	(\$58,188.25)
G 101-20800 Due to Other Governments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21600 Accrued Wages & Salaries P	(\$15,202.21)	\$0.00	\$0.00	\$0.00	\$0.00	(\$15,202.21)
G 101-21701 Federal W/H Payable	(\$2,420.70)	\$10,296.62	\$10,296.62	\$29,351.60	\$29,351.60	(\$2,420.70)
G 101-21702 State Withholding Payable	\$11,537.44	\$4,318.51	\$4,318.51	\$12,327.22	\$12,327.22	\$11,537.44
G 101-21703 FICA Tax Withholding	(\$1,969.48)	\$7,587.30	\$7,587.30	\$21,673.45	\$21,673.45	(\$1,969.48)
G 101-21704 PERA	(\$4,436.99)	\$17,670.00	\$17,669.99	\$51,910.57	\$51,910.52	(\$4,436.94)
G 101-21705 Medica payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21706 Garnishment	\$0.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.40
G 101-21707 Union Dues	(\$497.87)	\$270.00	\$433.70	\$1,080.00	\$1,301.10	(\$718.97)
G 101-21708 United Way	(\$0.45)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.45)
G 101-21709 Medicare	(\$764.48)	\$2,933.48	\$2,933.48	\$8,502.48	\$8,502.48	(\$764.48)
G 101-21710 Other Deductions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21711 NPERS - Life	\$172.38	\$330.96	\$48.00	\$549.82	\$160.00	\$562.20
G 101-21712 HSA Employee	(\$5,140.78)	\$1,773.82	\$1,773.80	\$4,326.48	\$4,326.46	(\$5,140.76)
G 101-21713 Dental Family	(\$1,659.57)	\$506.54	\$512.59	\$759.81	\$1,031.23	(\$1,930.99)
G 101-21714 LTD Employee	\$683.79	\$360.89	\$445.83	\$1,881.40	\$1,485.18	\$1,080.01
G 101-21715 MSRS Employee	(\$2,739.75)	\$1,263.31	\$1,263.32	\$2,941.56	\$2,941.57	(\$2,739.76)
G 101-21716 Health Insurance	(\$1,752.89)	\$516.00	\$476.40	\$1,548.00	\$1,429.20	(\$1,634.09)
G 101-21717 MNBA Life Ins.	(\$325.39)	\$0.00	\$146.33	\$0.00	\$269.21	(\$594.60)
G 101-21719 ING Employee	\$951.42	\$3,569.20	\$3,569.20	\$10,907.60	\$10,907.60	\$951.42
G 101-21721 Child Support	(\$228.57)	\$0.00	\$0.00	\$0.00	\$0.00	(\$228.57)
G 101-21722 Cobra Payment	(\$77.80)	\$1,618.50	\$1,578.00	\$5,704.70	\$5,735.46	(\$108.56)
G 101-21723 Insurance Recovery	(\$2,721.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$2,721.00)
G 101-22100 Escrow	(\$15,344.36)	\$586.49	\$0.00	\$1,931.61	\$1,862.57	(\$15,275.32)
G 101-22101 Library Sales	\$0.00	\$0.00	\$6.50	\$0.00	\$6.50	(\$6.50)
G 101-22200 Deferred Revenues	(\$84,605.13)	\$0.00	\$0.00	\$0.00	\$0.00	(\$84,605.13)
Total Liability	(\$184,730.24)	\$53,601.62	\$53,059.57	\$155,396.30	\$155,221.35	(\$184,555.29)
Equity						
G 101-25300 Unreserved Fund Balance	(\$2,220,900.23)	\$173,180.76	\$21,715.93	\$917,352.65	\$126,098.18	(\$1,429,645.76)
Total Equity	(\$2,220,900.23)	\$173,180.76	\$21,715.93	\$917,352.65	\$126,098.18	(\$1,429,645.76)
Total 101 GENERAL FUND	\$0.00	\$250,755.53	\$250,755.53	\$1,193,724.38	\$1,193,724.38	\$0.00



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FUND 201 PARKS SPECIAL FUND

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 201-10100 Cash	\$11,408.36	\$78.44	\$0.00	\$32,085.09	\$0.00	\$43,493.45
Total Asset	\$11,408.36	\$78.44	\$0.00	\$32,085.09	\$0.00	\$43,493.45
Equity						
G 201-25300 Unreserved Fund Balance	(\$11,408.36)	\$0.00	\$78.44	\$0.00	\$32,085.09	(\$43,493.45)
Total Equity	(\$11,408.36)	\$0.00	\$78.44	\$0.00	\$32,085.09	(\$43,493.45)
Total 201 PARKS SPECIAL FUND	\$0.00	\$78.44	\$78.44	\$32,085.09	\$32,085.09	\$0.00



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FUND 204	HERITAGE PRESERVATION COMM	March 2014					
		Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset							
	G 204-10100 Cash	\$8,416.73	\$0.52	\$0.00	\$7,201.53	\$9,000.00	\$6,618.26
	Total Asset	\$8,416.73	\$0.52	\$0.00	\$7,201.53	\$9,000.00	\$6,618.26
Equity							
	G 204-25300 Unreserved Fund Balance	(\$8,416.73)	\$0.00	\$0.52	\$9,000.00	\$7,201.53	(\$6,618.26)
	Total Equity	(\$8,416.73)	\$0.00	\$0.52	\$9,000.00	\$7,201.53	(\$6,618.26)
Total 204 HERITAGE PRESERVATION COMM		\$0.00	\$0.52	\$0.52	\$16,201.53	\$16,201.53	\$0.00



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FUND 205 RECYCLING

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 205-10100 Cash	\$24,105.60	\$2.01	\$815.00	\$2,961.86	\$1,586.54	\$25,480.92
Total Asset	\$24,105.60	\$2.01	\$815.00	\$2,961.86	\$1,586.54	\$25,480.92
Equity						
G 205-25300 Unreserved Fund Balance	(\$24,105.60)	\$815.00	\$2.01	\$1,586.54	\$2,961.86	(\$25,480.92)
Total Equity	(\$24,105.60)	\$815.00	\$2.01	\$1,586.54	\$2,961.86	(\$25,480.92)
Total 205 RECYCLING	\$0.00	\$817.01	\$817.01	\$4,548.40	\$4,548.40	\$0.00



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Current Period: March 2014

FUND 208 BUY FORFEITURE

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 208-10100 Cash	\$1,304.16	\$0.10	\$0.00	\$0.30	\$0.00	\$1,304.46
Total Asset	\$1,304.16	\$0.10	\$0.00	\$0.30	\$0.00	\$1,304.46
Equity						
G 208-25300 Unreserved Fund Balance	(\$1,304.16)	\$0.00	\$0.10	\$0.00	\$0.30	(\$1,304.46)
Total Equity	(\$1,304.16)	\$0.00	\$0.10	\$0.00	\$0.30	(\$1,304.46)
Total 208 BUY FORFEITURE	\$0.00	\$0.10	\$0.10	\$0.30	\$0.30	\$0.00



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FUND 225 PIONEER DAY

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 225-10100 Cash	\$19,709.63	\$1.56	\$0.00	\$4.58	\$0.00	\$19,714.21
Total Asset	\$19,709.63	\$1.56	\$0.00	\$4.58	\$0.00	\$19,714.21
Liability						
G 225-20200 Accounts Payable	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.03
Total Liability	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.03
Equity						
G 225-25300 Unreserved Fund Balance	(\$19,709.66)	\$0.00	\$1.56	\$0.00	\$4.58	(\$19,714.24)
Total Equity	(\$19,709.66)	\$0.00	\$1.56	\$0.00	\$4.58	(\$19,714.24)
Total 225 PIONEER DAY	\$0.00	\$1.56	\$1.56	\$4.58	\$4.58	\$0.00



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FUND 270 EDA

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 270-10100 Cash	\$593,895.69	\$115,440.71	\$232,019.00	\$243,304.70	\$237,909.96	\$599,290.43
G 270-10500 Taxes Receivable-Current	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$593,895.69	\$115,440.71	\$232,019.00	\$243,304.70	\$237,909.96	\$599,290.43
Liability						
G 270-20200 Accounts Payable	(\$7,192.93)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,192.93)
Total Liability	(\$7,192.93)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,192.93)
Equity						
G 270-25300 Unreserved Fund Balance	(\$586,702.76)	\$232,019.00	\$115,440.71	\$237,909.96	\$243,304.70	(\$592,097.50)
Total Equity	(\$586,702.76)	\$232,019.00	\$115,440.71	\$237,909.96	\$243,304.70	(\$592,097.50)
Total 270 EDA	\$0.00	\$347,459.71	\$347,459.71	\$481,214.66	\$481,214.66	\$0.00



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FUND 301 G.O. CAPITAL IMP. PLAN 2010A	March 2014					
	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 301-10100 Cash	(\$118,822.22)	\$0.00	\$3,623.75	\$0.00	\$3,623.75	(\$122,445.97)
G 301-10500 Taxes Receivable-Current	\$1,589.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,589.00
Total Asset	(\$117,233.22)	\$0.00	\$3,623.75	\$0.00	\$3,623.75	(\$120,856.97)
Equity						
G 301-25300 Unreserved Fund Balance	\$117,233.22	\$3,623.75	\$0.00	\$3,623.75	\$0.00	\$120,856.97
Total Equity	\$117,233.22	\$3,623.75	\$0.00	\$3,623.75	\$0.00	\$120,856.97
Total 301 G.O. CAPITAL IMP. PLAN 2010A	\$0.00	\$3,623.75	\$3,623.75	\$3,623.75	\$3,623.75	\$0.00



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Current Period: March 2014

FUND 305 2013 Street Assessments

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 305-10100 Cash	\$10,185.25	\$2.57	\$0.00	\$52,189.56	\$29,800.00	\$32,574.81
G 305-10400 Investments	\$85,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$85,000.00
Total Asset	\$95,185.25	\$2.57	\$0.00	\$52,189.56	\$29,800.00	\$117,574.81
Liability						
G 305-22200 Deferred Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Liability	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Equity						
G 305-25300 Unreserved Fund Balance	(\$95,185.25)	\$0.00	\$2.57	\$29,800.00	\$52,189.56	(\$117,574.81)
Total Equity	(\$95,185.25)	\$0.00	\$2.57	\$29,800.00	\$52,189.56	(\$117,574.81)
Total 305 2013 Street Assessments	\$0.00	\$2.57	\$2.57	\$81,989.56	\$81,989.56	\$0.00



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Current Period: March 2014

FUND 315 \$690,000 BOND 2002A

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 315-10100 Cash	(\$44,025.88)	\$0.00	\$0.00	\$0.00	\$92,092.50	(\$136,118.38)
Total Asset	(\$44,025.88)	\$0.00	\$0.00	\$0.00	\$92,092.50	(\$136,118.38)
Equity						
G 315-25300 Unreserved Fund Balance	\$44,025.88	\$0.00	\$0.00	\$92,092.50	\$0.00	\$136,118.38
Total Equity	\$44,025.88	\$0.00	\$0.00	\$92,092.50	\$0.00	\$136,118.38
Total 315 \$690,000 BOND 2002A	\$0.00	\$0.00	\$0.00	\$92,092.50	\$92,092.50	\$0.00



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Current Period: March 2014

FUND 316 PFA/TRLF REVENUE NOTE

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 316-10100 Cash	\$334,882.49	\$26.64	\$0.00	\$4,159.19	\$1,695.80	\$337,345.88
G 316-12100 SA Recievable -Current	\$7,736.28	\$0.00	\$0.00	\$0.00	\$0.00	\$7,736.28
G 316-12200 Special Assess Rec-Delinque	\$10,023.12	\$0.00	\$0.00	\$0.00	\$0.00	\$10,023.12
G 316-12300 Special Assess Rec-Deferred	\$246,037.68	\$0.00	\$0.00	\$0.00	\$0.00	\$246,037.68
Total Asset	\$598,679.57	\$26.64	\$0.00	\$4,159.19	\$1,695.80	\$601,142.96
Liability						
G 316-22200 Deferred Revenues	(\$256,060.80)	\$0.00	\$0.00	\$0.00	\$0.00	(\$256,060.80)
Total Liability	(\$256,060.80)	\$0.00	\$0.00	\$0.00	\$0.00	(\$256,060.80)
Equity						
G 316-25300 Unreserved Fund Balance	(\$342,618.77)	\$0.00	\$26.64	\$1,695.80	\$4,159.19	(\$345,082.16)
Total Equity	(\$342,618.77)	\$0.00	\$26.64	\$1,695.80	\$4,159.19	(\$345,082.16)
Total 316 PFA/TRLF REVENUE NOTE	\$0.00	\$26.64	\$26.64	\$5,854.99	\$5,854.99	\$0.00



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FUND 321 EQUIP CERTIFICATE 2006A

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 321-10100 Cash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total 321 EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



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FUND 322 GO BONDS OF 2011A

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 322-10100 Cash	(\$42,091.84)	\$0.00	\$0.00	\$0.00	\$108,017.50	(\$150,109.34)
G 322-10500 Taxes Receivable-Current	\$1,075.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,075.00
Total Asset	(\$41,016.84)	\$0.00	\$0.00	\$0.00	\$108,017.50	(\$149,034.34)
Equity						
G 322-25300 Unreserved Fund Balance	\$41,016.84	\$0.00	\$0.00	\$108,017.50	\$0.00	\$149,034.34
Total Equity	\$41,016.84	\$0.00	\$0.00	\$108,017.50	\$0.00	\$149,034.34
Total 322 GO BONDS OF 2011A	\$0.00	\$0.00	\$0.00	\$108,017.50	\$108,017.50	\$0.00



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FUND 401 EQUIPMENT REVOLVING

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 401-10100 Cash	\$87,793.73	\$17.92	\$424.00	\$139,052.63	\$424.00	\$226,422.36
Total Asset	\$87,793.73	\$17.92	\$424.00	\$139,052.63	\$424.00	\$226,422.36
Equity						
G 401-25300 Unreserved Fund Balance	(\$87,793.73)	\$424.00	\$17.92	\$424.00	\$139,052.63	(\$226,422.36)
Total Equity	(\$87,793.73)	\$424.00	\$17.92	\$424.00	\$139,052.63	(\$226,422.36)
Total 401 EQUIPMENT REVOLVING	\$0.00	\$441.92	\$441.92	\$139,476.63	\$139,476.63	\$0.00



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FUND 405 T.H. HWY 61

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 405-10100 Cash	\$233,996.93	\$18.45	\$0.00	\$54.24	\$384.76	\$233,666.41
G 405-13200 Due From Other Government	(\$0.18)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.18)
Total Asset	\$233,996.75	\$18.45	\$0.00	\$54.24	\$384.76	\$233,666.23
Equity						
G 405-25300 Unreserved Fund Balance	(\$233,996.75)	\$0.00	\$18.45	\$384.76	\$54.24	(\$233,666.23)
Total Equity	(\$233,996.75)	\$0.00	\$18.45	\$384.76	\$54.24	(\$233,666.23)
Total 405 T.H. HWY 61	\$0.00	\$18.45	\$18.45	\$439.00	\$439.00	\$0.00



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Current Period: March 2014

FUND 409 STREET RECONSTRUCTION 2013-1	March 2014					
	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 409-10100 Cash	\$201,754.29	\$11.31	\$24,141.90	\$39.72	\$58,723.40	\$143,070.61
G 409-10400 Investments	\$490,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$490,000.00
G 409-10406 Smith Barney	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$691,754.29	\$11.31	\$24,141.90	\$39.72	\$58,723.40	\$633,070.61
Equity						
G 409-25300 Unreserved Fund Balance	(\$691,754.29)	\$24,141.90	\$11.31	\$58,723.40	\$39.72	(\$633,070.61)
Total Equity	(\$691,754.29)	\$24,141.90	\$11.31	\$58,723.40	\$39.72	(\$633,070.61)
Total 409 STREET RECONSTRUCTION 2013-14	\$0.00	\$24,153.21	\$24,153.21	\$58,763.12	\$58,763.12	\$0.00



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FUND 411 BUILDING FUND

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 411-10100 Cash	\$40,009.57	\$8.69	\$0.00	\$70,025.53	\$0.00	\$110,035.10
Total Asset	\$40,009.57	\$8.69	\$0.00	\$70,025.53	\$0.00	\$110,035.10
Equity						
G 411-25300 Unreserved Fund Balance	(\$40,009.57)	\$0.00	\$8.69	\$0.00	\$70,025.53	(\$110,035.10)
Total Equity	(\$40,009.57)	\$0.00	\$8.69	\$0.00	\$70,025.53	(\$110,035.10)
Total 411 BUILDING FUND	\$0.00	\$8.69	\$8.69	\$70,025.53	\$70,025.53	\$0.00



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FUND 416 4TH AVENUE RAVINE

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 416-10100 Cash	\$12,757.82	\$1.01	\$0.00	\$2.96	\$0.00	\$12,760.78
G 416-13200 Due From Other Government	\$12,776.47	\$0.00	\$0.00	\$0.00	\$0.00	\$12,776.47
Total Asset	\$25,534.29	\$1.01	\$0.00	\$2.96	\$0.00	\$25,537.25
Liability						
G 416-20700 Due to Other Funds	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
Total Liability	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
Equity						
G 416-25300 Unreserved Fund Balance	(\$25,534.54)	\$0.00	\$1.01	\$0.00	\$2.96	(\$25,537.50)
Total Equity	(\$25,534.54)	\$0.00	\$1.01	\$0.00	\$2.96	(\$25,537.50)
Total 416 4TH AVENUE RAVINE	\$0.00	\$1.01	\$1.01	\$2.96	\$2.96	\$0.00



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Current Period: March 2014

FUND 417 NORTH RAVINE

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 417-10100 Cash	\$732.25	\$0.06	\$0.00	\$0.06	\$0.00	\$732.31
G 417-13200 Due From Other Government	\$41,563.00	\$0.00	\$0.00	\$0.00	\$0.00	\$41,563.00
Total Asset	\$42,295.25	\$0.06	\$0.00	\$0.06	\$0.00	\$42,295.31
Liability						
G 417-20200 Accounts Payable	(\$1,846.82)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,846.82)
G 417-20700 Due to Other Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Liability	(\$1,846.82)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,846.82)
Equity						
G 417-24400 Fund Balance For Encumbra	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 417-25300 Unreserved Fund Balance	(\$40,448.68)	\$0.00	\$0.06	\$0.00	\$0.06	(\$40,448.74)
Total Equity	(\$40,448.43)	\$0.00	\$0.06	\$0.00	\$0.06	(\$40,448.49)
Total 417 NORTH RAVINE	\$0.00	\$0.06	\$0.06	\$0.06	\$0.06	\$0.00



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Current Period: March 2014

FUND 423 2011A EQUIPMENT CAPITAL

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 423-10100 Cash	\$0.00	\$424.00	\$424.00	\$424.00	\$424.00	\$0.00
Total Asset	\$0.00	\$424.00	\$424.00	\$424.00	\$424.00	\$0.00
Equity						
G 423-25300 Unreserved Fund Balance	\$0.00	\$424.00	\$424.00	\$424.00	\$424.00	\$0.00
Total Equity	\$0.00	\$424.00	\$424.00	\$424.00	\$424.00	\$0.00
Total 423 2011A EQUIPMENT CAPITAL	\$0.00	\$848.00	\$848.00	\$848.00	\$848.00	\$0.00



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Current Period: March 2014

FUND 601 WATER FUND

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 601-10100 Cash	\$513,474.48	\$26,547.70	\$43,824.00	\$54,273.86	\$79,760.14	\$487,988.20
G 601-11500 Accounts Receivable	\$37,657.00	\$0.00	\$0.00	\$0.00	\$0.00	\$37,657.00
G 601-12300 Special Assess Rec-Deferred	\$11,871.38	\$0.00	\$0.00	\$0.00	\$0.00	\$11,871.38
G 601-15500 Prepaid Items	\$1,167.13	\$0.00	\$0.00	\$0.00	\$0.00	\$1,167.13
G 601-16100 Land	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.50)
G 601-16200 Building and Improvements	\$123,291.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123,291.00
G 601-16300 Improvements other building	\$2,962,267.40	\$0.00	\$0.00	\$0.00	\$0.00	\$2,962,267.40
G 601-16400 Equipment	\$294,264.08	\$0.00	\$0.00	\$0.00	\$0.00	\$294,264.08
G 601-16410 Accumulated dep. Equip.	(\$1,723,637.19)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,723,637.19)
G 601-21720 Online fees payable	(\$52.83)	\$26.91	\$41.86	\$242.19	\$209.30	(\$19.94)
G 601-26100 Contributions From City	(\$0.15)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.15)
Total Asset	\$2,220,301.80	\$26,574.61	\$43,865.86	\$54,516.05	\$79,969.44	\$2,194,848.41
Liability						
G 601-20200 Accounts Payable	(\$7,293.33)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,293.33)
G 601-21500 Accrued Interest Payable	(\$3,598.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$3,598.00)
G 601-21600 Accrued Wages & Salaries P	(\$1,174.09)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,174.09)
G 601-21701 Federal W/H Payable	(\$0.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.22)
G 601-21702 State Withholding Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 601-21703 FICA Tax Withholding	(\$73.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$73.28)
G 601-21704 PERA	(\$84.92)	\$0.00	\$0.00	\$0.00	\$0.00	(\$84.92)
G 601-21707 Union Dues	(\$0.17)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.17)
G 601-21708 United Way	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 601-21709 Medicare	(\$16.78)	\$0.00	\$0.00	\$0.00	\$0.00	(\$16.78)
G 601-21711 NPERS - Life	(\$0.30)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.30)
G 601-21712 HSA Employee	(\$0.11)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.11)
G 601-21714 LTD Employee	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 601-21715 MSRS Employee	(\$0.08)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.08)
G 601-21718 Water sales tax payable	(\$1,993.12)	\$668.00	\$0.00	\$668.00	\$0.00	(\$1,325.12)
G 601-22510 General Obligation Bonds Pa	(\$236,000.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$236,000.00)
G 601-99999 Utility Overpayments	\$596.57	\$3,291.16	\$1,122.69	\$3,291.46	\$3,784.23	\$103.80
Total Liability	(\$249,637.58)	\$3,959.16	\$1,122.69	\$3,959.46	\$3,784.23	(\$249,462.35)
Equity						
G 601-25300 Unreserved Fund Balance	(\$1,970,664.22)	\$39,837.93	\$25,383.15	\$75,558.49	\$50,280.33	(\$1,945,386.06)
Total Equity	(\$1,970,664.22)	\$39,837.93	\$25,383.15	\$75,558.49	\$50,280.33	(\$1,945,386.06)
Total 601 WATER FUND	\$0.00	\$70,371.70	\$70,371.70	\$134,034.00	\$134,034.00	\$0.00



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Current Period: March 2014

FUND 602 SEWER FUND

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 602-10100 Cash	\$756,041.99	\$34,701.57	\$25,956.12	\$104,527.66	\$142,111.17	\$718,458.48
G 602-11500 Accounts Receivable	\$61,353.40	\$0.00	\$0.00	\$0.00	\$0.00	\$61,353.40
G 602-12300 Special Assess Rec-Deferred	\$11,870.30	\$0.00	\$0.00	\$0.00	\$0.00	\$11,870.30
G 602-13100 Due From Other Funds	\$0.29	\$0.00	\$0.00	\$0.00	\$0.00	\$0.29
G 602-15500 Prepaid Items	\$1,367.13	\$0.00	\$0.00	\$0.00	\$0.00	\$1,367.13
G 602-16100 Land	\$0.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.50
G 602-16200 Building and Improvements	\$417,170.00	\$0.00	\$0.00	\$0.00	\$0.00	\$417,170.00
G 602-16300 Improvements other building	\$1,950,830.15	\$0.00	\$0.00	\$0.00	\$0.00	\$1,950,830.15
G 602-16400 Equipment	\$56,342.75	\$0.00	\$0.00	\$0.00	\$0.00	\$56,342.75
G 602-16410 Accumulated dep. Equip.	(\$1,137,899.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,137,899.22)
G 602-16500 Construction in Progress	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 602-26100 Contributions From City	(\$0.36)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.36)
Total Asset	\$2,117,076.93	\$34,701.57	\$25,956.12	\$104,527.66	\$142,111.17	\$2,079,493.42
Liability						
G 602-20200 Accounts Payable	(\$5,165.70)	\$0.00	\$0.00	\$0.00	\$0.00	(\$5,165.70)
G 602-21500 Accrued Interest Payable	(\$4,418.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,418.00)
G 602-21600 Accrued Wages & Salaries P	(\$1,196.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,196.24)
G 602-21701 Federal W/H Payable	\$0.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.08
G 602-21702 State Withholding Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 602-21703 FICA Tax Withholding	(\$74.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$74.28)
G 602-21704 PERA	(\$87.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$87.00)
G 602-21707 Union Dues	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 602-21709 Medicare	(\$16.75)	\$0.00	\$0.00	\$0.00	\$0.00	(\$16.75)
G 602-21711 NPERS - Life	(\$0.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.28)
G 602-21712 HSA Employee	\$0.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.47
G 602-21714 LTD Employee	(\$0.35)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.35)
G 602-21715 MSRS Employee	(\$0.08)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.08)
G 602-22510 General Obligation Bonds Pa	(\$304,000.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$304,000.00)
Total Liability	(\$314,957.88)	\$0.00	\$0.00	\$0.00	\$0.00	(\$314,957.88)
Equity						
G 602-25300 Unreserved Fund Balance	(\$1,802,119.05)	\$25,956.12	\$34,701.57	\$142,111.17	\$104,527.66	(\$1,764,535.54)
Total Equity	(\$1,802,119.05)	\$25,956.12	\$34,701.57	\$142,111.17	\$104,527.66	(\$1,764,535.54)
Total 602 SEWER FUND	\$0.00	\$60,657.69	\$60,657.69	\$246,638.83	\$246,638.83	\$0.00



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Current Period: March 2014

FUND 603 STREET LIGHT FUND

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 603-10100 Cash	\$15,809.55	\$6,249.17	\$4,413.63	\$15,040.97	\$14,165.22	\$16,685.30
G 603-11500 Accounts Receivable	\$9,741.47	\$0.00	\$0.00	\$0.00	\$0.00	\$9,741.47
G 603-12200 Special Assess Rec-Delinque	(\$0.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.24)
Total Asset	\$25,550.78	\$6,249.17	\$4,413.63	\$15,040.97	\$14,165.22	\$26,426.53
Liability						
G 603-20200 Accounts Payable	(\$4,560.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,560.24)
G 603-20700 Due to Other Funds	(\$0.48)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.48)
Total Liability	(\$4,560.72)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,560.72)
Equity						
G 603-25300 Unreserved Fund Balance	(\$20,990.06)	\$4,413.63	\$6,249.17	\$14,165.22	\$15,040.97	(\$21,865.81)
Total Equity	(\$20,990.06)	\$4,413.63	\$6,249.17	\$14,165.22	\$15,040.97	(\$21,865.81)
Total 603 STREET LIGHT FUND	\$0.00	\$10,662.80	\$10,662.80	\$29,206.19	\$29,206.19	\$0.00



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Current Period: March 2014

FUND 604 STORM WATER FUND

March 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 604-10100 Cash	\$31,855.98	\$3,998.17	\$1,479.61	\$5,364.14	\$25,830.87	\$11,389.25
G 604-11500 Accounts Receivable	\$3,392.80	\$0.00	\$0.00	\$0.00	\$0.00	\$3,392.80
G 604-12100 SA Recievable -Current	(\$0.07)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.07)
G 604-12200 Special Assess Rec-Delinque	\$2,730.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,730.00
Total Asset	\$37,978.71	\$3,998.17	\$1,479.61	\$5,364.14	\$25,830.87	\$17,511.98
Liability						
G 604-20200 Accounts Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 604-20700 Due to Other Funds	\$0.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.19
Total Liability	\$0.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.19
Equity						
G 604-25300 Unreserved Fund Balance	(\$37,978.90)	\$1,479.61	\$3,998.17	\$25,830.87	\$5,364.14	(\$17,512.17)
Total Equity	(\$37,978.90)	\$1,479.61	\$3,998.17	\$25,830.87	\$5,364.14	(\$17,512.17)
Total 604 STORM WATER FUND	\$0.00	\$5,477.78	\$5,477.78	\$31,195.01	\$31,195.01	\$0.00
Report Total	\$0.00	\$775,407.14	\$775,407.14	\$2,729,986.57	\$2,729,986.57	\$0.00



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Memorandum

To:	Newport City Council	Reference:	Imperial Recovery Services-- Rezoning and CUP
Copies To:	Deb Hill, City Administrator		
	Renee Helm, Executive Analyst		
	David Sullivan, Applicant		
	Leisa Knauff, Owner		
From:	Sherri Buss, RLA AICP, City Planner	Project No.:	15481.001
Date:	April 14, 2014	Routing:	

SUBJECT: Imperial Recovery Services, LLC
Application for Rezoning and a Conditional Use Permit (CUP)

MEETING DATE: April 17, 2014

LOCATION: 478 7th Avenue

APPLICANT: David Sullivan
6127 South Hearthstone Avenue
Cottage Grove, MN 55016

OWNER: Leisa Knauff
478 7th Avenue
Newport, MN 55055

CURRENT ZONING: B-1 (Business Park/Office/Warehouse)

120-DAY PERIOD: June 13, 2014

ITEMS REVIEWED: Application, plans, Drainage report and Storm Water Pollution Prevention Plan (SWPPP), submitted February 12, 2014 and additional applicant information submitted March 31, 2014.

BRIEF DESCRIPTION OF THE REQUEST

The applicant, David Sullivan, has submitted an application to develop a new business, Imperial Recovery Services LLC, at 478 7th Avenue. His application includes a request for rezoning and

a Conditional Use Permit (CUP) for the proposed use at the site. The proposed use is an automobile repossession business.

REZONING REQUEST

BACKGROUND AND MARCH 12 PLANNING COMMISSION DISCUSSION

Imperial Recovery Services initially requested a rezoning of fourteen parcels from B-1 (Business Park/Office/Warehouse) to MX-4 (General Mixed Use), based on a staff recommendation. Staff considered the following in that recommendation: 1) the site and adjacent areas were classified as MX-4 until June 2013; 2) similar uses, such as auto sales and rental, and an undefined use called "Automotive services, car specialty services" are allowed in some MX districts, but not in the B or I districts; 3) MX-4 permits residential uses, and classification in a B or I district would make the homes on the parcels nonconforming uses; and 4) MX-4 was recreated to allow a wide range of business, office and residential uses. Staff recommended that the proposed auto repossession use be identified as an "Automotive services, car specialty services use," which is permitted in the MX-4 District with a CUP.

The Planning Commission reviewed the staff analysis at its meeting on March 12, and requested that staff create a new zoning district, B-2, to include the proposed use, rather than rezoning the parcels to MX-4. The Commission suggested that the use fits a B district better than an MX district, but the purpose of the existing B-1 district is not suited to the proposed use.

The Commission also suggested that the use may be more similar to Auto Storage than "Automotive services, car specialty services." The Auto Storage, Automotive Services, and Auto Sales, Rental" uses are not defined in the Zoning Ordinance, so the ordinance itself provides no guidance about whether the proposed use fits any of the current "Auto" uses that are identified in the Ordinance, or which use it may fit best. The Commission requested that staff create a new description for the B-2 District, and update the ordinance to include appropriate dimensional standards and use tables, including auto uses, in the B Districts.

The revised discussion of the rezoning request that follows includes three sections:

- City's process for Use determination
- Options for Use and definition of use
- Revised analysis of the Rezoning request

NOTE ON THE CITY'S PROCESS FOR USE DETERMINATION

The zoning ordinance specifies the following process when a proposed use is not identified on the land use classification chart Section 1330.04: "If a use is not identified in the following land use classification chart, the Zoning Administrator (City Administrator) shall issue a statement of clarification, finding that the use is or is not substantially similar in character and impact to a use regulated in the land use classification chart. If the use is not substantially similar to any other use regulated in the land use classification chart, the Zoning Administrator shall refer the matter to the City Council for determination."

In this case, due to the lack of definitions for Auto-related uses in the Zoning Ordinance, and resulting lack of clarity regarding which use, if any, might include the proposed auto repossession use, staff decided to request that the Planning Commission discuss which



classification is appropriate for the auto repossession use, as part of the requested rezoning. The next section provides some options for updating the code with new use definitions for auto uses, to assist with the discussion. The Commission's recommendation will be provided to the Council, for their decision on the use classification.

USE CLASSIFICATION FOR AUTO REPOSSESSION

One of the difficulties in determining the appropriate zoning classification for the proposed auto repossession use is that it is unclear whether it fits within any of the existing "auto" related classifications in the Zoning Ordinance. Most zoning ordinances include definitions for uses, but Newport's ordinance lacks definitions for many uses. Newport's current ordinance includes uses such as "Auto storage," "Auto sales, rental," and "Automotive services, car specialty services," but the uses have no definition in the ordinance.

Some ordinances, such as Saint Paul's zoning ordinance, include Auto Sales and Rental and Auto Storage as the same use (the definition would probably include the repossession use as well). However, Newport's ordinance separates the Auto Storage and Auto Sales uses, and permits them in different districts. So those who wrote the Newport ordinance in the past determined there was a distinction between those uses for zoning purposes. The Planning Commission discussion on March 12 also indicated that the Commission does not view the auto repossession use as a use that is similar to the Auto Sales and Rental use, but that it might fit under the "Auto Storage" use.

The Planner reviewed ordinances from other cities to identify those that made a distinction between the auto storage use and the auto sales and rental use, and identified a use for auto repossession. Some ordinances identified auto repossession in a "Vehicle Storage Lot" use that includes towed vehicles as well as repossessed vehicles. Those ordinances have a separate use and definition for Vehicle Sales, Display and Service. The use definitions are as follows:

- A Vehicle Storage Lot is "a facility for the storage of vehicles that have been towed, repossessed, or are otherwise in the care and custody of the operator of the lot."
- Vehicle Sales, Display and Service is "a facility for the display, service, and retail sale of new or used automobiles, boats, trucks, motorcycles, motor scooters, recreational vehicles, or trailers."

The Zoning Ordinance should be updated to include definitions for the auto uses that will be included in the use tables. The Planning Commission recommended the following on April 10:

- Remove the Auto Storage use from the use tables, and adopt the new definitions for Vehicle Storage Lot and for Vehicle Sales, Display and Service shown above.

The attached revised Section 1350 includes the Vehicle Storage Lot and Vehicle sales, Display and Services uses. The proposed use would be a Vehicle Storage Lot use, which is permitted with a CUP in the B-2 District in the revised Section 1350.

The Vehicle Storage Lot Use—Typical Performance Standards

The ordinances from other communities that include the Vehicle Storage Lot use or something similar, it was generally permitted by right in Industrial Districts, and required a CUP or Special Use Permit in Commercial Districts.



Other communities regulate this use with the following performance standards:

- No servicing of vehicles or sales of vehicles or parts is permitted for this use.
- The use must have a visual screen at least 6 feet in height.
- Access through the screen must be provided by a gate equaling the height of the screening that is at least 20 feet back from the street curb, and must remain closed except when in use.
- No stacking, crushing, dismantling or repair of vehicles is permitted.
- A landscape plan is required for new or expanded use.
- A paved surface must be provided.

REVISED ANALYSIS OF THE REZONING REQUEST

The subject property includes 14 parcels that are located near City Hall, between 7th Avenue and an existing major rail line to the east. The current owner's family operated an auto salvage and recycling business on most of the parcels for decades. The parcels include existing auto body shop and warehouse buildings. The total area of the parcels is approximately 5.5 acres.

The site was included in the MX-4 District until June, 2013, when the owner of the parcels, Leisa Knauff, requested a rezoning to the B-1 District. The rezoning was proposed to accommodate a proposed use that was not allowed in the MX-4 District, but would have been allowed in the B-1 District (warehouse/showroom). However, the potential buyer for the warehouse use did not purchase the site.

David Sullivan, the applicant, is proposing to purchase the Knauff parcels for Imperial Recovery Services, an automobile repossession business. The B-1 District is intended for larger-scale office and warehouse uses, and does not include auto-related uses similar to the proposed use. Therefore, the Planning Commission proposed rezoning the area that includes the parcels to a new district, B-2, which could include the proposed use. Staff have proposed classifying the use as Vehicle Storage Lot and adding this use as a permitted use in the B-2 District with a Conditional Use Permit.

The applicant and the City have been attempting to market the parcels for a use that would be appropriate for the site for the past several years. It has been difficult for the City to identify the appropriate zoning classification for the parcels, given their location adjacent to a variety of other uses--railroad tracks, industrial uses, and residential uses--and the existing pollution on the site. Discussions with developers have indicated that there is little or no potential for development of residential or retail uses at this location, and that some type of commercial use may be a better fit. The site is too small to accommodate most warehouse uses, and larger-scale manufacturing and industrial uses may not be compatible with the adjacent residential uses. The proposed creation of the B-2 District and inclusion of the parcels in that district recognizes the unique nature of the site, and that some auto-related uses are still likely to find locations along Highway 61 in Newport to be desirable.

Based on the Planning Commission discussion on March 12, the applicant is requesting to change the zoning from B-1 (Business Park/Office/Warehouse) to B-2 (General Business). Section 1310.02, Subd. 3 of the City's Zoning Ordinance addresses rezoning applications. Rezoning requests are evaluated based on the following:

- Existing and proposed land uses on and around the site



- How the proposed zoning would fit in with the general zoning pattern of the neighborhood and city
- The conservation of property values
- Advantages to the entire City
- No change shall be recommended unless it is in the interest of public health, safety and welfare, and is compatible with the comprehensive plan.

The next sections include the staff evaluation of the proposed rezoning based on the criteria in the ordinance listed above.

Existing uses on and around the site

The existing zoning of areas around the Knauff site includes the following:

- The previous use on the site has been Auto Salvage/Recycling/Storage and an Auto Body Shop. Those uses have been discontinued, are not permitted in the B-1 District, and would be permitted if the area is rezoned to B-2.
- Parcels to the north and west of the Knauff parcels are zoned MX-4. They include a mix of residential and commercial uses, as well as the City Hall site and a historic railroad building.
- The parcels to the east of the Knauff property are zoned B-1. The area includes railroad properties and Highway 61, which separate the property from the B-1 uses on the east side of Highway 61.
- Properties to the south of the Knauff parcels are zoned B-1 and I-1 (Light Industrial). The parcels are owned by the adjacent refinery, and are a required buffer area between the refinery and other uses.

The proposed uses on the site and rezoning to B-2 would be compatible with the adjacent B-1 and I-1 zoning. The proposed establishment of the B-2 district on this parcel recognizes the unique character of the parcel, and its adjacency to industrial as well as residential uses. The ordinance includes performance standards that specify how uses in the Business Districts should be designed and operated to be compatible with adjacent residential uses in the MX-4 District to the west, such as requirements for screening and hours of operation.

Fit with the City's General Zoning Pattern

A change to B-2 zoning on the Knauff parcels will be compatible with the general zoning patterns of the City. It will be compatible with the B-1 zoning classification that currently exists on the adjacent areas to the east and south of the parcels proposed for rezoning. Most of the area along Highway 61 is included in either business or mixed use districts to permit a variety of redevelopment options.

The proposed Vehicle Storage Lot use would need to be designed and operated to be compatible with the existing residential uses to the west and north. The City would need to enforce its design and performance standards for Nonresidential Uses through the CUP process, so that proposed uses would be operated to be compatible with adjacent residential uses. Performance standards that will be considered in the CUP process include:

- Standards for exterior appearance and materials
- Requirements for landscaping
- Prohibition or screening of outdoor storage and utility equipment
- Loading and service areas should not face the road or adjacent residential uses
- Noise limitations, particularly during night time hours



- Lighting requirements
- Traffic
- Restrictions on hours and other operating conditions
- Parking location and requirements

Conservation of Property Values

The change to the B-2 zoning and redevelopment with a new use is likely to enhance property values on the Knauff parcels, by permitting redevelopment that could include the cleanup of the existing pollution on the Knauff parcels.

Advantages for the Whole City

Newport is actively trying to redevelop several sites in the City, including the Knauff site. Rezoning and redevelopment has the potential to increase property values, provide jobs, and improve the image of the City.

Compatibility with the Comprehensive Plan

The Comprehensive Plan update adopted in 2010 noted that the City's vision for the area was to redevelop the areas that were occupied by auto-oriented uses related to Highway 61 over the long-term, and encourage redevelopment of the areas along Highway 61 with a mix of residential and commercial uses.

However, neither the 2000 nor the 2010 Comprehensive Plan included a market analysis of the areas along Highway 61 as the zoning maps were developed. The recession occurring during the 2010 Comprehensive Plan update would have made such an analysis extremely difficult. Efforts to market the Knauff property have provided information about the types of uses that may be marketable on the property, and compatible with the adjacent railroad use to the east, residential and commercial uses to the west, and industrial uses to the east. While the City has had a desire to include a wider diversity of uses along the Highway 61 corridor, the location and access are still likely to be attractive to auto-related uses, and some auto-oriented uses are allowed in the proposed B-2 district. The proposed B-2 zoning classification allows for a broad range of commercial and residential uses, in order to provide options for redevelopment within the District that respond to market demand as well as address the goals for redevelopment that provides new employment opportunities and increases property values.

PLANNING COMMISSION DISCUSSION OF THE ZONING REQUEST ON MARCH 12 AND APRIL 10

The Planning Commission held public hearings on the rezoning request on March 12 and April 10. They reviewed the initial and revised staff reports, the proposed ordinance amendment, and map that included the new B-2 District. The Commission recommended that 2 of the 14 parcels included in the Knauff property be removed from the B-2 District and remain in the MX-4 District—the parcels at 596 and 562 7th Avenue that include City Hall and a home.

The Commission reviewed the staff findings for the zoning request on April 10, and recommended approval of the request, based on the following findings:



FINDINGS FOR THE REZONING REQUEST

1. The proposed rezoning from the B-1 District to the B-2 District is consistent with the goals and policies in the Comprehensive Plan that encourage redevelopment of the portions of the City along Highway 61 with a mix of residential and commercial uses.
2. The proposed zoning is compatible with many of the existing uses around the site. The surrounding areas include a diverse mix of uses, including railroads, commercial, residential, and light industrial uses. The performance standards in the zoning ordinance can be applied so that the uses allowed in the B-2 district are compatible with the residential and commercial uses in the MX-4 District.
3. The proposed zoning fits the general pattern of zoning in the City. Most of the land along Highway 61 has been zoning for Business or Mixed Use.
4. The proposed rezoning will allow for redevelopment of the property with new uses that have a higher value than the existing and past uses of the site. Redevelopment is likely to have a positive impact on the value of adjacent properties. The rezoning is likely to conserve or improve property values in the City.
5. The proposed rezoning will allow for redevelopment of the property and cleanup of existing pollution on the site. The redevelopment and cleanup will result in positive impacts for the entire City. The cleanup of pollution on the site and redevelopment with a new use are in the interest of public health, safety and welfare.

The Planning Commission recommended approval of the requested rezoning based on the findings that the proposed rezoning to the B-2 use is compatible with Comprehensive Plan and meets the other ordinance criteria for rezoning.

CONDITIONAL USE PERMIT REQUEST

BACKGROUND AND SITE HISTORY

The applicant is requesting a Conditional Use Permit to operate an automobile repossession business on the parcels shown on the site plan. The proposed plan includes the use of existing buildings and fencing on the site, and the addition of a significant area of impervious surface that will be used for parking automobiles. The previous business on the property was Bill's Auto Salvage/Bill's Auto Parts. The soils on the site were contaminated by the previous use, and the contamination will need to be cleaned up before new impervious surfaces or structures can be added for a new use.

The City and the property owner (Leisa Knauff) have been working together to obtain grant funds for site cleanup. The City completed a Phase I Environmental Site Investigation and a Phase II Investigation Report & Response Action Plan (RAP) (October 18, 2012) to meet MPCA requirements. The RAP spells out the actions that need to be taken to clean up the pollutants on the site. In 2013, the City sought a Contamination Cleanup Grant from the Minnesota Department of Employment and Economic Development (DEED) to assist with the costs of cleanup, but was not successful in obtaining the grant. The City's action was a lower priority than other applications because a new use that would create a positive economic impact had not been identified for the site.

Dave Sullivan, the applicant, is willing to continue to cooperate with the City to obtain grant funds to clean up the site. The next application is due in May, 2014, and city staff hope that



having a potential use for the site will improve the City's ranking for grant funds. The applicant and City are proposing that the City will seek funding through a maximum of two years (4 grant cycles) for site cleanup. If the City is not successful in obtaining a grant after 2 years, the applicant will be responsible for the cost of cleanup. The site plan includes a phased approach to development that assumes cleanup of each area before the new impervious surfaces and stormwater facilities are added to the site. The proposed conditions include items that address responsibilities for site cleanup.

EVALUATION OF THE REQUEST:

1. Zoning District and CUP Standards

The proposed amendments to the Zoning Ordinance state that the intent and primary use of the B-2 General Business District is to "provide the opportunity for diverse businesses to take advantage of the City's location and access to major roadway corridors. The district is intended to provide locations for businesses that serve local and regional needs, and may include retail businesses, highway or automobile-oriented businesses, and quasi-industrial and wholesale enterprises that do not need an industrial setting, and can be designed or managed to be compatible with surrounding districts."

Section 1310.10 of the code indicates that the city may grant a CUP when the use is consistent with the Zoning Ordinance and Comprehensive Plan, and the City may impose conditions and safeguards to protect the health, safety and welfare of the community. Criteria for evaluating the proposed uses and developing conditions for the CUP include the following:

1. The proposed use is designated in Section 1330 of the development code as a conditional use in the appropriate zoning district.
2. The proposed use is consistent with the Newport Comprehensive Plan.
3. The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.
4. The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.
5. The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.
6. The potential impacts on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes, flood plains and soils.
7. The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City and other governmental bodies having jurisdiction in the City.
8. In permitting a new conditional use, the City may impose additional conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.

This staff report evaluates the request for a Conditional Use Permit for the property located at 478 7th Avenue based on the City's zoning ordinance and related standards.



2. Proposed Use—Vehicle Storage Lot

The Newport Code does not have a specific use category for the automobile repossession use that is proposed at this site. Staff proposed that the City adopt a new use called Vehicle Storage Lot that would include the proposed use, and that the use be permitted in the B-2 District with a Conditional Use Permit, and the Planning Commission recommended that the City Council adopt the use definition and amended ordinance.

The applicant described the proposed use as follows in the application:

- Repossessed vehicles will be brought to the site by truck.
- The majority of vehicles will be stored on the two acres of land to the south, east, north and northeast of the existing warehouse building shown on the site plan. Some reposessed property will be stored within the warehouse building as well.
- The proposed business hours are 9 a.m. to 4:30 p.m. The public may come to the site during those hours to retrieve personal property and collateral from the old repair shop building.
- The applicant will direct traffic to come to the facility from the south, taking the 70th Street exit from Highway 61
- The business will include bringing reposessed cars and trucks to the site “after hours”, routing the vehicles into the storage yard via the gate just south of the warehouse, and exiting the yard via the gate north of the yellow house. The route is proposed to avoid having trucks backing up on the site and the noise from “backup beepers.” Exiting via the north gate will direct headlights to 4th Street and away from homes. The Planner has included proposed conditions to manage site access, traffic flow, and noise.
- Office staff will work in the warehouse and in the old “paint and auto repair shop” building

The CUP should include conditions to prohibit automobile painting and body work, manage traffic, and address other potential impacts to surrounding properties.

3. Comprehensive Plan

The Comprehensive Plan supports development of a mixture of commercial, office and residential uses in the areas adjacent to Highway 61. It supports the development of new business to improve the City’s tax base and expand employment. The plan discusses goals to The proposed use is generally consistent with the land use goals and map included in the 2030 Comprehensive Plan.

4. Dimensional Standards, Setbacks, and Requirements

The dimensional standards and setbacks for the B-2 district that apply to the proposed uses and plan include the following:

- Minimum lot area: 15,000 square feet
- Minimum lot depth: 150 feet
- Minimum lot width: 100 feet
- Maximum lot coverage (buildings): 30%
- Structure setbacks: Front yard: 20 feet; side yard 10 ft.; Rear yard, 20 ft.
- Parking setbacks: Front yard: 20 feet; side and rear yard: 5 ft.
- Maximum building height: 40 feet
- Public utilities required, including sewer



The applicant is maintaining the existing residential and commercial buildings on the site. The existing buildings are legal, nonconforming structures. The existing buildings meet the setback and height requirements.

The applicant is proposing to expand the parking area on the site. The plans indicate that the proposed parking meets the setback requirements for parking in the B-2 District.

The applicant will need to combine the parcels that will be occupied by the business in order to meet the minimum lot size requirements. This requirement is included in the proposed conditions.

The sections that follow analyze the application in relation to criteria #3-6 in the zoning ordinance for evaluating Conditional Use Permit applications.

5. Traffic

The site plan indicates that Imperial Recovery Services is proposing that traffic will enter the site at the south end, across from 3rd Street, and exit the site across from 4th Street. Both locations currently have driveway access to 7th Avenue.

The applicant estimated that approximately 20 trucks will make round trips to and from the business each day (typically wrecker and rollback trucks), and approximately 50 cars will make round trips to and from the site. The existing roadways that serve the area are adequate to handle the traffic expected at the site. The City Engineer's comments on the application noted that 7th Avenue is a 7-ton design road, and is posted as such in spring. However, the City's Public Works Supervisor's records indicate that 7th Avenue was designed and built as a 9-Ton road to serve construction traffic during the reconstruction of Highway 61. Based on the roadway design, there can be no heavier trucks servicing the facility, year round. The Planner has included a condition that the maximum truck loads serving the facility may not exceed 9 tons in weight year-round.

6. Parking Requirements and Driveways

Parking Requirements. Section 1330.06 of the Zoning Ordinance includes standards for parking for a variety of uses, though none is similar to the proposed use. Standards for other uses with employees and customers require that there be 1 space for each 2 employees on the largest shift, and 1 space for each 250 square feet of gross floor area for services uses.

The applicant estimated that the total number of employees on the site will be approximately 25; therefore 13 spaces are required for employee parking. The gross floor area of non-residential buildings on the site is 4000, which requires 16 spaces. The proposed parking that is planned for this use is more than adequate to meet the code requirements.

Pavement and Driveways. The Zoning Ordinance requires that all parking areas and drives be constructed of concrete, blacktop or similar durable hard surface free of dust, and that the periphery of all parking areas and drives shall be constructed with poured-in-place concrete curbing unless otherwise approved by the City.



The applicant is proposing two phases of parking lot construction, and the use of asphalt pavement for the parking areas within the site, but is requesting that concrete curbing not be required for the lots within the site, based on the following:

- The parking area is not open to the public. It is not like typical business or commercial lots that need to control parking by the public.
- Only employees of the business will be operating vehicles in the parking areas.
- The applicant is proposing a fence approximately one-foot from the edge of the parking areas so that vehicles will not be able to go past the edge of the parking area, so that the edge of the hard surface should not deteriorate due to parking over the edge.

City staff reviewed the applicant's proposal for parking, and the City Engineer recommended that concrete curbing be required around the parking areas:

:

- The applicant shall provide a revised plan that indicates the location and detail of the driveway apron. The apron shall be concrete with a width not to exceed 32 feet (or maximum applicable City Standard). Concrete curb (minimum B612) shall be laced from the apron around the perimeter of future asphalt pavement area prior to paving.

The Engineer noted in an email to the Planner that "Getting curb on new construction has been a battle for as long as I have worked in town. I thought that we had done a good job of holding the line on this last year we required curb on the Phoenix House property. I fail to see the argument that the Repo site is any different than the group home. I would allow no curb on edges to be expanded, if the operator proposes an extension to the parking lot within 5 years."

The Engineer also recommended the following condition related to the parking areas:

- Parking for handicapped person must be provided in accordance with State and Federal regulations. The revised plan should indicate the location of visitor parking, including handicapped parking.

The Planner has included a condition that the applicant shall address the Engineer's comments in the final plans. However, the Planning Commission recommended that no curbing be required, and this exception is noted in the proposed conditions.

7. Building design and materials/Accessory Structures

The applicant is proposing to use the existing buildings on the site. The performance standards in the Zoning Ordinance allow the use of metal panel buildings if the exterior surface finish is warranted to remain in good condition for 20 years, and if no more than 50% the building elevation faces a public roadway.

No new accessory structures are proposed on the site plans.

The existing buildings are nonconforming structures that were installed for the previous use, and may therefore remain. Potential expansion of the buildings is limited by the ordinance. The applicant provided an email to City staff on March 31 that stated that "There will be a complete "facelift" to the front of the warehouse. This will include new doors and windows. The facing will, at a minimum be painted. However, we are working on a much more comprehensive plan than that. The signage (Bill's Auto Parts) will be removed."



The Planner included a proposed condition that the applicant provide the plans for the improvements to the warehouse to the City staff for approval. The plans shall include removing existing rust from the warehouse exterior, painting the warehouse, and removal of the existing Bill's Auto Parts signage. The Planning Commission recommended that the applicant be required to paint only the front façade of the warehouse.

8. Exterior Storage Requirements

Section 1350.13 requires that no materials, products or equipment be stored outside of an enclosed building except for daily display of merchandise during store hours. The Planner has included a proposed condition for the CUP that no outside storage is permitted on the site. The performance standard related to "outside storage" does not include vehicle storage, which is addressed in another section of the ordinance.

9. Refuse and Recycling

Section 1350.13 requires that all refuse and recycling containers be stored in the principle structure or a fully enclosed accessory structure, and Section 1330.05 (Subd 10) further requires that dumpsters, trash, trash handling equipment and recycling equipment shall be stored within an enclosed accessory structure of the same materials as the principal structure. The Planner has included a proposed condition for the CUP that refuse and recycling for the business shall meet the ordinance requirements.

10. Screening and Fencing Requirements

The ordinance requires that any vehicles parked for more than forty-eight hours shall be completely screened from residential uses, and screened from the eye-level view of public streets and from the public front and office sides of business and industrial uses.

The applicant indicated that the vehicles that are brought to the site may be stored for more than 48 hours. The site is screened from the land uses the east by the railroad berm, and to the south by existing trees.

Additional screening is required to screen the residential land uses to the north and west from the parking areas. The applicant is proposing to leave the existing fence (both barb wire and chain link) in place. He is proposing to repair the fence as needed, and add new screening as part of the chain link fence. He is also proposing to add trees to provide additional screening. There are several issues related to the required fencing and screening:

- Existing fence as a nonconforming structure. The existing fence is a nonconforming structure--it is a structure ("anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground") that is nonconforming (any legal structure existing prior to the date that new zoning provisions were adopted making said structure inconsistent with the provisions of the newly adopted zoning chapter). Therefore, it may be continued as long as it has been in existence for more than 15 years, it does not have adverse impacts on the properties or surrounding properties, and will not hinder local plans for redevelopment. The applicant is proposing to leave the existing barb wire portion of the fence in place, and will repair the strands as needed to provide a secure fence. At the March Planning Commission meeting the applicant indicated that barb wire fence is required to obtain insurance for his business.



- Chain link fence. The applicant shows proposed fencing around the parking areas and indicated by phone that the fencing will be 6' chain link fence with 5 strands of barbed wire at the top. The application originally proposed that the fence would include metal slats interwoven with the fencing (much like the existing fence) to screen the lots from adjacent residential areas, and the applicant would repair or replace the slats on the existing fence as needed to improve the appearance of the fence. The applicant recently provided photos of other options for screening materials that could be used with the chain link fence. The Planning Commission recommended that the screening materials are preferred, and recommended a forest green or similar fence color.
- Conifer screen. The Planning Commission discussed the need for year-round vegetative screening of the fence in order to create screening that meets the ordinance requirement. The Planning Commission recommended a condition that requires that conifers be planted to meet the landscaping requirements and screen the fence from view from adjacent residential areas.

11. Utility Equipment—Screening Requirements

The ordinance requires that all utility equipment (heating and ventilating equipment, meters, and similar equipment) shall be completely screened from eye-level view of adjacent properties and streets. If any utility equipment will be added to the structures, it must meet the ordinance requirement.

12. Lighting

The applicant submitted a plan for lighting that will be added to the site for the new use. The lighting on the site must meet the requirements of Subdivision 13 of Section 1330.05 of the ordinance to be “of a downcast, cutoff type, concealing the light source from view and preventing glare from spilling into residential areas.” The ordinance includes standards for light levels at the property lines.

The lighting plan indicates that the proposed fixtures are full-cutoff-LED luminaires that meet the ordinance requirement. The lighting plan indicates that the light levels at the site boundaries meet the ordinance requirements.

13. Landscaping

Section 1330.05, Subdivision 14 includes the landscaping requirements for commercial and office uses:

- At least one over-story tree shall be provided in the front yard for each fifty feet of lot frontage
- The landscape plan materials meet the requirements for physical characteristics such as hardiness and salt-tolerance, and the required proportions of coniferous/deciduous materials.
- The proposed landscape materials meet the planting size requirements of the ordinance.
- There shall be a minimum of one tree for every 1,000 square feet of non-impervious surface area of parking lots, and parking lots for more than eight cars shall landscape 10 percent of the parking lot surface area.



The plans do not indicate proposed plantings except the seeding proposed for the stormwater pond areas. The Planner included a proposed condition that the applicant shall submit a landscape plan to the City for approval that includes a minimum of 12 over-story trees along 7th Avenue. The trees shall be species that are hardy in Minnesota and salt-tolerant. The trees shall have trunks that are a minimum 2-1/2" diameter at planting.

The Planning Commission discussed the proposed plantings and need to screen the fence at its meeting on March 12. The Commission recommended that conifer plantings that screen the fence and automobiles from view from 7th Avenue be a condition of approval. The Planner has included a proposed condition that the applicant provide a landscape plan that includes conifers (Black Hills Spruce, *Picea glauca densata*, or similar species suitable to site conditions) to screen the portions of the fence that are visible from 7th Avenue. The trees shall be a minimum 5' in height at planting.

14. Restricted Operations (noise, odor, glare, etc.)

Based on ordinance requirements, noise, odors, smoke and particulate matter should not exceed Minnesota Pollution Control Agency standards. Any glare, direct or reflected, from spotlights or activities on the site should not be visible beyond the property boundaries.

The applicant is proposing to drop off vehicles after normal working hours, and is proposing that vehicles enter the yard via the gate just south of the warehouse, and exit the yard via the gate north of the existing house, so that headlights do not shine into homes across 7th Avenue. The planner included this traffic pattern as a proposed condition for approval of the CUP.

The applicant also noted that equipment with back-up beepers may be used at the site, and proposed the traffic pattern to avoid noise from the beepers. The Planning Commission reviewed options for broadband alarms that will not be audible at neighboring properties. The Planning Commission recommended that broadband beepers be used on all truck and backing operations at the site.

The applicant indicated that it is difficult to determine an average number of trucks that may be accessing the site. It may also be difficult for the City to regularly monitor activity to determine if the site is meeting a condition that specifies a maximum amount of traffic. The Planner suggest that an alternative may be to limit all entries and exists outside regular business hours to the gate south of the warehouse, where there are no homes facing the gate. The applicant indicated that this is feasible. The Planning Commission recommended a condition that trucks entering and exiting the site between 8 p.m. and 8 a.m. use the gate south of the warehouse building.

15. Hours of Operation

The applicant proposed that the hours of operation be 9 a.m. to 4:30 p.m., Monday through Friday. At the meeting on April 10, he clarified that those are the hours that visitors may come to the site. He proposed hours of operation from 8 a.m. to 8 p.m. He also indicated that they propose to allow their staff to drop off repossessed cars and trucks during other hours, and proposed routing the after-hours traffic to minimize the noise that it could generate.

The Planning Commission recommended that the hours of operation be 8 a.m. to 8 p.m.



16. Signs

The application did not include locations or plans for proposed signs. A freestanding entry sign is permitted for this business. Signs must meet the ordinance requirements. The applicant should submit any plans for proposed signage to the Zoning Administrator for approval.

17. Infrastructure, Public Services, Health and Welfare

The City Engineer reviewed the site plans and indicated that adequate sewer and water services are available to serve the proposed uses at the site. The site is unlikely to generate additional needs for public services. If cleanup of existing pollution on the site occurs as a result of the new use, it will benefit the health and safety of Newport, its residents, and the physical environment.

18. Environmental Issues

As noted previously, hazardous materials exist on the site due to the previous business activities on the property. The City and the property owner (Leisa Knauff) have been working together to obtain grant funds for site cleanup. The City completed a Phase I Environmental Site Investigation and a Phase II Investigation Report & Response Action Plan (RAP) (October 18, 2012) to meet MPCA requirements. The RAP spells out the actions that need to be taken to cleanup the pollutants on the site.

Dave Sullivan, the applicant, is willing to continue to cooperate with the City to obtain grant funds to clean up the site. The applicant and City are proposing that the City will seek funding through a maximum of two more years for site cleanup. If the City is not successful in obtaining a grant after 2 years, the applicant will be responsible for the cost of cleanup. The site plan includes a phased approach to development that assumes cleanup of each area before the new impervious surfaces are added to the site.

The Planner has included the following proposed conditions for the CUP related to the environmental issues on the site:

- The owner of Imperial Recovery Services shall complete a Development Agreement for the site with the City. The Development Agreement shall address the responsibilities and phasing for the cleanup of the hazardous materials on the site in relation to the proposed development of the site.
- The applicant shall continue to work with the City to apply for grant funds to clean up the site, through grant cycles in 2014 and 2015. If the City is not awarded grant funds for cleanup, the applicant will be responsible for cleanup, and shall provide to the City a detailed plan for treatment and disposal of contaminated soils for the site that meets regulatory requirements.

19. Stormwater Management

The City Engineer reviewed the stormwater plan for the site, and provided the following comments:

- The property owners must obtain any necessary permits from the South Washington Watershed District (SWWD).



- The property owners must provide the City the water quality modeling required by the SWWD (including but not limited to):
 - Total Phosphorus (TP) loading of 0.22 lbs./acre/year for the Mississippi River basin; the maintenance of existing loading will not be acceptable.
 - Total Suspended Solids (TSS) should be modeled and compared against the limits in the Mississippi River Draft Total Maximum Daily Load (TMDL) plan.
- All work shall be in conformance with Newport's MS4 permit for sediment and erosion control, including preparation of SWPPP (Stormwater Pollution Prevention Plan) and NPDES (National Pollution Discharge Elimination System) permits from the MPCA.
- The applicants must provide detailed plans for erosion and sediment control to the City Engineer for review, and provide the existing site drainage exhibit with time of concentration flow path noted.
- The applicant shall construct both the east and south basins and all stormwater BMP's as part of Phase 1 of the project.
- The applicant shall provide a detail of the proposed site fencing to show surface runoff may easily pass through the fence.
- The applicant shall provide fencing around the South Basin due to the close proximity to 7th Avenue.
- The applicant shall indicate onsite snow storage locations and a plan for protecting permanent stormwater BMP's from resulting surface runoff.
- The applicant shall provide a maintenance agreement for permanent stormwater treatment facilities for City review and consideration.
- The applicant shall provide information to meet the City's Ordinance 1371 (Storm Water Management) requirements, including: site soil information, anticipated stockpile locations; anticipated construction start and end date, information about any proposed dewatering and treatment prior to discharge; storm drain protection from erosion and tracked materials
- The applicant shall provide a performance bond and complete an agreement to construct with the City of Newport
- The applicant shall revise the stormwater plan to meet the requirements of City Ordinance 1371 Storm Water Management, and address the ordinance items identified by the engineer in his letter dated February 18, 2014.

A copy of the application was forwarded to the South Washington Watershed District for review. SWWD staff indicated that since the applicant is proposing to re-use the existing building and parking lot, the District has no comment on the CUP application.

The Engineer indicated in an email to the Planner that "the comments do not need to be addressed prior to review by the Planning Commission and approval by the Council," and recommended that they be included in the list of conditions for approval.

The Planning Commission recommended the following at the March 12 meeting:

- The parking areas shall be graded to drain to the stormwater ponds.
- No curbing shall be required, so that sheet drainage toward the ponds is encouraged.
- The paving and construction of the ponds should occur after cleanup of the site.



PLANNING COMMISSION PUBLIC REVIEW AND RECOMMENDATIONS

The Planning Commission reviewed the application for the CUP at its meetings on March 12 and April 10, and held a public hearing on the CUP of March 12. The Commission heard comments from neighbors regarding the proposed use, fencing, buildings, and potential noise and glare from business operations.

The Commission discussed the proposed use and conditions extensively, particularly the requirements for fencing, screening, traffic, and noise management. The Commission recommended that the proposed use be approved with conditions, based on the following findings:

FINDINGS FOR THE CONDITIONAL USE PERMIT REQUEST

1. The proposed use is designated in Section 1330 of the development code as a conditional use in the B-2 General Business Zoning District.
2. The proposed use is consistent with the Newport Comprehensive Plan, which supports the development of a mix of residential and commercial uses in the areas along Highway 61.
3. The conditions for approval of the proposed use include requirements for development and operation of the site so that the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the potential impacts of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.
4. The redevelopment of the property with a new use and associated cleanup of existing pollution on the site will have positive impacts on surrounding properties, including valuation, aesthetics, and the character of the neighborhood.
5. The proposed use will have no negative impacts governmental facilities and services, including roads, sanitary sewer, water and police and fire.
6. The potential use and development plan will result in the cleanup of existing pollution on the site, and provide positive impacts to surface and ground waters and soils.
7. In permitting a new conditional use, the City has adopted conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.

The Planning Commission found that with proposed conditions, the request meets the ordinance requirements for a Conditional Use Permit.

ACTION REQUESTED FOR THE REZONING AND CUP REQUEST:

The Council can:

1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request



PLANNING COMMISSION RECOMMENDATIONS:

The Planning Commission recommends that the City Council approve the Imperial Recovery Services LLC request for a Rezoning of the parcels at 478 7th Avenue to the General Business (B-2) Zoning District.

The Commission also recommends that the Council approve a Conditional Use Permit for a Vehicle Storage Lot Use at 478 7th Avenue, not including auto body repair or major repair” at the site, with conditions. The Planner recommends the following conditions for the proposed uses:

1. The Applicant shall submit Final Site Plan(s) and Building Plans that are substantially in conformance with the plans that were submitted to the City, dated February 12, 2014. All elements of the Final Plans must meet the requirements of the zoning ordinance. Final plans shall be submitted within 60 days of the approval of the CUP, and before the start of business operations on the site.
2. The applicant shall combine the parcels that will be occupied by the business as needed to meet the minimum lot size requirements.
3. The Applicant shall modify the plans for City Engineer approval, and comply with the requests of the City Engineer included in the Engineer’s memo, dated February 18, 2014, except for the requirement that concrete curbing be required for the parking area. All work shall be completed in accordance with the City of Newport’s Engineering Standards (with the exception of the concrete curb requirement). The plans shall be submitted within 60 days of the approval of the CUP, and before the start of business operations on the site.
4. No concrete curb shall be required for the parking areas on the site. Parking lots shall drain to the stormwater ponds.
5. Maximum truck loads serving the site may not exceed 9 tons in weight year-round.
6. Trucks shall enter the site using the gate south of the warehouse, and shall exit the property using that gate or the gate north of the existing house near 4th Avenue between 8 a.m. and 8:00 p.m. At all other hours, trucks shall enter and exit the site using the gate south of the warehouse. The height of the gates shall be the same as the fence, and the gates must remain closed when not in use.
7. The applicant shall revise the plan to include a location for visitor parking and handicapped parking that meets State and Federal regulations.
8. The applicant shall provide the plans for the improvements to the warehouse to the City staff for approval. The plans shall include removing existing rust from the warehouse exterior, painting the front façade of the warehouse, maintaining the warehouse in a rust-free condition, and removal of the existing Bill’s Auto Parts signage. The warehouse plans shall be submitted to the City within 60 days of the approval of the CUP, and improvements to the warehouse shall be completed within 150 days of approval of the CUP.
9. No outside storage other than vehicles stored on the parking areas is permitted on the site.



10. No servicing of vehicles, sales of vehicles or parts, auto body work or automobile painting is permitted on the site.
11. No stacking, crushing, or dismantling of vehicles is permitted on the site.
12. All trash and recycling equipment shall be stored within an enclosed structure. The materials used to construct the trash enclosure shall be the same materials used on the exterior of the principal structure.
13. Lighting shall conform to the plan submitted with the application and the ordinance requirements. Lighting fixtures shall be downcast, cutoff-type fixtures that prevent glare from spilling onto adjacent residential areas.
14. The fencing and related screening on the site shall be repaired and maintained in good condition so that the requirements of the ordinance are met. Fencing and screening improvements shall be completed before the business begins operations at the site.
15. Any utility equipment installed at the site must meet the ordinance requirements.
16. The applicant shall submit final plans for fence repairs and screening elements to the City staff for approval within 60 days of the approval of the CUP.
17. The applicant shall submit a landscape plan to the City for approval that includes a screen of conifer trees (Black Hills Spruce, *Picea glauca densata*, or equivalent) that shall screen the fence from the view of adjacent residential properties. The trees shall be a minimum 5 feet in height at planting, and shall be maintained or replaced as needed to screen the fence. The landscape plan shall be submitted to the City within 60 days of approval of the CUP, and improvements shall be completed within 150 days of approval of the CUP.
18. The daytime hours of operation shall be 8:00 a.m. to 8:00 p.m.
19. The applicant shall direct traffic to access the site from the south, using the 70th Street exit from Highway 61 and 7th Avenue.
20. The business may bring repossessed vehicles to the site outside the daytime hours of operation (8 a.m. to 8 p.m.) under the following conditions:
 - The trucks that are dropping off vehicles shall enter and exit the site via the gate south of the warehouse building. Headlights shall be controlled so there are no impacts to homes across 7th Avenue.
 - Equipment shall use broadband alarms only. The use of back-up beepers shall be prohibited at the business. The applicant shall utilize equipment with broadband alarms, minimize equipment and alarm volumes, and utilize a circular traffic pattern to the extent feasible to minimize the need for equipment to back up on the site.
21. The Applicant shall apply to the City for a permit for any sign(s) proposed as the site. All signs shall meet the ordinance requirements.
22. The permitted use on the site does not include automobile painting and body work.
23. Noise, odors, smoke and particulate matter produced on the site shall not exceed Minnesota Pollution Control Agency standards.
24. The applicant shall complete a Development Agreement with the City that includes at least the following: 1) the responsibilities, phasing and deadlines for the cleanup of the



hazardous materials on the site and 2) a maintenance agreement and performance bond for the stormwater facilities on the site. The deadline for clean-up of hazardous materials at the site shall be January 1, 2018.

25. The applicant shall continue to work with the City to apply for grant funds to clean up the site, through grant cycles in 2014 and 2015. If the City is not awarded grant funds for cleanup, the applicant will be responsible for cleanup, and shall provide to the City a detailed plan for treatment and disposal of contaminated soils for the site that meets regulatory requirements.
26. The applicant shall pay all fees and escrow associated with this application.



Section 1330--General District Regulations**1330.01 District Classification.**

In order to implement the Comprehensive Plan and achieve an orderly development pattern that protects the health, safety, and general welfare of the City of Newport, its residents, and business community, and minimizes development impacts on the environment, the city is hereby divided into the following zoning districts:

1330.01.1 Residential Districts

- RE Residential Estate
- R-1A River Residential District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Residential District
- R-3 High Density Residential District

1330.01.2 Nonresidential Districts

- B-1 Business Park/Office/Warehouse
- **B-2 General Business**
- I-1 Light Industrial District
- I-2 General Industrial District
- I-S Industrial Storage District

1330.01.3 Mixed Use Districts

- MX-1 Downtown Mixed Use District
- MX-2 Commercial Mixed Use District
- MX-3 Transit-Oriented Mixed Use District
- MX-4 General Mixed Use District

1330.01.4 Planned Unit Developments (PUD)**1330.01.5 Special Overlay Districts**

- Shoreland Management District
- Critical Area Overlay District
- Flood Plain Management District
 - Floodway
 - Floodfringe
- Bluffland Area Overlay District
- Historic Neighborhood Conservation Overlay District
- Conservation Residential Overlay District
- River Redevelopment Overlay District

1330.02 Zoning Map

The location and boundaries of the districts established by this Chapter shall be hereby set forth in a map known as the "City of Newport Zoning Map" hereinafter referred to as the Zoning Map. The map and all notations, references, and data shown thereon are hereby incorporated by reference into this Chapter. It shall be the responsibility of the Zoning Administrator to maintain the Zoning Map, and amendments shall be recorded on the map within thirty (30) days after official publication of the amendments. The official zoning map shall be kept on file in the City hall.

1330.03 Boundary Lines

Wherever any uncertainty exists as to the boundary of any use district as shown on the zoning map incorporated herein, the following rules shall apply:

- A. Where district boundary lines are indicated as following streets, alleys, railroads, or similar rights-of-way, they shall be construed as following the centerlines thereof;
- B. Where district boundary lines are indicated as approximately following lot lines or section lines, such lines shall be construed to be such boundaries;
- C. Where a lot of record at the effective date of this Code that is held in one (1) ownership is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district; provided that this section shall not apply if it increases the area of the less restricted portion of the lot by more than twenty (20) percent;

1330.04 Uses

It is the policy of the City of Newport that the enforcement, amendment, and administration of this Ordinance be accomplished with due consideration of the recommendation contained in *Chapter 1300, Section 1340.02* and *Sections 1350.01-1350.1213*, *Intent of the Newport City Code of Ordinances* and the *City of Newport Comprehensive Plan* as developed and amended from time to time by the Planning Commission and City Council of the City of Newport.

Within the City's zoning districts, no land or buildings may be used or occupied in any manner except for the uses set forth in the following land use classification chart and described in the following subsections. If a use is not identified in the following land use classification chart, the Zoning Administrator shall issue a statement of clarification, finding that the use is or is not substantially similar in character and impact to a use regulated in the land use classification chart. If the use is not substantially similar to any other use regulated in the land use classification chart, the Zoning Administrator shall refer the matter to the City Council for determination. The Zoning Administrator and City Council shall take into consideration if the use meets the City's goals and plans, what zoning district may be most appropriate for the use as well as what conditions and standards should be imposed relating to development of the use. In addition, the Zoning Administrator and City Council shall take into consideration whether the use will conform to the performance standards (*Section 1330.05*) and overlay districts (*Section 1370*) described in this Chapter.

An appeal may be taken to the board of appeals and adjustments as described in *Section 1310.03 Appeal from Administrative Decisions* by any person aggrieved by any order, requirement, decision or determination made by the Zoning Administrator or any other administrative office of the City in enforcement of this Section.

Section 1330.04 Uses

Land Use Classification													NP	Not Permitted
													P	Permitted
													PUD	Planned Unit Developments
													C	Conditional Use Permit (CUP) required
													A	Permitted Accessory Use
													CC	Certificate of Compliance
Land Use	Zoning District												Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Residential														
Single Family Detached, one dwelling per lot	P	P	P	P	P	Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.				
Single Family Detached, more than one dwelling unit per lot	PUD	PUD	PUD	PUD	PUD									
Two Family residences				P	P									Includes townhomes
Multi-family (eight units or fewer per building)				C	P									Includes townhomes
Multi-family (eight or more units per building)				C	P									Includes townhomes

Land Use Classification													NP	Not Permitted	
													P	Permitted	
													PUD	Planned Unit Developments	
													C	Conditional Use Permit (CUP) required	
													A	Permitted Accessory Use	
													CC	Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	P	P	P	P	P	Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.					Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.				
Planned residential developments	PUD	PUD	PUD	PUD	PUD										
Manufactured Single-Family Dwelling	P	P	P	P	P										
Mobile Homes	C														
Public and Semi-Public Services															
Airport	C										Please see Section 1350. 14				

Land Use Classification							NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance							
Land Use	Zoning District										Additional Use Regulations (See footnotes)			
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage		MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use
Cemetery						Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.					<u>15</u> (A) for allowed uses in the Mixed Use Districts.			
Churches, synagogues, temples and associated facilities except schools	C	P	P	P	P									In Residential Districts and Mixed Use Districts building footprints shall not exceed 10,000 sq. ft.
Crematorium														
Funeral Home														
Hospitals														
Medical Clinics					C									In the MX district, facilities must not exceed a 10,000 square foot footprint
Military Reserve, National Guard Centers						Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.					Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.			

Land Use Classification													NP	Not Permitted	
													P	Permitted	
													PUD	Planned Unit Developments	
													C	Conditional Use Permit (CUP) required	
													A	Permitted Accessory Use	
													CC	Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Day Care Facilities in Single Family Homes with 14 or fewer children being attended to	P	P	P	P	P										
Nursery School/Day Care Facilities in Single Family Homes with more than 14 children being attended to	C	C	C	P	P										
Nursery School/Day Care Facilities in Multi-Family Homes				C	C										
Parking Garage (as principal use)															

Land Use Classification													NP	Not Permitted	
													P	Permitted	
													PUD	Planned Unit Developments	
													C	Conditional Use Permit (CUP) required	
													A	Permitted Accessory Use	
													CC	Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Parking Lots--Surface (as principal use)															
Penal/correctional facilities															
Post Office															
Pubic Facilities including government offices, emergency facilities, public works facilities, Schools, libraries, museums, art galleries, and other municipally owned or operated facilities.	C	C	C	C	C	Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.			Public Facilities located in Residential Districts must not exceed 10,000 square foot footprint except if located in the RE District.		

Land Use Classification							NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance							
Land Use	Zoning District											Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use		MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use
Public utility	C	C	C	C	C									
Schools--Trade, College, Vocational and associated facilities														In the MX district, school facilities must not exceed a 10,000 square foot footprint.
Social, fraternal clubs and lodges, union halls														
Sanitary Landfill														
Towers and antennas														See Ordinance 97-4
Transit Station														
Park-and-ride Lot														
Commercial														
Bed and Breakfast	C	C	C	C	C		Please see Section 1350. 14 <u>15</u>						Please see Section 1350. 14	

Land Use Classification												NP	Not Permitted
												P	Permitted
												PUD	Planned Unit Developments
												C	Conditional Use Permit (CUP) required
												A	Permitted Accessory Use
												CC	Certificate of Compliance
Land Use	Zoning District											Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use		MX-2—Commercial Mixed Use
Hotels						(B) for allowed uses in the Business and Industrial Districts.					<u>15</u> (A) for allowed uses in the Mixed Use Districts.		
Motels													
Adult Uses (bookstore, theater, nightclub, nude or partially nude dancing)													
Animal boarding													
Animal grooming						Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.					Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.		
Animal hospitals													
Animal retail sales													
Antique Shops													
Artist studios													
Auto sales, rental and services													

Land Use Classification													NP	Not Permitted
													P	Permitted
													PUD	Planned Unit Developments
													C	Conditional Use Permit (CUP) required
													A	Permitted Accessory Use
													CC	Certificate of Compliance
Land Use	Zoning District												Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Auto services only														No more than 4 bays in the MX districts
Auto storage														
Auto washing														
Bakeries (Retail sales)														
Bakeries (Wholesale)														
Restaurant--Liquor Served--Bar Grill														
Restaurant--Fast food														
Restaurant--Traditional (no liquor, sit down restaurant)														

Please see Section 1350.~~14~~15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.~~14~~15 (A) for allowed uses in the Mixed Use Districts.

Land Use Classification													NP	Not Permitted	
													P	Permitted	
													PUD	Planned Unit Developments	
													C	Conditional Use Permit (CUP) required	
													A	Permitted Accessory Use	
													CC	Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Building materials and services															
Catering services															
Professional Offices															
Convenience Stores															
Bicycle Sales Dry Cleaner Laundromat Drug Store/Pharmacy Floral/Flower shop Hobby Shop															In the MX district, drive up windows require a conditional use permit (CUP)
Wholesale sales															
Produce sales: vegetables, fruit, flowers, etc...															

Land Use Classification													NP	Not Permitted	
													P	Permitted	
													PUD	Planned Unit Developments	
													C	Conditional Use Permit (CUP) required	
													A	Permitted Accessory Use	
													CC	Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Drive up Banks															
Entertainment/amu sement halls Bowling Alley Skating Rink, Indoor															If alcohol is part of the use a (CUP) is required.
Movie Theater															300 or less capacity
Movie Theater															300 or greater capacity
Coliseums, stadiums															
Country Club and Golf Course	C	C	C	C	C										
Private athletic fields or courts	C	C	C	C	C										
Golf Driving Range															

Land Use Classification													NP	Not Permitted	
													P	Permitted	
													PUD	Planned Unit Developments	
													C	Conditional Use Permit (CUP) required	
													A	Permitted Accessory Use	
													CC	Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Horseback Riding, Stables	C														
Auto and motorcycle racing tracks															
Drive-in movie theater															
Mobile Home Sales															
Manufactured Home Sales															
Automobile Parts/accessories retail sales and installation															
Automobile painting and body work															

Please see Section 1350.~~14~~15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.~~14~~15 (A) for allowed uses in the Mixed Use Districts.

Land Use Classification													NP	Not Permitted	
													P	Permitted	
													PUD	Planned Unit Developments	
													C	Conditional Use Permit (CUP) required	
													A	Permitted Accessory Use	
													CC	Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Gas, diesel or other motor fuel retail sales															
Storage Mini-storage/cold storage															
Salvage yard (auto or scrap iron)															
Animal Kennel for more than 6 animals	C														
Agricultural operations, row cropping, tree farming (excluding livestock)	P														No on-premises sales

Please see Section 1350.~~14~~15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.~~14~~15 (A) for allowed uses in the Mixed Use Districts.

Land Use Classification													NP	Not Permitted
													P	Permitted
													PUD	Planned Unit Developments
													C	Conditional Use Permit (CUP) required
													A	Permitted Accessory Use
													CC	Certificate of Compliance
Land Use	Zoning District												Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Commercial Greenhouse operations	C					Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.				Outside storage or sales requires a CUP. No on-premise sales permitted in RE district.
Veterinarian Clinic, animal hospital														
Industrial														
Manufacturing														
Warehousing														
Storage and Distribution of Bulk Petroleum Products, Oil and Gasoline						Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.				

Land Use Classification													NP	Not Permitted
													P	Permitted
													PUD	Planned Unit Developments
													C	Conditional Use Permit (CUP) required
													A	Permitted Accessory Use
													CC	Certificate of Compliance
Land Use	Zoning District												Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	<u>B-2 General Business</u>	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Storage and distribution of bulk liquid fertilizer, chemicals or similar materials						Please see Section 1350. 14 <u>15</u> (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350. 14 <u>15</u> (A) for allowed uses in the Mixed Use Districts.				
Retail Sale, Installation and remanufacturing of vehicle parts and accessories.														

1330.05 Performance Standards

Subd. 1 Intent. It shall be the intent of this section to promote high standards of design and construction in the City. These standards are set forth in order to enhance the visual appearance of the built environment within the City, to preserve the taxable value, to implement the goals and policies of the Comprehensive Plan and to promote the public health, safety, and welfare of the general public.

Subd. 2 General Scope. Except in the RE, R-1, and R-1A districts, any construction or alteration of buildings, structures, property or exterior equipment in the City which requires a building permit under the provisions of this Chapter shall be reviewed by the Zoning Administrator and shall comply with the standards set in Subds. 3 through 19 inclusive. If the Zoning Administrator determines that the plans comply with the intent and standards contained herein, a building permit may be issued. All decisions of the Zoning Administrator may be appealed to the City Council as provided for in this Chapter.

Subd. 3 Building Materials. Exterior building materials of all structures shall be one of, or a combination of, the following materials:

A. Permitted materials:

- 1) Face brick, stone, or glass;
- 2) Decorative concrete block with a color and texture theme that is directly related to the building material, if not more than 50% of the building elevation faces any public roadway. Plain, flat unpainted concrete block is not allowed, nor is any type of painted concrete block;
- 3) Architecturally treated concrete or cast-in-place or precast concrete panels;
- 4) Stucco or other cement like coating applied in a manner so as to create a harmonious design with other exterior materials;
- 5) Metal panels with interlocking, concealed, or tongue-and-groove seams, and concealed fasteners, if the exterior surface finish is warranted by the manufacturer for twenty years against blistering, peeling, cracking, flaking, checking, or chipping, if not more than 50% of the building elevation faces any public roadway;
- 6) Wood, wood siding, metal siding, or vinyl siding, but only in the R-2 and R-3 districts, and only on buildings with eight (8) or fewer units.

B. Conditional materials. Other exterior building materials may be approved by Conditional Use Permit, if it is determined that:

- 1) The materials are similar to or better than the permitted materials listed above;
- 2) The materials are high quality, long-lasting, attractive, reasonably maintenance-free, and;
- 3) The materials are integrated harmoniously into the building design and with neighboring uses.
- 4) The materials are approved by the building official.

Subd. 4 Additions, Alterations, and Accessory Structures. All subsequent additions, exterior alterations, and accessory structures, built after the construction of the original building or buildings shall be of the same materials as those used in the original building and shall be designed to conform to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion project. Such alterations shall also maintain the appearance of the building exterior due to fading, cracking, peeling, rotting, or other degradations or inconsistencies, particularly where signage, equipment, fixtures, or other features may have been removed, revealing an inconsistent color or condition of materials.

Subd. 5 Other Structures. Garages, screen walls, and other areas of exposed permanent materials shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion project. Exposed areas of retaining walls shall be of high quality durable materials compatible with the overall design of the site plan and structures.

Subd. 6 Outside Storage. All outside storage of equipment, materials, or vehicles shall be completely screened from the eye-level view of adjacent residential property and public streets, and from the public front and office sides of business and industrial uses, subject to the following conditions and exceptions:

- A. Temporary, daily parking of vehicles, for a period of no more than forty-eight (48) consecutive hours, for employees or patrons of a business, need not be screened in side and rear yards adjacent to other business or industrial uses, but shall be completely screened from residential uses. In front yards, all such vehicles need to be screened to a height of three (3) feet. Any vehicle parked for more than forty-eight (48) consecutive hours shall be completely screened from the eye-level view of adjacent residential property and public streets, and from the public front and office sides of business and industrial uses.
- B. Any outside storage or display of vehicles for sale, rent, or lease shall be by Conditional Use Permit only as governed by this Chapter, and shall include only operable new vehicles or operable used vehicles in good working order and of good appearance.
- C. Open storage of any kind shall be prohibited in any required front, side or rear yard setback.
- D. Overnight storage of perishable goods shall be allowed only within a completely enclosed permanent structure.

Subd. 7 Paving and Curbing. All parking areas and drives shall be constructed of concrete, blacktop, or similar durable hard surface free of dust. The periphery of all parking areas and drives shall be constructed with poured-in-place concrete curbing unless otherwise approved by the City.

Subd. 8 Utility Equipment. All utility equipment, such as heating and ventilating equipment, meters and other devices shall be completely screened from eye-level view of adjacent properties and streets. Equipment shall be screened with a screen wall, berm, or landscaping if located on the ground. If on the roof, the equipment shall be screened with a parapet or screen wall of materials compatible with the principal structure. Vertical or horizontal wood slats, fencing or similar materials are not acceptable screening material.

Subd. 9 Loading and Service Areas. All loading and service areas shall be completely screened from eye-level view of adjacent residential uses, adjacent public streets, and the public front and

- A. At least one (1) overstory tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance. Trees provided shall be at least twenty-five (25) percent overstory deciduous and at least twenty-five (25) percent coniferous. All deciduous trees provided shall be long-lived hardwood species.
- D. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:
 - 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- E. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- F. Berming used to provide screening of parking lots shall be 3 feet in height and shall have a maximum slope ratio of 3:1.
- G. Parking Lot Requirements.
 - 1) Parking lots for more than eight (8) cars shall landscape 10 percent of the parking lot surface area. The landscaped area may be in the form of landscape islands, special brick paving or other landscaping as approved by the Zoning Administrator. Landscape islands shall be a minimum width of 16 feet and with a minimum surface area of 250 square feet. The landscaped area shall adhere to the size and material requirements of this Chapter.
 - 2) On a corner lot, and at entrances, nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 2 ½ and 10 feet above the centerline grades of the intersecting streets within a triangular area 30 feet from the intersecting street right-of-way lines.
- H. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 - 1) Deciduous trees shall be at least 2 ½ inches in diameter.
 - 2) Ornamental trees shall be a minimum of 1 ½ inches in diameter
 - 3) Evergreen trees shall have a minimum height of 6 feet.

- 4) Potted shrubs shall be in a 5 gallon pot or larger.
- 5) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
- I. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

Subd. 15 Fences. Except in the RE, R-1, R-1A, MX-1, MX-2, MX-3, and MX-4 districts, fences shall comply with the following standards:

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. Except in the I-S, I-1, and I-2 districts, barbed wire may not be used for fences.
- D. Barbed wire for fences in the I-S, I-1, and I-2 districts shall start at least six (6) feet off the ground.
- E. A fence shall be of one color or pattern, may not contain or support pictures, signage or lettering, and must be maintained in good condition and appearance.
- F. A fence shall only be constructed of the following materials:
 - 1) Treated wood, cedar, or redwood
 - 2) Simulated wood
 - 3) Decorative brick or stone
 - 4) Wrought iron or aluminum designed to simulate wrought iron
 - 5) Coated or non-coated chain link
 - 6) Split rail
 - 7) Other materials or fence types as approved by the Zoning Administrator.
- G. A fence may be no more than twelve (12) feet in height.
- H. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- I. In the I-S district, a fence at least six (6) feet in height shall be required around all storage tanks.
- J. No fence shall be constructed on public rights-of-way.

Subd. 16 Noxious Matter. The emission of noxious matter shall be controlled so that no such emission crosses the lot line of the property from which it originates. Noxious matter shall mean any solid, liquid or gaseous material, including but not limited to gases, vapors, odor, dusts, fumes, mists, or combinations thereof, the emission of which is detrimental to or endangers the public health, safety, comfort or general welfare, or causes damage to property. The operator of the facility shall comply with a regular inspection schedule as approved by the City and shall submit reports of such inspections to the City.

Subd. 17 Restricted Operations. Uses which because of the nature of their operation are accompanied by an excess of noise, vibration, dust, dirt, smoke, odor, noxious gases, glare or wastes shall not be permitted. Noise, odors, smoke and particulate matter shall not exceed Minnesota Pollution Control Agency standards. Glare, whether direct or reflected, such as from spotlights or high temperature processes, as differentiated from general illumination, shall not be visible beyond the lot line of the property from which it originates.

Subd. 18 Explosives. Any use requiring the storage, use or manufacturing of explosives, or other products which could decompose by detonation, shall not be located less than four hundred (400) feet from any residential use or residentially zoned area. This provision shall not apply to the storage or use of liquefied petroleum or natural gas for normal residential or business purposes, nor to the storage and distribution for retail sale of gasoline and other motor fuels if properly stored and handled according to applicable safety regulations.

Subd. 19 Exceptions for Legal Non-Conforming Structures. The standards in this section do not apply to legal non-conforming single family residential structures and properties in Business and Industrial districts, provided they are continuously used for residential purposes only, and provided any additions or alterations to these structures meet the standards of the R-1 district and other applicable zoning and building code standards. For legal non-conforming non-residential structures in the Business and Industrial districts or for existing non-residential development on properties that are rezoned to a Business or Industrial zoning district, the following exceptions shall apply:

- A. New construction projects for repairs, remodeling, or additions to a structure do not need to meet the standards in this section if the construction increases the size of the building by less than ten (10) percent, or if it increases the assessor's market value by less than twenty (20) percent.
- B. Construction projects involving a building expansion between ten (10) and fifty (50) percent of the size of the building or an increase in assessor's market value between twenty (20) and fifty (50) percent of its value need not meet all the standards of this section, but shall be required to meet a reasonable proportion of the requirements of this section as determined by the Planning Commission, upon the advice of the Zoning Administrator. If two or more smaller projects, over a period of five years or less, together exceed the percentage thresholds in this paragraph, the property shall then meet a reasonable proportion of the requirements as determined by the Zoning Administrator.
- C. Construction projects involving a building expansion over fifty (50) percent of the size of the building or an increase in assessor's market value over fifty (50) percent of its value shall be required to meet all the standards of this section. If two or more smaller projects, over a period of five years or less, together exceed the percentage threshold in this paragraph, the property shall then meet all the standards of this section.

- D. For the purposes of determining compliance with the standards in this section, site work not involving the structures on site shall be considered separately from work on the structures.
- 1) For legal non-conforming uses, new construction projects for repairs, remodeling, or additions to the parking lot, outdoor spaces, landscaping, or other exterior features do not need to meet the standards in this section if the construction increases the size of these areas by less than ten (10) percent.
 - 2) Construction projects involving an expansion of exterior space between ten (10) and fifty (50) percent of the size of the parking lot or other outdoor space need not meet all the standards of this section, but shall be required to meet a reasonable proportion of the requirements as determined by the Planning Commission, upon the advice of the Zoning Administrator.
 - 3) For the purposes of this section, adding one inch or more of new material to an existing parking lot surface shall be considered an increase of one hundred (100) percent of the area involved.

Subd. 20 Performance Standards in RE, R-1, and R-1A districts. All construction or alteration of buildings, structures, or property in the RE, R-1, and R-1A districts shall comply with the standards set in Subds. 21 through 23 inclusive, as interpreted by the Zoning Administrator. All decisions of the Zoning Administrator may be appealed to the City Council as provided for elsewhere in this Code.

Subd. 21 Fences in the RE, R-1, R-1A, MX-1, MX-2, MX-3, and MX-4 districts.

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered being the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. A fence in the front yard shall be of one color or pattern, and may not contain or support pictures, signage or lettering visible to a public street or to adjacent properties.
- D. A fence may be no more than four (4) feet in height in the front yard.
- E. A fence may be no more than six (6) feet in height in a side or rear yard, unless the side or rear lot line is common with the front yard of an abutting lot, in which case the portion of the side or rear lot line equal to the required front yard of the abutting lot may have a fence no more than four (4) feet in height.
- F. Except in the RE district, electric fences may not be used.
- G. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- H. All fences shall be maintained in good condition and appearance.
- I. A fence shall only be constructed of the following materials:
 - 1) Treated wood, cedar, or redwood

- 2) Simulated wood
 - 3) Decorative brick or stone
 - 4) Wrought iron or aluminum designed to simulate wrought iron
 - 5) Coated or non-coated chain link
 - 6) Split rail
 - 7) Other materials or fence types as approved by the Zoning Administrator.
- J. Except in the RE District, welded wire may not be used for fences on property boundaries.
- K. Welded wire may be used in the RE District for fences on property boundaries of rear yards.
- L. Welded wire may only be used for small enclosures in all districts to protect vegetation such as trees, gardens, plants, and bushes.
- M. Except in the RE District, snow fences may not be used for fences.
- N. Snow fences may be erected in the RE District for controlling snow between November 1 and April 15. All snow fences must be removed by April 16.
- O. No fence shall be constructed on public rights-of-way.

Subd. 22 Exterior Storage and Screening in RE, R-1, and R-1A districts.

- A. All waste, refuse, garbage and containers shall be kept in a building or in a fully screened area, except as allowed before a scheduled collection.
- B. All non-operating vehicles or equipment shall be kept within a fully enclosed building.
- C. No exterior storage shall be allowed in the front yard, except parking of operable vehicles, subject to the following conditions and exceptions:
- 1) All vehicles parked in the front yard shall be on concrete, blacktop, or similar durable hard surface free of dust.
 - 2) No more than three (3) vehicles may be parked in the front yard at any one time, only one of which may be over six thousand (6,000) pounds gross vehicle weight or over twenty (20) feet in length.
 - 3) Additional operable vehicles above the limit of three (3) may be parked in the front yard on a temporary basis, for no more than forty-eight (48) consecutive hours.
- D. All exterior storage in the street side yard of a corner lot shall be fully screened from the street and adjacent properties.

Subd. 23 Lighting in the RE, R-1, and R-1A districts. Lighting used to illuminate any exterior area or structure shall be arranged so as to direct the light away from any adjoining property or from the public street.

Subd. 24 Landscaping in the RE, R-1 and R-1A Districts. All areas of land not covered by structures or pavement shall be landscaped with sod, mulch, or rock materials, and landscaped according to the provisions of this section:

- A. At least one (1) overstory tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance.
- D. All areas of land not covered by structures, pavement, or landscaping may be covered by natural characteristics, when appropriate.
- E. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:
 - 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- F. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- G. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 1. Deciduous trees shall be at least 2 ½ inches in diameter.
 2. Ornamental trees shall be a minimum of 1 ½ inches in diameter.
 3. Evergreen trees shall have a minimum height of 6 feet.
 4. Potted shrubs shall be in a 5 gallon pot or larger.
 5. Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
 6. Except when a property's topsoil depth is less than 24 inches, the plant size requirement may be reduced by 50% or to 1 ¼ inches and doubling the number of trees.

- H. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

1330.06 Off-Street Parking

Subd. 1 General.

- A. Standards. Off-street parking, loading, and service areas shall be improved with a durable and dustless surface, and shall be graded and drained so as to dispose of all surface water accumulation within the parking area. Acceptable surfaces may include crushed rock and similar treatment for parking accessory to single family and duplex residential structures, all other uses shall utilize asphalt, concrete or substitute as approved by the Zoning Administrator. All surfacing shall be completed prior to occupancy of the structure, unless specific approval otherwise has been granted by the City. Parking areas for three (3) vehicles or fewer shall be exempt from the requirements of this paragraph.
- B. Dimensions. Each off-street parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet deep. Access drives and aisles shall be a minimum of twenty-four (24) feet wide for two-way traffic, and eighteen (18) feet wide for one-way traffic. Parking space dimensions for angled parking shall be approved by the Zoning Administrator, based on acceptable planning standards.
- C. Compact Car Parking. Parking spaces for compact cars may be included within a parking lot plan approved by the Zoning Administrator provided the spaces comprise no more than forty (40) percent of the spaces for the entire use or project, and provided they shall be clearly identified on the site and their location shall be designed carefully into the overall site plan. The spaces shall be a minimum of eight (8) feet wide by sixteen (16) feet deep.
- D. Handicapped Parking. Parking for handicapped persons shall be provided in accordance with State and Federal regulations.
- E. Access. All off-street parking spaces shall have access from a private driveway and shall not access directly onto a public street.

Subd. 2 Number of Off-street Parking Spaces. The number of off-street parking spaces required for uses in the Residential, Non-Residential, and MX-1 and MX-2 Districts shall be as follows. Section 1350.1819(D) prescribes the number of off street parking spaces required for uses in the MX-3 District.

- A. Single and Two-family Dwellings: Two (2) spaces per unit, at least one of which shall be enclosed.
- B. Residential Dwellings up to Eight (8) Units per structure: Two (2) spaces per unit, at least one each of which shall be enclosed, plus one half (0.5) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within one hundred (100) feet of the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- C. Residential Dwelling with more than Eight (8) Units: One and one-half (1-½) spaces per unit for each efficiency or one bedroom unit, at least one each of which shall be enclosed, and two (2) spaces per unit for each unit with two or more bedrooms, at least one each of which

- shall be enclosed. In addition, there shall be one-half (½) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within two hundred (200) feet of the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- D. Driveway Space: Driveway space immediately in front of a garage door, blocking normal access to the garage, may not be counted as part of the required parking space for any residential use.
 - E. Retail Sales and Service Uses: One (1) space for each two hundred fifty (250) square feet of gross floor area.
 - F. Hotel or Motel: One (1) space per unit, plus one (1) space per employee on the largest shift.
 - G. Medical or Dental Clinic: Six (6) spaces per doctor or dentist.
 - H. Vehicle or Equipment Service and Repair: Two (2) spaces plus three (3) spaces for each service stall
 - I. Restaurants, Taverns, Clubs, and Similar Uses: One (1) space for each two and one half (2.5) seats, based on maximum design capacity.
 - J. Offices, Other than Medical or Dental: One (1) space for each two hundred fifty (250) square feet of gross floor area.
 - K. Churches, Theaters, Auditoriums, Funeral Homes, and Other Places of Assembly.: One (1) space for each three (3) seats or for each five (5) feet of pew or bleacher length, based on the maximum design capacity.
 - L. Warehouse, Storage, Handling of Bulk Goods, Industrial Storage: One (1) space for each two (2) employees on the largest shift, or one (1) space for each two thousand (2,000) square feet of gross floor area, whichever shall be greater.
 - M. Manufacturing, Light Industrial, Processing, and Fabrication: One (1) space per five hundred (500) square feet of gross floor area.
 - N. Uses Not Specifically Mentioned: As shall be determined by the Zoning Administrator.

Subd. 3 Residential Districts.

- A. No more than twenty-five (25) percent of the required yard area shall be surfaced or utilized for driveway space or vehicle storage.
- B. All parking spaces shall be on the same lot as the principal use for which they are intended.

Subd. 4 Shared Parking in Non-residential Districts. The standards for shared parking spaces for uses in all-non-residential districts are as follows:

- A. Required parking facilities serving two or more uses may be located on the same lot or in the same structure, provided that the total number of parking spaces furnished shall not be less than the sum of the separate requirements for each use.

- B. A shared parking plan for two or more uses involving fewer than the total number of parking spaces required in paragraph (1) above may be approved by Conditional Use Permit, if at least the following conditions shall be met:
- 1) No more than fifty (50) percent of the required parking spaces for a given use may be shared with another use.
 - 2) The applicant shall show that there is no substantial conflict between the principal operating hours of the uses, which will share parking spaces.
 - 3) A properly drawn legal instrument covering access easements, cross parking arrangements, maintenance, or other pertinent issues, executed by the parties involved, and approved by the City Attorney, shall be filed with the City Clerk-Administrator.
 - 4) Proof of available parking can be made available should a more intensive use be proposed for the site at a later time.

Subd. 5 Location of Parking. Unless otherwise provided, required parking for all uses shall be within four hundred (400) feet of the entrance to the use.

Section 1350 - Non-residential Districts

1350.01 Scope.

Except as otherwise provided, this division applies to all non-residential and mixed-use districts in the City.

1350.02 Purpose of Business Districts.

Business districts shall be established to accomplish the general purpose of this Chapter and the Comprehensive Plan and for the following specific purposes:

- A. To group compatible business uses which will tend to draw trade that is naturally interchangeable and so promotes the business prosperity and public convenience;
- B. To provide an adequate supply of suitable land for businesses and professional services to meet the needs of the community and provide employment opportunities and significant tax base;
- C. To promote a high quality of business and commercial development and design that produces a positive visual image and minimizes the effects of traffic congestion noise, odor, glare, and similar problems.

1350.03 Specific intent of the Business Park/Office/Warehouse District.

The Business Park/Office/Warehouse District is intended to provide locations for office, warehouse, and related uses in a business park setting. Some accessory commercial services may also be a part of this land use type to serve the large employment base.

1350.04 Specific intent of the General Business District

The General Business District is intended to provide the opportunity for diverse businesses to take advantage of the City's location and access to major roadway corridors. The district is intended to provide locations for businesses that serve local and regional needs, and may include retail businesses, highway or automobile-oriented businesses, and quasi-industrial and wholesale enterprises that do not need an industrial setting, and can be designed or managed to be compatible with surrounding districts.

1350.04 Purpose of the Industrial Districts.

The industrial districts shall be established to accomplish the general purpose of this Chapter and the Comprehensive Plan and the following specific purposes:

- A. To provide employment opportunities;
- B. To group industrial uses in locations accessible to rail and highways, so that the movement of raw materials, finished products, and employees can be carried on efficiently;
- C. To separate traffic, noise, and other obtrusive characteristics of intense industrial activity from the more sensitive commercial, residential, and open space areas of the City.

1350.05 Specific intent of the I-1 Light Industrial District.

The specific intent of the I-1 Light Industrial District shall be to provide areas for the development of research laboratories, small-scale processing, fabricating, storage, manufacturing, and assembly of products. Such uses are non-polluting, not excessively noisy or dirty, limited traffic producers, and do not produce hazardous waste as by-products.

1350.06 Specific intent of the I-2 General Industrial District.

The specific intent of the I-2 General Industrial District shall be to provide areas adjacent to major thoroughfares and in areas where public utilities are available for the express use of industrial developments. Designation of industrial districts will help attract industry, thereby stabilizing the tax base and increasing employment in the City.

1350.07 Specific intent of the I-S Industrial Storage District.

The specific intent of the I-S Industrial Storage District shall be to provide areas bordering City limits and areas adequately buffered with open land to permit storage of petroleum products and other similar storage uses.

1350.08 Purpose of the Mixed-Use Districts.

The mixed-use districts shall be established to accomplish the general purposes outlined in the Comprehensive Plan and to foster a development pattern that encourages a mix of supportive residential and commercial uses, and supports a multi-modal transportation system that services all users. These districts will integrate places to live, shop, work and play. The mixed-use districts are intended to help shape Newport's downtown and small town identity.

1350.09 Specific intent of the MX-1 Downtown District.

The specific intent of the MX-1 Downtown Mixed Use District shall be to provide sites for small scale retail, commercial, office and service uses, and to support a mix of residential uses. District requirements and standards will create neighborhoods that are aesthetically pleasing, dense, safe, and walkable. This district is primarily intended to integrate residential uses with pedestrian-oriented commercial uses such as specialty retail stores, professional and financial services, offices, sit down restaurants, coffee shops, floral shops, etc. This district shall serve as the center for financial, commercial, professional, and entertainment activities. Inclusion of high density housing above commercial uses in this district will support commercial and entertainment uses and public transit services.

1350.10 Specific intent of the MX-2 Commercial District.

The specific intent of the MX-2 Commercial Mixed Use District shall be to provide areas that integrate diverse commercial and residential uses. Minimum lot sizes are larger than those in the Downtown District. Development is intended to be compatible with the scale of surrounding areas. Parking areas are restricted in this zone in order to limit the impact on the neighborhood and on areas that are visual gateways to the City.

1350.11 Specific intent of the MX-3 Transit-Oriented Mixed Use District

The specific intent of the MX-3 Transit-Oriented Mixed Use District is to encourage a mixture of residential, commercial, office, and civic uses in proximity to the commuter rail station at densities and intensities that support and increase transit use. The district is also intended to:

- A. Encourage a safe and pleasant pedestrian environment near the rail station, and limit conflicts between pedestrians and vehicles.
- B. Maximize access to transit.
- C. Encourage use of transit infrastructure.
- D. Provide parking in an efficient and unobtrusive manner
- E. Reduce parking requirements by encouraging shared parking and alternative modes of transportation.
- F. Encourage a sense of activity and liveliness along the street level of building facades.

1350.12 Specific intent of the MX-4 General Mixed Use District

The specific intent of the MX-General Mixed Use District is to provide for a mix of residential and commercial uses that provide for a long-term transition from the auto-oriented uses that exist in the district based on past frontage on Highway 61, to uses that are compatible with adjacent Mixed-Use Districts and development of the Downtown character of Hastings Avenue. The City anticipates that commercial uses will cluster on and near Hastings Avenue and the Glen Road interchange, and that over the long-term, residential uses may become more dense in this zone.

1350.13 Dimensional Requirements for lots and structures in non-residential districts

A. Non-residential district requirements

Requirements	MX-1	MX-2	MX-3	MX-4	B-1 and B-2	I-1	I-2	I-S
Minimum lot area in square feet	2,400	4,000	None	2,400	15,000	30,000	30,000	30,000
Minimum lot depth in feet	80	100	None	80	150	200	200	200
Minimum lot width in feet	30	40	30	30	100	100	100	100
Maximum lot coverage by all buildings (%)	80%	50%	None	80%	30%	40%	50%	50%
<i>Structure setback standards***</i>								
Minimum front yard setback	0	10**	0	0	20	20	20	50
Minimum front yard if across collector or minor street from any residential district	10	10**	10	10	50	50	50	100
Minimum side yard	0	5	5	5	10	20	20	50
Minimum side yard if adjacent to any residential district	10	10	10	10	50	50	50	100
Minimum rear yard	20	20	20	20	20	20	20	50
Minimum rear yard if adjacent to any residential district	20	20	20	20	50	50	50	100
<i>Parking and driving aisle setback in feet</i>								
Minimum front yard	20	Not allowed	Not allowed	20	20	20	20	20
Minimum front yard if across collector or minor street from any R district	50	Not allowed	Not allowed	50	50	50	50	50
Minimum side yard	5	5	5	5	5	5	5	5
Minimum side yard if adjacent to any R district	5	5	5	30	30	30	30	30
Minimum rear yard	5	5	5	5	5	5	5	5
Minimum rear yard if adjacent to any R district	10	10	10	50	50	50	50	50
Maximum building height in feet*	40 3-sty	28 2-sty	See table	40	40	40	40	40

Requirements	MX-1	MX-2	MX-3	MX-4	B-1 and B-2	I-1	I-2	I-S
			B.,below					
Maximum height of storage tank in IS district								55
Public utilities required, including sewer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements for increases in height adjacent to single-family residential uses included in this chapter apply.

** See section 1300.08 Exceptions to Front Yard Setbacks

***Structure setbacks for the MX-1 and MX-2 are as noted by the dimensional provisions unless otherwise specifically approved in a development plan as outlined in a Planned Unit Development.

B. Additional MX-3 District standards. The following requirements apply to all buildings or uses in an MX-3 District, unless otherwise specified:

<i>Height and Setbacks</i>	<i>Residential Townhouse</i>	<i>Residential Apt., Condo, Cooperative</i>	<i>Mixed-Use Building</i>	<i>Commercial, Civic, not in mixed-use building</i>
<i>Height</i>	<i>3 stories or 35 feet, whichever is less</i>	<i>2 stories minimum, 4 stories maximum*</i>	<i>2 stories minimum, 4 stories maximum*</i>	<i>No minimum, 4 stories or 40 feet maximum</i>
<i>Setbacks</i>	<i>Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet</i>	<i>Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet</i>	<i>Front: Maximum of 15 feet Side: 10 feet Rear: none required</i>	<i>Front: Maximum of 8 feet Side: 10 feet Rear: None required</i>

*Maximum height may be increased upon issuance of a Conditional Use Permit. Single-story buildings shall have a foot print of no more than 15,000 square feet.

C. Densities in the MX-3 District

- 1) The maximum residential density in the MX-3 District shall be 50 units per acre.
- 2) The minimum residential density in the MX-3 District shall be 30 units per acre.
- 3) The minimum net FAR (Floor Area Ratio) for residential and non-residential uses shall be .5 FAR.

1350.14 Uses in the Non-Residential Districts

A. Mixed Use Districts Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted; PUD=Permitted with a Planned Unit Development

Use	MX-1	MX-2	MX-3	MX-4
Residential Uses				
Single-family detached, one dwelling per lot	P	P	N	P
Single-family detached, more than one dwelling per lot	PUD	PUD	N	PUD
Two-family residences	P	P	N	P
Townhouse, rowhouse	P	P	P	P
Manufactured single-family dwelling	P	P	N	P
Mobile homes	N	N	N	N
Multi-Family, condos, apartments and cooperatives	P	P	P—less than 8 units; C—8 or more units	P
Congregate housing for senior populations	P	P	P	P
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	P	P	P	P
Mixed-Use (dwelling unit above ground floor)	P	P	P	P
Live-work building	C	C	C	C
PUD	PUD	PUD	PUD	PUD
Civic and Semi-Public Uses				
Day Care Facilities in Single Family Homes with 14 or fewer children being attended to	P	P	N	P
Day Care Facilities in Single Family Homes with more than 14 children being attended to	C	C	N	C
Day Care Facilities	C	C	C	C
Day Care Facilities in a mixed-use building	P	P	P	P
Essential services/public utilities	P	P	P	P
Funeral Home	C	C	C	C
Hospitals	C	C	C	C
Military reserve, national guard centers	C	N	N	N
Park and public recreation facilities	P	P	P	P
Parking Garage (as a principal use)	C	N	C	N
Parking Lot, Surface (as a principal use)	C	N	N	N
Penal/correctional facilities	N	N	N	N
Place of worship and associated facilities, except schools	C	C	C	C
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, post offices and other municipally owned or operated facilities	C	C	C—50,000 sq ft maximum	C
Schools – trade, college, vocational, and associated facilities	C	C	C—50,000 sq ft maximum	C

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Use	MX-1	MX-2	MX-3	MX-4
Schools for business, trade, dancing, music	C	C	C	C
Social and fraternal clubs and lodges, union halls	P	P	C—10,000 sq ft maximum	P
Transit stations and related parking facilities	C	C	C	C
Commercial Uses				
Administrative support services	P	P	P	P
Adult Uses	N	N	N	N
Animal boarding, grooming, veterinary clinics, retail sales	C	C	C—10,000 sq ft maximum	C
Artist studios	P	P	P	P
Auto body repair and major auto repair, towing services	C	N	N	N
Auto sales, rental	C	N	N	N
Automotive services, car specialty services (not including body repair or major repair)	C	C	C—Maximum 4 repair bays	C
Bakeries, delicatessens, coffee shops	P	P	P	P
Bakeries, wholesale	P	C	C	C
Bed and Breakfast	P	P	N	P
Biotechnology	P	P	P	P
Building materials and services	C	N	N	N
Catalog and mail order	P	P	P	P
Conference Center, 50,000 square feet or less	C	C	C	C
Convenience stores	P	P	P	P
Data centers	C	C	C	C
Entertainment/amusement halls, bowling alley, indoor skating rink	P	P	C	C
Fabrication of apparel, leather products and other products from prepared products	P	C	P	C
Fabrication of office and computer equipment	P	P	P	P
Financial services	P	P	P	P
Fitness and recreation centers, in a mixed-use building	C	C	C	C
Gas, diesel or other motor fuel retail sales	C	C	N	C
Grocery and produce sales	C	C	C—50,000 sq ft maximum	C
Internet publishing and broadcasting	P	P	P	P
Medical, dental, or veterinary clinics and laboratories	C	C	C—10,000 sq ft maximum	C
Medical appliance assembly	P	P	P	P
Motion picture and sound recording industries	C	C	C	C
Offices – general, medical, professional, free-standing, or mixed-use building	P	P	P--to 10,000 sq ft; C—larger than 10,000 sq ft	P
Printing, publishing, bookbinding, blueprinting	C	C	C	C
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	C	C	P	C

Use	MX-1	MX-2	MX-3	MX-4
Retail and service establishments, free-standing, or mixed-use building	P	P	P--to 10,000 sq ft; C—10,000 to 50,000 sq ft maximum	P
Rental of vehicles (with limited outside storage)	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Research, development and testing laboratory	C	C	C	C
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—no liquor served	P	P	P	P
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—liquor served	C	C	C	C
Restaurants with drive-through service	C	C	C	C
Service businesses, such as beauty shops, barbershops, dry-cleaning, drop-off/pickup (no on-site processing) in mixed-use buildings	P	P	P	P
Small scale manufacturing and artisans	P	P	P—5,000 sq ft or less; C—5,000 to 10,000 sq ft	P
Theaters (with structured parking)	P	P	P	P
Theaters	C	C	C	C
Towing services (no outside storage of vehicles)	P	C	P	C
Vehicle sales, display and service	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
Vehicle Storage Lot	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Warehousing as a primary use	N	N	N	N
Accessory Uses				
Drive up facilities	C	C	C	C
Gazebo, arbor, play equipment in public or private open space area	P	P	P	P
Outdoor sales, in conjunction with permitted use	C	C	N	C
Renewable energy system	P	P	P	P
Rental of vehicles (with limited outside storage)	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Parking lot, as an accessory use	C	C	C	C
Swimming Pool	P	P	P	P

B. Business and Industrial District Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted

Use	B-1	B-2	I-1	I-2	I-S
Civic and Public Uses					
Airports	N	<u>N</u>	C	C	N
Cemetery and/or crematorium	C	<u>N</u>	N	N	N
Day care centers	C	<u>C</u>	C	C	C
Day care centers in a mixed-use building	P	<u>P</u>	C	C	C
Essential services/public utilities	P	<u>P</u>	P	P	P
Funeral Home	<u>Pp</u>	<u>P</u>	N	N	N
Hospitals	C	<u>C</u>	N	N	N
Medical Clinics	P	<u>P</u>	N	N	N

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Use	B-1	<u>B-2</u>	I-1	I-2	I-S
Military reserve, national guard centers	C	<u>C</u>	N	N	N
Park and public recreation facilities	P	<u>P</u>	P	P	P
Parking Garage (as a principal use)	<u>PC</u>	<u>C</u>	N	N	N
Parking Lot, Surface (as a principal use)	<u>PN</u>	<u>C</u>	P	P	P
Penal/correctional facilities	N	<u>N</u>	C	C	N
Place of worship and associated facilities, except schools	P	<u>P</u>	N	N	N
Post Office	P	<u>P</u>	N	N	N
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, and other municipally owned or operated facilities	C	<u>C</u>	C	C	C
Sanitary landfill	N	<u>N</u>	C	C	N
Schools-trade, college, vocational, and associated facilities	<u>Pp</u>	<u>P</u>	C	N	N
Schools for business, trade, dancing, music	C	<u>C</u>	C	N	N
Social, Fraternal clubs and lodges, union halls	P	<u>P</u>	N	N	N
Transit stations and related parking facilities	C	<u>C</u>	N	N	N
Commercial Uses					
Adult uses (bookstore, theater, nightclub, nude or partially nude dancing)	N	<u>N</u>	N	C	C
Animal boarding, grooming, veterinary clinics , retail sales	N	C	N	N	N
Auto sales, rental	N	N	N	N	N
Automotive services, car specialty services (not including body repair or major repair)	N	C	N	N	N
Auto painting and body work	N	<u>N</u>	C	N	N
Auto storage	N	<u>C</u>	C	P	C
<u>Bakery, wholesale</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Biotechnology businesses</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
Brewery, craft	P	P	P	N	N
<u>Building materials and services</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
Commercial greenhouse operations	C	<u>C</u>	P	N	N
Convenience stores	P	<u>P</u>	N	N	N
<u>Data centers</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
Distillery, craft	P	P	P	N	N
<u>Fabrication of apparel, leather products and products from prepared products</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Fabrication of office and computer equipment</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
Gas, diesel or other motor fuel retail sales	P	<u>P</u>	N	N	N
Hotels, motels	P	<u>P</u>	N	N	N
Medical, dental or veterinary clinics and laboratories	N	C	N	N	N
Printing, publishing, bookbinding, blueprinting	N	C	N	N	N
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	N	C	N	N	N
Rental of vehicles	N	C	N	N	N
Restaurants, traditional or liquor served; bar and grill	<u>PP</u>	<u>P</u>	N	N	N
Salvage yards (auto or scrap iron)	N	<u>N</u>	N	P	N
Small brewery or winery as an accessory use to a bar or restaurant	P	P	P	N	N

Use	B-1	<u>B-2</u>	I-1	I-2	I-S
Storage, mini-storage, cold-storage	N	<u>N</u>	N	N	P
<u>Vehicle Sales, display and Service</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Vehicle Storage Lot</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
Veterinary clinic, animal hospital	C	<u>C</u>	P	N	N
Wholesale sales	P	<u>P</u>	N	N	N
Winery, craft	P	P	P	N	N
Warehouse and Industrial Uses					
Manufacturing	C	<u>C</u>	P	P	N
Micro- and regional brewery	N	P	P	N	N
Retail sale, installation and remanufacturing of vehicle parts and accessories	N	<u>N</u>	P	N	N
Storage and distribution of bulk petroleum products, oil and gasoline	N	<u>N</u>	N	N	C
Storage, mini-storage, cold storage	N	<u>N</u>	N	N	P
Warehousing	C	<u>C</u>	P	P	N
Accessory Uses					
Outdoor sales, in conjunction with a permitted use	N	C	N	N	N
Renewable energy system	P	P	P	P	P
Parking lot, as an accessory use	P	P	P	P	P

1350.15 Administrative Procedure for Re-Zoning in the Non-residential Districts

- A. All petitions for rezoning to establish or expand a nonresidential district shall also concurrently follow subdivision platting procedures and a complete preliminary plat with all supporting data required which shall be filed with the Zoning Administrator.
- B. If a zoning change for a nonresidential district is approved, the first phase of construction shall begin or show reasonable progress within two (2) years after approval of the general development plan and zoning change by ordinance or the district may be zoned back to its original zoning district classification or other appropriate zoning district classification.
- C. Upon receipt of a completed application for rezoning, subdivision or site plan approval, a date shall be set for a public hearing before the Planning Commission. The hearing will be held no less than 10 days after mailed notice is sent to the owners of property located wholly or partially within 350 feet of the site. The Planning Commission shall submit its recommendation to the City Council. Following appropriate review, the Council shall make a decision regarding the application.
- D. Upon finding by the Planning Commission and City Council that the proposed zoning district and preliminary plat shall constitute a district of sustained desirability, is consistent with long range comprehensive plans for the City, and meets the requirements of the district, the City Council may establish such district on the property included in the preliminary plat. The preliminary plat as approved together with such covenants, deed restrictions, controls, or special conditional use permits as may be attached to it, shall be filed and recorded by the owners or developer in the office of the county register of deeds and shall become a part of the ordinance establishing the zoning charge. Any substantial change to the plat shall require resubmission to and approval by the Planning Commission and City Council.
- E. The final platting of such land shall be subject to such requirements for approval, recording, and the installation of improvements as required by other City ordinances.

1350.16 Administrative Procedure for Site Plan Review in the Non-residential Districts and Additional Procedures for Development in the MX-3 District

A. *Site Plan Review.* Prior to obtaining a building permit or constructing any building improvements on an individual lot or site within any nonresidential district, three (3) copies of the site plan of proposed improvements shall be submitted to the Zoning Administrator. The Zoning Administrator may require review by the Planning Commission and City Council. Such site plan shall include the following:

- 1) A survey or plat of the property
- 2) Evidence of ownership or interest in the property
- 3) The fee specified in the City's fee schedule
- 4) Information regarding project phasing and timing.
- 5) Complete development plans, signed by a registered architect, civil engineer, landscape architect, or other appropriate design professional, as required by the State Building Code.
- 6) Phasing plan
- 7) Architectural plans showing the following:
 - a. Colored elevations of all sides of the building
 - b. Type, color and samples of exterior building materials
 - c. Typical floor plans
 - d. Dimensions of all structures
 - e. The location of exterior trash storage areas and of exterior electrical, heating, ventilation and air conditioning equipment
 - f. Utility plans including water, sanitary sewer, and storm sewer
 - g. A plan showing landscaping, lighting, and signs that meets code requirements
 - h. Illustrations that show adjacent building elevations to show the scale of adjacent buildings and landscaping
 - i. Such other information as may be required by the City to process the application

B. *MX-3 District.* Additional Administrative Procedures for Development in the MX-3 District

- 1) *Preliminary Review.* It is strongly recommended that anyone planning to develop or redevelop property in an MX-3 District meet with the City Administrator (1) during the conceptual design process in order that the staff may offer input into meeting the ordinance requirements and design standards and (2) during the design development stage to ensure that the plans meet the minimum MX-3 District Standards.
- 2) *Station Area Plan Procedure.* No new development or redevelopment may occur, and no building permit will be issued, without approval of a Station Area Plan conforming to the requirements of this section. Approval of individual site plans must conform to the Station Area Plan. Upon the submission of the Station Area Plan, the Planning Commission will conduct a public hearing and

make a recommendation to the City Council, which shall approve, modify, or deny the Station Area Plan. The Station Area Plan shall include the following:

- a. A drawing showing existing conditions such as property boundaries, generalized contours, site features such as wetlands and wooded areas, and surrounding land uses and development.
 - b. A conceptual development plan showing public and private open space, and general site data such as building locations, density, setbacks, ponding areas, parking areas and generalized screening, buffering and landscape concepts.
 - c. Generalized traffic information including proposed new streets and alley connections, and improvements to existing roads.
 - d. An elements plan that includes, but is not limited to, lighting, public art, planters, fountains, litter receptacles, benches or seating areas.
- 3) The findings necessary for approval of the Station Area Plan include, but are not limited to, the following:
- a. The Station Area Plan is consistent with the intent of the MX-3 District.
 - b. The Station Area Plan reflects development that:
 - i. Is not detrimental to the public health, safety, or general welfare
 - ii. Is not hazardous, detrimental, or disturbing to surrounding land uses, or that creates pollution, vibration, general unsightliness, electrical interference, or other nuisances
 - iii. Does not create traffic congestion, unsafe access, or parking needs that will cause inconvenience to adjoining properties
 - iv. Is served adequately by essential public services such as streets, police, fire protection, utilities, and parks
 - v. Does not create excessive additional requirements at public cost for public facilities and services, and is not detrimental to the economic welfare of the City
 - vi. Causes minimal adverse environmental effects
 - vii. Each phase or stage of the Station Area Plan can exist as an independent unit.
- 4) *Administrative Approval.* To offer some degree of flexibility, the City Administrator has the authority to administratively alter any of the development and urban design standards by five percent (5%) in an MX-3 District. If administrative approval is required for parking or an item normally approved by the Planning Commission and City Council, the City Administrator shall only grant approval after consultation with other city staff (public works, building inspections, fire chief, etc.)

On matters that do not involve quantitative measurements, the City Administrator may also make minor alterations if he/she determines that such changes would be an acceptable design approach to development and would be in keeping with the general intent of the MX-3 District. Any such approval shall meet the following criteria:

- a. Incorporates existing buildings, trees, topographic features, or other existing elements consistent with the intent of the MX-3 District; and
- b. Provides urban open space, seating, fountains, accent landscaping, or other similar urban pedestrian amenities consistent with the intent of the MX-3 District.

1350.17 Performance Standards for Non-residential Districts

- A. The Performance Standards included in Item 1330.05 of this Ordinance shall apply in the Non-residential districts, except as modified in this Section.
- B. All public rights-of-way within the MX, Business, and Industrial Districts shall be considered collector streets or arterials as defined in the City thoroughfare plan.
- C. MX District Parking standards.
 - 1) Parking requirements in the MX Districts shall be governed by Section 1330.06 except for the following: Surface Parking Lots in the MX-2 and MX-3 Districts shall be located at the side or rear of buildings and not in the front yard area. Surface parking lot or driveway access may not make up more than 25% of lot frontage. The required front setback for surface parking lots in the MX-1 and MX-4 district shall include a planted boulevard that meets the landscaping requirements of the ordinance.
 - 2) In the MX-1 District, parking requirements shall be 1 space for every 350 square feet of office or retail gross floor area. On-street parking spaces that are adjacent to the parcel that the parking is being calculated for may be included in the calculation. The maximum number of off-street parking spaces permitted shall not exceed 1 space per 250 square feet of office or retail uses, except in the case of restaurants which shall be allowed one space per 200 square feet if shared parking facilities are not available.
 - 3) Parking standards for the MX-3 District are included in Section 1350.17.
 - 4) Additional reductions in parking requirements in the MX-1 and MX-2 Districts shall be permitted with demonstrations of proof of parking or a parking management strategy acceptable to the Zoning Administrator.
- D. Building Standards. Every primary and accessory building in a Commercial, Industrial, or Mixed Use District shall be uniform in design and materials on all sides of a structure facing a public street, having extensive visual exposure from a public street or is adjacent to a residential zoning district, unless modified herein.
 - 1) Exterior surfaces of all buildings shall be faced with or a combination of brick, stone (or better), decorating architecturally textured concrete products, wood veneer, glass, stone, decorative pre-cast panels, equivalent products, or better.
 - 2) Primary and accessory buildings: facades or roofs in any Commercial District shall not be constructed of non-textured cinder concrete block, sheet aluminum, steel, corrugated aluminum or steel, or similar products.
 - 3) Primary or accessory building facades in any Industrial District not fronting on a public street, not having extensive visual exposure from a public street or is not adjacent to a Residential Zone may be

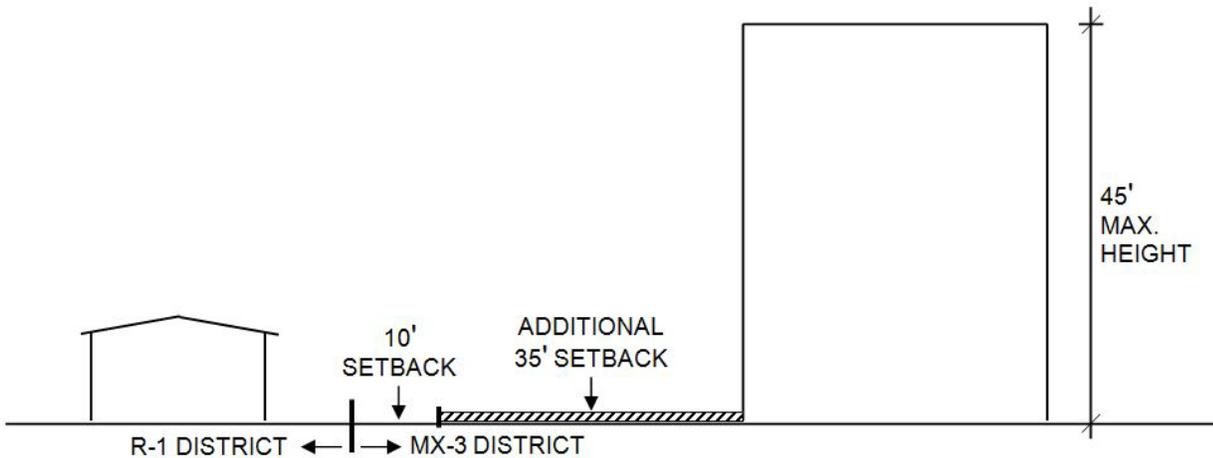
constructed of non-textured cinder block, sheet aluminum, steel, corrugated block, corrugated aluminum or steel or similar products.

- 4) Within an Industrial District a multi-tenant, mini-storage or trucking terminal with extensive use of garage doors on many sides of a building or groups of buildings may be constructed of metal, untextured cinder block, sheet aluminum, steel, corrugated aluminum or steel, or similar products. Exterior metal surface finishes shall be warranted by the manufacturer for twenty years against blistering, peeling, cracking, flaking, checking, or chipping, and shall not compose more than 50% of the building elevation facing a public roadway.
- 5) Metal-like materials, in a zone other than Industrial, are only acceptable as trim, fascia, mansards, portions of the main facade, or the like. Metal roof materials may be used upon approval by the Zoning Administrator.
- 6) Accessory tanks, exterior equipment, stacks, pipes, towers and the like are exempt from these requirements.
- 7) Other exterior building materials may be approved by Conditional Use Permit if it is determined that:
 - a. The materials are similar to or better than the permitted materials listed above;
 - b. The materials are high-quality, long-lasting, attractive, reasonably maintenance-free; and
 - c. The materials are integrated harmoniously into the building design and consistent with neighboring uses.
- E. Exterior Storage: No materials, product, or equipment shall be stored outside of an enclosed building except for daily display (during store hours) of merchandise.
- F. All refuse and recycling containers must be stored inside of the principle structure or a fully enclosed accessory structure.
- G. All roof equipment must be screened from public view unless designed as an integral part of the building and is compatible with the site lines of the building, as determined by the Zoning Administrator.
- H. All developments (except for improvements to a single-family detached housing unit or construction of a new single-family detached housing unit) conducted within the MX-1 or MX-2 district must be completed through the Planned Development District process as outlined in Section 1360 of the Zoning Code.

1350.18 Additional Performance Standards for the MX-3 District

- A. Height and Setback Standards
 - 1) General setback standards for the MX-3 District are indicated on the table in Section 1350.13.
 - 2) Additional setback and building height standards for the MX-3 District include the following:
 - a. If new construction incorporates an existing structure located within a minimum setback, the City Administrator may allow the setback for the building addition to be reduced to the established setback.

- b. All above-ground utility structures associated with electric, natural gas, telecommunications, cable television distribution lines, pipes, conduits, or other public utilities shall be located behind the minimum setback unless otherwise approved as part of the site plan approval. This applies to air vents, utility boxes, and back-flow preventers.
- c. Driveways may cross the front setback, but shall be as near as perpendicular to the street for pedestrian safety and to minimize the intrusion into any landscaped area.
- d. Balconies may project up to two feet (2') over the right-of-way, subject to an approved sidewalk encroachment agreement. Balconies shall have a minimum clearance of ten feet (10') from grade.
- e. When a lot abuts an existing single-family residence or a property that may be used for single-family residential purposes, a minimum side yard of fifteen feet (15') and a rear yard of twenty-five feet (25') shall be required.
- f. The permitted maximum height of structures adjacent to single-family residential uses shall be determined by the distance of the structure to the boundary line of the nearest single-family residential district. Any required side or rear yard setback shall be increased by one foot for each additional foot of height.



- B. Open Storage Prohibited. Outside storage shall be prohibited in the MX-3 District.
- C. Open Space Requirement. Developers will be expected to work with the city to provide a minimum of ten percent (10%) of residential project sites and five feet (5') of commercial and mixed use project sites as open space. The open space may be designed as a square, plaza, terrace, or green, with a variety of landscaped and paved surfaces and seating areas. This requirement may be waived in cases where the City's master plan specifies the location and design of open space.
 - 1) All required open space shall be accessible to users of the building and shall be improved with seating, plantings, and amenities. Open space for commercial and mixed-use sites shall be visible from the street or pedestrian areas.
 - 2) Floor area ratio credits are allowed for all new developments when the pedestrian space is available for use by the public, including widened sidewalk areas.

D. Parking Requirements. For purposes of this section, a new use within the MX-3 District shall be required to meet the minimum/maximum parking spaces as shown in the following chart. All square footage is measured as ‘gross footage.’

	PARKING MINIMUM	PARKING MAXIMUM
Residential	1.5 parking spaces per dwelling unit, plus 10% for guest parking	2.5 spaces per dwelling unit, plus 10% for guest parking
Commercial, Retail, Service	1 space per 400 SF	1 space per 200 SF
Office	1 space per 400 SF	1 space per 300 SF
Restaurant	1 space per 200 SF	1 space per 75 SF
Hotel	.75 per room, plus 10% guest and staff parking	1.5 spaces per room, plus 10% guest and staff parking
Clinic	1 space per 300 SF	1 space per 100 SF
Community Center	1 space per 400 SF	1 space per 200 SF
Theater	1 space per 6 seats plus 5% for staff	1 space per 3 seats plus 10% for staff

- 1) The required/permitted number of parking spaces of any building within the MX-3 District, including mixed-use buildings, shall be the sum total of the requirements for each use in the building.
- 2) Parking maximums may be exceeded under the following circumstances, if one or more of the following is provided:
 - a. If structured or underground parking is provided on site, parking may be exceeded by 25%.
 - b. If a shared parking agreement is executed, parking may be exceeded by 20%.
 - c. If all parking spaces are located behind the building and are not visible from the public right-of-way, parking may be exceeded by 10%.
 - d. If driveways and access points are shared by at least two adjacent properties, parking may be exceeded by 10%.
 - e. If a provision is made for combining or interconnecting adjacent parking lots and pedestrian access points, parking may be exceeded by 10%.
 - f. In no case shall the cumulative increase in parking exceed 25%.
 - g. A 25% parking reduction in the minimum number of parking spaces required is allowed if the principle use is located within 800 feet of a parking facility with public spaces available to the general public or within 800 feet of a public transit park and ride facility with an approved joint use agreement.
- 3) No surface parking or maneuvering space shall be permitted within a required setback or between the primary structure and the front yard, except that driveways providing access to the parking area may be installed across these areas. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible for pedestrian safety and to minimize intrusion into the landscaped areas.

- 4) Parking requirements may be met on-site or off-site at a distance of up to 800 feet from the permitted use. Off-site parking to meet the requirements of this section may be provided through a lease, subject to the review and approval of the City.
- 5) Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than thirty-five percent (35%) of the total lot width.
- 6) Shared parking shall be permitted and encouraged.
- 7) Bicycle parking shall be provided as a component of all parking facilities at a ratio of one bicycle space per 20 automobile spaces, or a minimum of two bicycle parking spaces, whichever is greater. Bicycle parking must be provided within view of each business front entrance. Adjoining businesses may share common bicycle parking areas.
- 8) All parking areas for more than ten (10) motorized vehicles (except for parking areas for townhouse dwellings on a single lot) shall provide screening. If a wall is provided, then the area devoted to the wall shall be wide enough to allow for its maintenance. The screening may be eliminated if abutting parking lots are combined or interconnected with vehicular and pedestrian access.
- 9) Structured parking shall meet the following additional requirements:
 - a. At least fifty percent (50%) of the linear street level frontage of the facility shall be devoted to retail, office, civic, institutional, or residential uses. If seventy-five percent (75%) or more of the linear street frontage is devoted to such uses, then the total square footage of these uses shall be credited one hundred percent (100%) toward the required FAR minimums.
 - b. If retail, office, civic, institutional, or residential uses are constructed on the rear or side of the facility or above the ground floor on the street frontage of the facility, then the total square footage of these areas shall be credited one hundred percent (100%) toward the required FAR minimums.
 - c. Underground parking structures are permitted. Subsurface parking located in the minimum setback shall be permitted with an eight foot (8') clearance from the top of the subsurface structure to the sidewalk, subject to an approved encroachment agreement. No ventilation shall be permitted in the setback.
 - d. A minimum nine foot (9') clearance shall be maintained on the first level and any additional level that provides disabled parking spaces. A minimum seven-foot (7') clearance shall be maintained throughout the remainder of the parking deck to ensure the safe movement of vans and emergency vehicles.

E. Loading Standards

- 1) Non-residential buildings and structures, excluding parking structures, subject to the provisions of this Section, shall provide a minimum number of off-street service/delivery loading spaces. The loading spaces shall be designed and constructed so that all parking maneuvers can take place entirely within the property lines of the premises and shall not interfere with the normal movement of vehicles and pedestrians on the public rights-of-way. The loading spaces shall be a minimum of ten feet (10') by twenty-five feet (25') and shall be provided in accordance with the following:

Non-residential uses with gross floor area:	
Less than 50,000 square feet	None required

50,000-150,000 feet	One (1) space
Each additional 100,000 square feet	One (1) space

Existing buildings are exempt from these standards.

- 2) No loading spaces shall be permitted within any required or established setback, or between the primary structure and the required setback, except that driveways providing access to the loading area may be installed across these areas.

F. Additional MX-3 District Design Standards

- 1) Connectivity and Circulation. Transit-oriented development uses shall be integrated with the surrounding area, easily accessible, and have a good internal circulation system for a variety of travel modes.

a. A pedestrian sidewalk system shall meet the following standards:

- i. Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, open space, etc.). All internal sidewalks shall be finished with a hard surface as required by the City's Public Works Department.
- ii. External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system and to adjacent multi-use trails, parks, and greenways. Sidewalks shall be constructed with a hard surface and of a width as required by the City's Public Works Department.

2) Street Design

a. Street walls

- i. No blank walls are permitted to face public streets, walkways, or public open spaces.
- ii. All non-residential buildings fronting directly on a street shall be designed so that the first floor street façade of the building(s) along all streets include clear glass window and doors to create pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street on at least fifty percent (50%) of the length of the first floor street level frontage.
- iii. For all other uses, buildings shall be designed so that the first floor street façade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from and/or accessible to the street on at least twenty-five percent (25%) of the length of the first floor street frontage.
- iv. Expanses of blank walls shall not exceed twenty (20) continuous feet in length. A blank wall is a façade that does not contain clear glass windows or doors or sufficient ornamentation, decoration or articulation.
- v. No reflective surfaces shall be permitted on street level exterior facades.

b. Corner building placement

- i. At intersections, buildings shall have front and side facades aligned at or near the front property line.

- c. Top of buildings
 - i. All rooftop mechanical equipment on buildings shall be screened from above or below (based on the type of mechanical equipment utilized) by integrating it into the building and roof design to the maximum extent feasible. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.
- d. Building entrances and orientation.
 - i. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.
 - ii. At least one or more operable pedestrian entrances per building shall be provided, unless in a case where all the three circumstances below exist, only two (2) entrances shall be required:
 - A. When a lot abuts a public street right-of-way, at least one entrance shall be provided along all building façade(s) fronting all public rights-of-way.
 - B. When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to the public open space, multi-use trail, or greenway.
 - C. When abutting a sidewalk in the rail station area, an entrance(s) shall be provided on the building façade closest to the station area sidewalk.
- e. Canopies
 - i. Canopies, awnings, cornices and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material design to complement the streetscape of the area. Any such feature may extend from the building no more than four feet (4'). In no instance shall such feature extend over or interfere with the growth or maintenance of any required tree plantings. Minimum overhead clearance shall be eight feet (8'). Ground supports for these features are not permitted in the minimum setback, sidewalk or public right-of-way.
- f. Exterior Materials
 - i. The primary exterior opaque materials on each elevation of a building, except for the service side, must be brick, stone, decorative masonry, or similar materials, or a combination thereof.
 - ii. The following materials are not allowed as exterior materials: painted or unpainted concrete block, aluminum, vinyl or fiberglass siding or roofing materials, precast concrete materials, unless specifically approved by the City Council for a new commercial building, painting of previously unpainted brick, and wooden exteriors.
 - iii. The following materials are not allowed as exterior materials: painted or unpainted concrete block, aluminum, vinyl or fiberglass siding or roofing materials, precast concrete materials, unless specifically approved by the City Council for a new commercial building, painting of previously unpainted brick, wooden exteriors.

- iv. Sustainability Standards. The City encourages the use of sustainable building materials and construction techniques through programs such as U.S. Green Building Council's LEED (leadership in Energy and Environmental Design) program, Minnesota Sustainable Building Guidelines, and similar programs.
- v. Alternative Designs or Materials. To encourage creativity, imagination, innovation, and variety in architectural design, the Planning Commission may recommend modifications of the requirements of this Section and the City Council may approve such modifications upon determining that the proposed architectural design or exterior facades (s) materials meet all of the following conditions:
 - A. The proposed design or material is consistent with the purposes of this section.
 - B. The proposed design or material would enhance the architectural appearance of the building and would be equal or superior to designs or materials permitted by this section.
 - C. The proposed design or material would be in harmony with the character of adjacent buildings and the surrounding district.
- g. Screening Standards
 - i. All service entrances, utility structures associated with a building, and loading docks and/or spaces shall be screened from the abutting property and from public view from a public street.
 - ii. Any fences or walls used for screening or other purposes shall be constructed in a durable fashion of brick, stone, and other masonry materials specifically designed as fencing materials. The finished side of the fence shall face the abutting property. Chain link, wood, vinyl, or barbed wire fences are not permitted.
 - iii. The composition of the screening material and the placement on the lot shall be left up to the discretion of the property owners as long as the intent of this Section is met. A wall cannot be substituted for a planting strip along any public street unless supplemented by landscaping.
 - iv. Landscaping used for screening shall be evergreen and at least four feet (4') tall with a minimum spread of two feet (2') when planted and no further apart than five feet (5'). Shrubs shall be adequately maintained as that an average height of five to six feet can be expected as normal growth within four years of planting. The average expected height may be reduced to four feet (4') for screening along public streets.
 - v. The maximum height for walls and fences shall be six feet (6') or whatever is sufficient to visually screen the use but not less than four feet (4').
 - vi. Dumpsters, recycling containers, compactors , and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a six-foot high solid and finished masonry wall with closeable gates. In no instance shall a chain link fence, wood, vinyl, or barbed wire fence be permitted.
- h. Buffer Standards
 - i. All uses, other than single-family detached dwelling units, shall provide landscaping along all property lines abutting residentially used property located adjacent to the MX-3 District.

This requirement also applies in situations where an alley with a right-of-way width of twenty-five feet (25') or less separates uses in the MX-3 District from a non-MX-3 District residential property. Landscaping shall be provided along all property lines abutting the alley when adjacent to residential uses. Multi-family developments in an MX-3 District are exempt from this landscaping requirement when they abut other multi-family uses.

- ii. In no instance shall a chain link, wood, vinyl, or barbed wire fence be permitted.

- i. Exterior Lighting Standards
 - i. Exterior lighting shall be used to provide illumination for the security and safety of entry drives, parking, service and loading areas, pathways, courtyards and plazas, without intruding on adjacent properties and shall comply with the following standards:
 - A. Poles and fixtures shall be architecturally compatible with structures and lighting on-site and on adjacent properties.
 - B. Security lighting shall be adequate for visibility, but not overly bright.
 - C. Metal halide lighting shall be used with a concealed light source of the “cut-off” variety to prevent glare and “light trespass” onto adjacent buildings and sites.
 - D. Poles within landscaped areas and plazas shall have a maximum height of twenty feet (20’), measured from grade, and shall be coordinated with city standards.
 - E. Poles in parking lots shall have a maximum height of 24 feet (24’) measured from finished grade.
 - F. Lighting fixtures mounted directly on structures shall be permitted when utilized to enhance specific architectural elements or to help establish scale or provide visual interest.
 - G. “Wall paks” shall be permitted only in loading and service areas and shall be down-lit and shielded from view.
 - H. Shielded illumination or fixtures shall be permitted to light building mounted signage, building facades, or pedestrian arcades if they are integrated into a building’s architectural design.
 - I. Lighting should highlight entrances, art, terraces, and special landscape features.
 - J. Separate pedestrian scale lighting or other low-level fixtures, such as bollards, shall be incorporated for all pedestrian ways through parking lots and drop-off areas at entrances to buildings.
 - K. All primary walkways, steps, or ramps along pedestrian routes shall be illuminated.
 - ii. Light Intensity
 - A. A photometric lighting plan is required for all proposed commercial developments to ensure that adequate and appropriate light levels are provided for each site condition.

- B. Lighting shall not exceed 0.1 foot candle at residential property lines or 0.5 foot candle on non-residential property lines measured on a vertical plane.
- C. The following minimum levels of illumination must be maintained for each of the specific locations:

Building entrances	5.0 foot candles
Sidewalks	2.0 foot candles
Bikeways	1.0 foot candles
Courts/plazas/terraces	1.5 foot candles
Ramps	5.0 foot candles
Stairways	5.0 foot candles
Underpasses	5.0 foot candles
Waiting areas	1.0 foot candles
Parking lots	1.0 foot candles

j. Signs, banners, flags and pennants

- i. Where signs, banners, flags, and pennants for identification or decoration are provided, they shall conform to the following:
 - A. Wall signs shall have a maximum of 150 total square feet or five percent (5%) of the building wall area occupied by the user, whichever is less. Wall signs may be increased by twenty (20) square feet per sign in lieu of a ground mounted or monument sign.
 - B. Signs are permitted to project up to two feet (2') into the minimum setback as measured from the building. Under no circumstances shall a sign project more than four feet (4') from the back of the curb. A minimum overhead clearance of eight feet (8') from the sidewalk shall be maintained.
 - C. Marquee signs are permitted.
 - D. Ground mounted or monument signs are permitted as follows:
 - 1. Signs shall not exceed ten feet (10') in height and forty (40) square feet in area.
 - 2. Signs shall be located behind the right-of way and out of any sight distance triangle.
 - 3. Signs shall be setback five feet (5') from any property line.
 - 4. No freestanding pole signs shall be permitted.
 - 5. No off-premise signs shall be permitted.
 - E. Signs shall also conform to Section 1380.02 and 1380.03 of this code.

k. Landscaping Standards

- i. The plan for landscaping must include ground cover, bushes, trees, foundation plantings, sculpture, fountains, decorative walks, or other similar site design features or materials. Landscaping must conform to the requirements of the City Code, Section 1330.05, Subd. 14:

- ii. Landscaping shall support the purpose and intent of the District, and be consistent with the Station Area Plan or adopted master plans for the District.

G. Design Manual

- 1) All design guidelines included in the City's Red Rock Transit District Design Guidelines shall apply. The Design guidelines have been adopted as part of the City's Comprehensive Plan.

**CITY OF NEWPORT
ORDINANCE 2014-5**

**AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, APPROVING A ZONING
AMENDMENT TO SECTION 1330 GENERAL DISTRICT REGULATIONS, SECTION 1350
NON-RESIDENTIAL DISTRICTS, AND SECTION 1370.09 RIVER REDEVELOPMENT OVERLAY
DISTRICT AND AMENDING THE ZONING MAP**

THE CITY COUNCIL OF THE CITY OF NEWPORT, MINNESOTA, HEREBY ORDAINS THAT:

Section 1330 – General District Regulations

District Classification.

In order to implement the Comprehensive Plan and achieve an orderly development pattern that protects the health, safety, and general welfare of the City of Newport, its residents, and business community, and minimizes development impacts on the environment, the city is hereby divided into the following zoning districts:

1330.01.1 Residential Districts

- RE Residential Estate
- R-1A River Residential District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Residential District
- R-3 High Density Residential District

1330.01.2 Nonresidential Districts

- B-1 Business Park/Office/Warehouse
- B-2 General Business
- I-1 Light Industrial District
- I-2 General Industrial District
- I-S Industrial Storage District

1330.01.3 Mixed Use Districts

- MX-1 Downtown Mixed Use District
- MX-2 Commercial Mixed Use District
- MX-3 Transit-Oriented Mixed Use District
- MX-4 General Mixed Use District

1330.01.4 Planned Unit Developments (PUD)

1330.01.5 Special Overlay Districts

- Shoreland Management District
- Critical Area Overlay District
- Flood Plain Management District
 - Floodway
 - Floodfringe
- Bluffland Area Overlay District
- Historic Neighborhood Conservation Overlay District
- Conservation Residential Overlay District
- River Redevelopment Overlay District

1330.02 Zoning Map

The location and boundaries of the districts established by this Chapter shall be hereby set forth in a map known as the "City of Newport Zoning Map" hereinafter referred to as the Zoning Map. The map and all notations,

references, and data shown thereon are hereby incorporated by reference into this Chapter. It shall be the responsibility of the Zoning Administrator to maintain the Zoning Map, and amendments shall be recorded on the map within thirty (30) days after official publication of the amendments. The official zoning map shall be kept on file in the City hall.

1330.03 Boundary Lines

1330.04 Uses

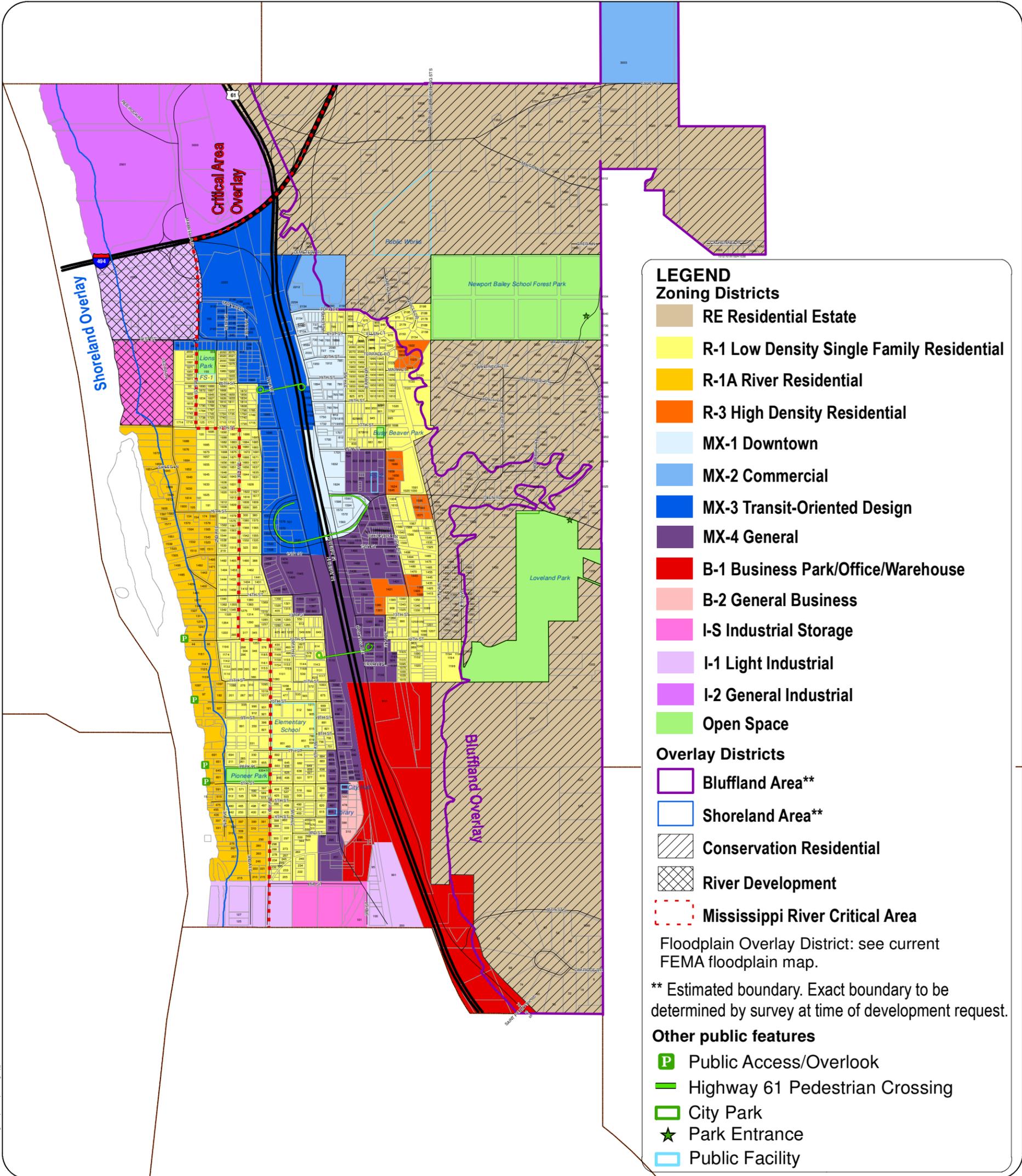
It is the policy of the City of Newport that the enforcement, amendment, and administration of this Ordinance be accomplished with due consideration of the recommendation contained in *Chapter 1300, Section 1340.02 and Sections 1350.01-1350.13, Intent of the Newport City Code of Ordinances* and the *City of Newport Comprehensive Plan* as developed and amended from time to time by the Planning Commission and City Council of the City of Newport.

Within the City's zoning districts, no land or buildings may be used or occupied in any manner except for the uses set forth in the following land use classification chart and described in the following subsections. If a use is not identified in the following land use classification chart, the Zoning Administrator shall issue a statement of clarification, finding that the use is or is not substantially similar in character and impact to a use regulated in the land use classification chart. If the use is not substantially similar to any other use regulated in the land use classification chart, the Zoning Administrator shall refer the matter to the City Council for determination. The Zoning Administrator and City Council shall take into consideration if the use meets the City's goals and plans, what zoning district may be most appropriate for the use as well as what conditions and standards should be imposed relating to development of the use. In addition, the Zoning Administrator and City Council shall take into consideration whether the use will conform to the performance standards (*Section 1330.05*) and overlay districts (*Section 1370*) described in this Chapter.

An appeal may be taken to the board of appeals and adjustments as described in *Section 1310.03 Appeal from Administrative Decisions* by any person aggrieved by any order, requirement, decision or determination made by the Zoning Administrator or any other administrative office of the City in enforcement of this Section.



City of Newport Zoning Map



LEGEND

Zoning Districts

- RE Residential Estate
- R-1 Low Density Single Family Residential
- R-1A River Residential
- R-3 High Density Residential
- MX-1 Downtown
- MX-2 Commercial
- MX-3 Transit-Oriented Design
- MX-4 General
- B-1 Business Park/Office/Warehouse
- B-2 General Business
- I-S Industrial Storage
- I-1 Light Industrial
- I-2 General Industrial
- Open Space

Overlay Districts

- Bluffland Area**
- Shoreland Area**
- Conservation Residential
- River Development
- Mississippi River Critical Area

Floodplain Overlay District: see current FEMA floodplain map.

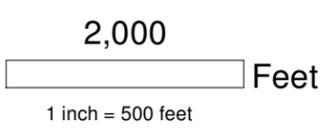
** Estimated boundary. Exact boundary to be determined by survey at time of development request.

Other public features

- P Public Access/Overlook
- Highway 61 Pedestrian Crossing
- City Park
- ★ Park Entrance
- Public Facility

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Data sources: City of Newport, Washington County, Metropolitan Council
 Zoning Map Adopted June 20, 2013
 Map printed April 14, 2014



Section 1330.04 Uses

Land Use Classification													NP	Not Permitted	
Land Use Classification													P	Permitted	
Land Use Classification													PUD	Planned Unit Developments	
Land Use Classification													C	Conditional Use Permit (CUP) required	
Land Use Classification													A	Permitted Accessory Use	
Land Use Classification													CC	Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use		MX-4 – General Mixed Use
Residential															
Single Family Detached, one dwelling per lot	P	P	P	P	P	Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.					
Single Family Detached, more than one dwelling unit per lot	PUD	PUD	PUD	PUD	PUD										
Two Family residences				P	P									Includes townhomes	
Multi-family (eight units or fewer per building)				C	P									Includes townhomes	
Multi-family (eight or more units per building)				C	P									Includes townhomes	

Land Use Classification

- NP** Not Permitted
- P** Permitted
- PUD** Planned Unit Developments
- C** Conditional Use Permit (CUP) required
- A** Permitted Accessory Use
- CC** Certificate of Compliance

Land Use	Zoning District												Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	P	P	P	P	P	Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.				
Planned residential developments	PUD	PUD	PUD	PUD	PUD									
Manufactured Single-Family Dwelling	P	P	P	P	P									
Mobile Homes	C													
Public and Semi-Public Services														
Airport	C					Please see Section 1350.15 (B) for allowed uses in the Business				Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.				
Cemetery														

Land Use Classification

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Land Use	Zoning District													Additional Use Regulations (See footnotes)
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use	
Churches, synagogues, temples and associated facilities except schools	C	P	P	P	P	and Industrial Districts.								In Residential Districts and Mixed Use Districts building footprints shall not exceed 10,000 sq. ft.
Crematorium														
Funeral Home														
Hospitals														
Medical Clinics					C									
Military Reserve, National Guard Centers														
Day Care Facilities in Single Family Homes with 14 or fewer children being attended to	P	P	P	P	P	Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.					Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.			

Land Use Classification											NP	Not Permitted		
											P	Permitted		
											PUD	Planned Unit Developments		
											C	Conditional Use Permit (CUP) required		
											A	Permitted Accessory Use		
											CC	Certificate of Compliance		
Land Use	Zoning District											Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use		MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use
Pubic Facilities including government offices, emergency facilities, public works facilities, Schools, libraries, museums, art galleries, and other municipally owned or operated facilities.	C	C	C	C	C	Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.				Public Facilities located in Residential Districts must not exceed 10,000 square foot footprint except if located in the RE District.
Public utility	C	C	C	C	C									
Schools--Trade, College, Vocational and associated facilities														In the MX district, school facilities must not exceed a 10,000 square foot footprint.
Social, fraternal clubs and lodges, union halls						Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.				Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.				

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Sanitary Landfill															
Towers and antennas															See Ordinance 97-4
Transit Station															
Park-and-ride Lot															
Commercial															
Bed and Breakfast	C	C	C	C	C										
Hotels															
Motels															
Adult Uses (bookstore, theater, nightclub, nude or partially nude dancing)															
Animal boarding															
Animal grooming															
Animal hospitals															

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

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Animal retail sales															
Antique Shops															
Artist studios															
Auto sales, rental and services															
Auto services only															No more than 4 bays in the MX districts
Auto storage															
Auto washing															
Bakeries (Retail sales)															
Bakeries (Wholesale)															
Restaurant--Liquor Served--Bar Grill															
Restaurant--Fast food															

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

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Restaurant-- Traditional (no liquor, sit down restaurant)																
Building materials and services																
Catering services																
Professional Offices																
Convenience Stores																
Bicycle Sales Dry Cleaner Laundromat Drug Store/Pharmacy Floral/Flower shop Hobby Shop																In the MX district, drive up windows require a conditional use permit (CUP)
Wholesale sales																

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Land Use Classification

- NP** Not Permitted
- P** Permitted
- PUD** Planned Unit Developments
- C** Conditional Use Permit (CUP) required
- A** Permitted Accessory Use
- CC** Certificate of Compliance

Land Use	Zoning District												Additional Use Regulations (See footnotes)			
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use	
Produce sales: vegetables, fruit, flowers, etc...																
Drive up Banks																
Entertainment/amu sement halls Bowling Alley Skating Rink, Indoor																If alcohol is part of the use a (CUP) is required.
Movie Theater																300 or less capacity
Movie Theater																300 or greater capacity
Coliseums, stadiums																
Country Club and Golf Course	C	C	C	C	C											
Private athletic fields or courts	C	C	C	C	C											
Golf Driving Range																

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Land Use Classification

- NP** Not Permitted
- P** Permitted
- PUD** Planned Unit Developments
- C** Conditional Use Permit (CUP) required
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Land Use	Zoning District													Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use		MX-4 – General Mixed Use	
Horseback Riding, Stables	C															
Auto and motorcycle racing tracks																
Drive-in movie theater																
Mobile Home Sales																
Manufactured Home Sales																
Automobile Parts/accessories retail sales and installation																
Automobile painting and body work																
Gas, diesel or other motor fuel retail sales																

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Land Use Classification

- NP** Not Permitted
- P** Permitted
- PUD** Planned Unit Developments
- C** Conditional Use Permit (CUP) required
- A** Permitted Accessory Use
- CC** Certificate of Compliance

Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	MX-4 – General Mixed Use
Storage Mini-storage/cold storage															
Salvage yard (auto or scrap iron)															
Animal Kennel for more than 6 animals	C														
Agricultural operations, row cropping, tree farming (excluding livestock)	P														No on-premises sales
Commercial Greenhouse operations	C														Outside storage or sales requires a CUP. No on-premise sales permitted in RE district.
Veterinarian Clinic, animal hospital															

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Land Use Classification

- NP** Not Permitted
- P** Permitted
- PUD** Planned Unit Developments
- C** Conditional Use Permit (CUP) required
- A** Permitted Accessory Use
- CC** Certificate of Compliance

Land Use	Zoning District												Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1—Business Park /Office/ Warehouse	B-2 General Business	I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Industrial														
Manufacturing														
Warehousing														
Storage and Distribution of Bulk Petroleum Products, Oil and Gasoline														
Storage and distribution of bulk liquid fertilizer, chemicals or similar materials														
Retail Sale, Installation and remanufacturing of vehicle parts and accessories.														

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Please see Section 1350.15 (B) for allowed uses in the Business and Industrial Districts.

Please see Section 1350.15 (A) for allowed uses in the Mixed Use Districts.

Section 1330.06 Off-Street Parking

Subd. 2 Number of Off-street Parking Spaces. The number of off-street parking spaces required for uses in the Residential, Non-Residential, and MX-1 and MX-2 Districts shall be as follows. Section 1350.19(D) prescribes the number of off street parking spaces required for uses in the MX-3 District.

Section 1350 – Non-Residential Districts

1350.04 Specific intent of the General Business District

The General Business District is intended to provide the opportunity for diverse businesses to take advantage of the City’s location and access to major roadway corridors. The district is intended to provide locations for businesses that serve local and regional needs, and may include retail businesses, highway or automobile-oriented businesses, and quasi-industrial and wholesale enterprises that do not need an industrial setting, and can be designed or managed to be compatible with surrounding districts.

1350.05 Purpose of the Industrial Districts.

1350.06 Specific intent of the I-1 Light Industrial District.

1350.07 Specific intent of the I-2 General Industrial District.

1350.08 Specific intent of the I-S Industrial Storage District.

1350.09 Purpose of the Mixed-Use Districts.

1350.10 Specific intent of the MX-1 Downtown District.

1350.11 Specific intent of the MX-2 Commercial District.

1350.12 Specific intent of the MX-3 Transit-Oriented Mixed Use District

1350.13 Specific intent of the MX-4 General Mixed Use District

1350.14 Dimensional Requirements for lots and structures in non-residential districts

A. Non-residential district requirements

Requirements	MX-1	MX-2	MX-3	MX-4	B-1 and B-2	I-1	I-2	I-S
Minimum lot area in square feet	2,400	4,000	None	2,400	15,000	30,000	30,000	30,000
Minimum lot depth in feet	80	100	None	80	150	200	200	200
Minimum lot width in feet	30	40	30	30	100	100	100	100
Maximum lot coverage by all buildings (%)	80%	50%	None	80%	30%	40%	50%	50%
<i>Structure setback standards***</i>								
Minimum front yard setback	0	10**	0	0	20	20	20	50
Minimum front yard if across collector or minor street from any residential district	10	10**	10	10	50	50	50	100
Minimum side yard	0	5	5	5	10	20	20	50
Minimum side yard if adjacent to any residential district	10	10	10	10	50	50	50	100

Requirements	MX-1	MX-2	MX-3	MX-4	B-1 and B-2	I-1	I-2	I-S
Minimum rear yard	20	20	20	20	20	20	20	50
Minimum rear yard if adjacent to any residential district	20	20	20	20	50	50	50	100
<i>Parking and driving aisle setback in feet</i>								
Minimum front yard	20	Not allowed	Not allowed	20	20	20	20	20
Minimum front yard if across collector or minor street from any R district	50	Not allowed	Not allowed	50	50	50	50	50
Minimum side yard	5	5	5	5	5	5	5	5
Minimum side yard if adjacent to any R district	5	5	5	30	30	30	30	30
Minimum rear yard	5	5	5	5	5	5	5	5
Minimum rear yard if adjacent to any R district	10	10	10	50	50	50	50	50
Maximum building height in feet*	40 3-sty	28 2-sty	See table B.,below	40	40	40	40	40
Maximum height of storage tank in IS district								55
Public utilities required, including sewer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements for increases in height adjacent to single-family residential uses included in this chapter apply.

** See section 1300.08 Exceptions to Front Yard Setbacks

***Structure setbacks for the MX-1 and MX-2 are as noted by the dimensional provisions unless otherwise specifically approved in a development plan as outlined in a Planned Unit Development.

1350.15 Uses in the Non-Residential Districts

A. Mixed Use Districts Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted; PUD=Permitted with a Planned Unit Development

Use	MX-1	MX-2	MX-3	MX-4
Residential Uses				
Single-family detached, one dwelling per lot	P	P	N	P
Single-family detached, more than one dwelling per lot	PUD	PUD	N	PUD
Two-family residences	P	P	N	P
Townhouse, rowhouse	P	P	P	P
Manufactured single-family dwelling	P	P	N	P

Use	MX-1	MX-2	MX-3	MX-4
Mobile homes	N	N	N	N
Multi-Family, condos, apartments and cooperatives	P	P	P—less than 8 units; C—8 or more units	P
Congregate housing for senior populations	P	P	P	P
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	P	P	P	P
Mixed-Use (dwelling unit above ground floor)	P	P	P	P
Live-work building	C	C	C	C
PUD	PUD	PUD	PUD	PUD
Civic and Semi-Public Uses				
Day Care Facilities in Single Family Homes with 14 or fewer children being attended to	P	P	N	P
Day Care Facilities in Single Family Homes with more than 14 children being attended to	C	C	N	C
Day Care Facilities	C	C	C	C
Day Care Facilities in a mixed-use building	P	P	P	P
Essential services/public utilities	P	P	P	P
Funeral Home	C	C	C	C
Hospitals	C	C	C	C
Military reserve, national guard centers	C	N	N	N
Park and public recreation facilities	P	P	P	P
Parking Garage (as a principal use)	C	N	C	N
Parking Lot, Surface (as a principal use)	C	N	N	N
Penal/correctional facilities	N	N	N	N
Place of worship and associated facilities, except schools	C	C	C	C
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, post offices and other municipally owned or operated facilities	C	C	C—50,000 sq ft maxi-mum	C
Schools – trade, college, vocational, and associated facilities	C	C	C—50,000 sq ft maxi-mum	C
Schools for business, trade, dancing, music	C	C	C	C
Social and fraternal clubs and lodges, union halls	P	P	C—10,000 sq ft maxi-mum	P
Transit stations and related parking facilities	C	C	C	C
Commercial Uses				
Administrative support services	P	P	P	P
Adult Uses	N	N	N	N
Animal boarding, grooming, veterinary clinics, retail sales	C	C	C—10,000 sq ft maxi-mum	C
Artist studios	P	P	P	P
Auto body repair and major auto repair, towing services	C	N	N	N
Automotive services, car specialty services (not including body repair or major repair)	C	C	C—Maxi-mum 4 repair	C

Use	MX-1	MX-2	MX-3	MX-4
			bays	
Bakeries, delicatessens, coffee shops	P	P	P	P
Bakeries, wholesale	P	C	C	C
Bed and Breakfast	P	P	N	P
Biotechnology	P	P	P	P
Building materials and services	C	N	N	N
Catalog and mail order	P	P	P	P
Conference Center, 50,000 square feet or less	C	C	C	C
Convenience stores	P	P	P	P
Data centers	C	C	C	C
Entertainment/amusement halls, bowling alley, indoor skating rink	P	P	C	C
Fabrication of apparel, leather products and other products from prepared products	P	C	P	C
Fabrication of office and computer equipment	P	P	P	P
Financial services	P	P	P	P
Fitness and recreation centers, in a mixed-use building	C	C	C	C
Gas, diesel or other motor fuel retail sales	C	C	N	C
Grocery and produce sales	C	C	C—50,000 sq ft maximum	C
Internet publishing and broadcasting	P	P	P	P
Medical, dental, or veterinary clinics and laboratories	C	C	C—10,000 sq ft maximum	C
Medical appliance assembly	P	P	P	P
Motion picture and sound recording industries	C	C	C	C
Offices – general, medical, professional, free-standing, or mixed-use building	P	P	P--to 10,000 sq ft; C—larger than 10,000 sq ft	P
Printing, publishing, bookbinding, blueprinting	C	C	C	C
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	C	C	P	C
Retail and service establishments, free-standing, or mixed-use building	P	P	P--to 10,000 sq ft; C—10,000 to 50,000 sq ft maximum	P
Research, development and testing laboratory	C	C	C	C
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—no liquor served	P	P	P	P
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—liquor served	C	C	C	C
Restaurants with drive-through service	C	C	C	C
Service businesses, such as beauty shops, barbershops, dry-cleaning, drop-off/pickup (no on-site processing) in mixed-use buildings	P	P	P	P

Use	MX-1	MX-2	MX-3	MX-4
Small scale manufacturing and artisans	P	P	P—5,000 sq ft or less; C—5,000 to 10,000 sq ft	P
Theaters (with structured parking)	P	P	P	P
Theaters	C	C	C	C
Towing services (no outside storage of vehicles)	P	C	P	C
Vehicle sales, display and service	C	N	N	N
Vehicle Storage Lot	N	N	N	N
Warehousing as a primary use	N	N	N	N
Accessory Uses				
Drive up facilities	C	C	C	C
Gazebo, arbor, play equipment in public or private open space area	P	P	P	P
Outdoor sales, in conjunction with permitted use	C	C	N	C
Renewable energy system	P	P	P	P
Rental of vehicles (with limited outside storage)	C	C	C	C
Parking lot, as an accessory use	C	C	C	C
Swimming Pool	P	P	P	P

B. Business and Industrial District Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted

Use	B-1	B-2	I-1	I-2	I-S
Civic and Public Uses					
Airports	N	N	C	C	N
Cemetery and/or crematorium	C	N	N	N	N
Day care centers	C	C	C	C	C
Day care centers in a mixed-use building	P	P	C	C	C
Essential services/public utilities	P	P	P	P	P
Funeral Home	P	P	N	N	N
Hospitals	C	C	N	N	N
Medical Clinics	P	P	N	N	N
Military reserve, national guard centers	C	C	N	N	N
Park and public recreation facilities	P	P	P	P	P
Parking Garage (as a principal use)	C	C	N	N	N
Parking Lot, Surface (as a principal use)	N	C	P	P	P
Penal/correctional facilities	N	N	C	C	N
Place of worship and associated facilities, except schools	P	P	N	N	N
Post Office	P	P	N	N	N
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, and other municipally owned or operated facilities	C	C	C	C	C
Sanitary landfill	N	N	C	C	N
Schools-trade, college, vocational, and associated facilities	P	P	C	N	N
Schools for business, trade, dancing, music	C	C	C	N	N
Social, Fraternal clubs and lodges, union halls	P	P	N	N	N

Use	B-1	B-2	I-1	I-2	I-S
Transit stations and related parking facilities	C	C	N	N	N
Commercial Uses					
Adult uses (bookstore, theater, nightclub, nude or partially nude dancing)	N	N	N	C	C
Animal boarding, grooming, retail sales	N	C	N	N	N
Auto painting and body work	N	N	C	N	N
Auto storage	N	C	C	P	C
Bakery, wholesale	N	C	N	N	N
Biotechnology businesses	C	C	N	N	N
Brewery, craft	P	P	P	N	N
Building materials and services	N	C	N	N	N
Commercial greenhouse operations	C	C	P	N	N
Convenience stores	P	P	N	N	N
Data centers	N	C	N	N	N
Distillery, craft	P	P	P	N	N
Fabrication of apparel, leather products and products from prepared products	N	P	N	N	N
Fabrication of office and computer equipment	N	P	N	N	N
Gas, diesel or other motor fuel retail sales	P	P	N	N	N
Hotels, motels	P	P	N	N	N
Medical, dental or veterinary clinics and laboratories	N	C	N	N	N
Printing, publishing, bookbinding, blueprinting	N	C	N	N	N
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	N	C	N	N	N
Restaurants, traditional or liquor served; bar and grill	P	P	N	N	N
Salvage yards (auto or scrap iron)	N	N	N	P	N
Small brewery or winery as an accessory use to a bar or restaurant	P	P	P	N	N
Storage, mini-storage, cold-storage	N	N	N	N	P
Vehicle Sales, display and Service	N	C	N	N	N
Vehicle Storage Lot	N	C	N	N	N
Veterinary clinic, animal hospital	C	C	P	N	N
Wholesale sales	P	P	N	N	N
Winery, craft	P	P	P	N	N
Warehouse and Industrial Uses					
Manufacturing	C	C	P	P	N
Micro- and regional brewery	N	P	P	N	N
Retail sale, installation and remanufacturing of vehicle parts and accessories	N	N	P	N	N
Storage and distribution of bulk petroleum products, oil and gasoline	N	N	N	N	C
Storage, mini-storage, cold storage	N	N	N	N	P
Warehousing	C	C	P	P	N
Accessory Uses					
Outdoor sales, in conjunction with a permitted use	N	C	N	N	N
Renewable energy system	P	P	P	P	P
Parking lot, as an accessory use	P	P	P	P	P

1350.17 Administrative Procedure for Site Plan Review in the Non-residential Districts and Additional Procedures for Development in the MX-3 District

1350.18 Performance Standards for Non-residential Districts

C. MX District Parking standards.

3) Parking standards for the MX-3 District are included in Section 1350.19.

1350.19 Additional Performance Standards for the MX-3 District

A. Height and Setback Standards

1) General setback standards for the MX-3 District are indicated on the table in Section 1350.14.

Section 1370.09 River Redevelopment Overlay District.

Subd. 9 Process for Approval of Redevelopment Plans. Plans for each new use or redevelopment project or combination of projects in the River Redevelopment Overlay District must be submitted to the City Administrator for concept plan review. Site plan approval is required for all new construction in the River Redevelopment Overlay District. Applications and process for site plan approval shall follow the requirements for site plan approval identified in Section 1350.17.

The foregoing Ordinance was moved by Councilmember _____ and seconded by Councilmember _____.

The following Councilmembers voted in the affirmative:

The following Councilmembers voted in the negative:

Effective Date

This Ordinance becomes effective upon its passage and publication according to law.

Adopted by the City Council of the City of Newport, Minnesota on the 17th day of April, 2014.

Signed: _____
Tim Geraghty, Mayor

Attest: _____
Deb Hill, City Administrator

City of NEWPORT Planning Request Application

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Application Date: February 12, 2014 Public Hearing Date _____

Applicant Information

Name: David Sullivan Telephone: 630-361-4846
Mailing Address: 6127 S Hearthstone Avenue Telephone: 651-769-9297
City/State/Zip: Cottage Grove, MN 55016

Property Owner Information

Name: Leisa Knauff Telephone: _____
Mailing Address: 478 7th Avenue Telephone: 612-599-7962
City/State/Zip: Newport, MN 55055

Project Information

Location of Property: The property formerly known as the Knauff Salvage Yard

Legal Description of Property (Must match description on the Deed) and P.I.D. #: See attached

- Zoning District: _____ Flood Plain: AE 0.2% Annual Chance Flood Hazard
- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Amendment | \$500 or Actual Cost plus \$50 for Additional Staff Hours (10 Hr Min) |
| <input checked="" type="checkbox"/> Rezoning | \$500 plus Escrow |
| <input type="checkbox"/> Zoning Amendment | \$500 |
| <input type="checkbox"/> Variance | \$300 plus Escrow |
| <input checked="" type="checkbox"/> Conditional Use Permit | |
| <input type="checkbox"/> Residential | \$300 plus Escrow |
| <input checked="" type="checkbox"/> Commercial | \$450 plus Escrow |
| <input type="checkbox"/> Subdivision Approval | |
| <input type="checkbox"/> Minor Subdivision | \$300 plus Escrow and Parkland Dedication Fee |
| <input type="checkbox"/> Major Subdivision | \$500 plus Escrow, \$50 per Lot, \$200 for Final Plat, and 10% of land value or fee for Parkland Dedication Fee |
- Other: _____
- Applicable Zoning Code Chapter: _____
- Review by Engineer Cost: _____
- Total Cost: _____

Escrow Fees

The City of Newport requires that any developer or every person, company, or corporation that is seeking a planning request must first submit detailed plans to the City. The person submitting the planning request must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. All unused escrow fees will be returned to the applicant upon completion of the request. Additionally, if actual costs are above the paid escrow, the applicant will be required to pay the additional amount. The fees are as follows:

Planning Request	Escrow Fee
Rezoning	\$500
Street/Alley Vacation	\$1,000
Residential Variance	\$500
Commercial Variance	\$1,000
Residential Conditional Use/Interim Use Permit	\$750
Commercial Conditional Use/Interim Use Permit	\$1,000
Preliminary Plat Under 10 Acres	\$3,500
Preliminary Plat Over 10 Acres	\$6,500
Residential Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
8 Units or Less	\$2,000
9 to 40 Units	\$3,200
41 Units or More	\$4,500
Commercial Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
0 to 5,000 Square Foot Building	\$2,000
5,001 to 10,000 Square Foot Building	\$3,000
10,001 to 50,000 Square Foot Building	\$3,750
50,000 Plus Square Foot Building	\$4,500

Present Use of Property: The property is dormant at this time.

State Reason for Planning Request: This property was zoned MX-4 up until last summer when it was re-zoned to B-1 for a prospective buyer. My business will need to store cars on the property as a part of our day to day operations and that would not be allowed under a B-1 zoning permit. Re-zoning the property back to MX-4 is the proper zoning permit for our proposed use of the land.

ALL MATERIALS/DOCUMENTATION, INCLUDING A SITE-PLAN, MUST BE SUBMITTED WITH APPLICATION THAT IS APPLICABLE TO PLANNING REQUEST.

I HEREBY APPLY FOR CONSIDERATION OF THE ABOVE DESCRIBED REQUEST AND DECLARE THAT THE INFORMATION AND MATERIALS SUBMITTED WITH THE APPLICATION ARE COMPLETE AND ACCURATE. I UNDERSTAND THAT APPLICANTS ARE REQUIRED TO REIMBURSE THE CITY FOR ALL OUT-OF-POCKET COSTS INCURRED FOR PROCESSING, REVIEWING, AND HEARING THE APPLICATION. THESE COSTS SHALL INCLUDE, BUT ARE NOT LIMITED TO: PUBLICATION AND MAILING OF NOTICES, REVIEW BY THE CITY'S ENGINEERING, PLANNING AND OTHER CONSULTANTS; LEGALS COSTS, AND RECORDING FEES. AN ESCROW DEPOSIT TO COVER THESE COSTS WILL BE COLLECTED BY THE CITY AT THE TIME OF APPLICATION. ANY BALANCE REMAINING AFTER REVIEW IS COMPLETE WILL BE REFUNDED TO THE APPLICANT. NO INTEREST IS PAID ON ESCROW DEPOSITS

SIGNATURE OF APPLICANT: David Sult

SIGNATURE OF OWNER (IF APPLICABLE): Susan McKnauff, Trustee

For Office Use

Fee: \$ 2,450 Date Paid: 02/12/14 Receipt #: 2089

Publication of Notice Date: _____

Public Hearing Date: _____

P.C. Resolution #: _____

Council Action Date: _____

Council Resolution #: _____

Rezoning - \$500 + \$500 escrow
C.U.P. - \$450 + \$1,000 escrow

PID#01.027.22.21.0009 - Lot 5, 6, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley.

PID#01.027.22.21.0010 - Lots 7, 8, 9 and 10, Block 3, Division No. 6 St. Paul Park, Washington County, Minnesota, together with the vacated alley

PID#01.027.22.21.0011 - Lots 11, 12, 13, 14, and 15, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0012 - Lots 16, 17, and 18, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0013 - Lots 19 and 20, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0014 - Lots 21 and 22, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0015 - Lots 23 and 24, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0016 - Lots 1, 2, 3, and 4, Block 4, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley.

PID#01.027.22.21.0017 - Lots 5, 6, 7, 8, 9, 10, and 11, Block 4, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley, vacated 8th Avenue, and vacated Parker Street.

PID#01.027.22.21.0018 - Lots 12, 13, 14, and 15, Block 4, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0019 - Part of Block 5 being North 1/2 of all lying West of the Chicago Rock Island and Pacific Railroad Right of Way and south of the North line of Lot 18, Block 3, Division No 6, projected East to the Railroad Right of Way and vacated 8th Avenue, Washington County, Minnesota

PID#01.027.22.21.0020 - Part of Block 5 being South 1/2 of all lying West of the Chicago Rock Island and Pacific Railroad Right of Way and south of the South line of Lot 18, Block 3, Division No 6, projected East to the Railroad Right of Way and vacated 8th Avenue, Washington County, Minnesota

PID#01.027.22.21.0021 - Part of Block 5 being all lying North of the South Line of Lot 19, Block 3, Division No 6 easterly to C B & N Railway Right of Way and the South Line of Lot 23, Block 3, Division No 6 St. Paul Park and vacated 8th Avenue, Washington County, Minnesota

PID#01.027.22.21.0022 - Part of Block 5 all that part lying North of the South Line of Lot 23, Block 3, Division No 6 St. Paul Park extended Easterly to C B & Q Railway Right of Way and vacated 8th Avenue, Washington County, Minnesota

Imperial Recovery Services MN

Planning Request

Business/Operations Plan

City of Newport Mayor, City council and Planning Commissioners,

David & Diane Sullivan along with Christopher and Stephanie Findley have come together to form Presidential Recovery Services, LLC for the expressed purpose of purchasing the subject buildings and land formerly known as Bill's Auto Salvage/Bill's Auto Parts. That is really the total reason for the existence of that LLC. The Sullivans and the Findleys have also formed a domestic corporation here in Minnesota called Imperial Recovery Services MN, Inc., which will be the name of the entity conducting the business that gives rise to this request.

Please accept our request for a Conditional Use Permit (CUP) to operate an automobile repossession company on the property, formally known as Bill's Auto Salvage/Bill's Auto Parts, etc... The following is a description of the proposed use, operations and improvements.

Imperial Recovery Services, MN (hereinafter referred to as I R Services) is planning to operate an automobile repossession company based at the former salvage yard. One of the main things we will be doing at that location is storing cars, trucks, motorcycles, etc... that we repossess primarily in the 7 county Twin Cities metropolitan area.

The automobile repossession industry in general and I R Services specifically is a far cry from most anything that you may have seen on some of the TV shows that are on the air now. We are bonded and insured for millions of dollars and in fact David Sullivan and Stephanie Findley serve as elected officers of Allied Finance Adjusters. AFA is the largest and the oldest (established in 1936) trade association in the repossession industry. We conduct teleconference meetings once a month and conventions twice a year. As nationally recognized industry leaders, some of our main concerns are keeping our members educated on maintaining a professional workplace and complying with the various state, federal and local rules, laws, and standards that are applicable to our industry.

At the outset of our business we plan to store the majority of the vehicles on the approximate two acres of land to the south, east, north and north east of the "warehouse" building. We also plan to store some repossessed collateral and personal property found in cars/trucks inside the warehouse as well.

Some key information that I believe the City of Newport needs to know:

- Office hours to conduct business with public: Monday thru Friday 9am – 4:30pm. The public will come and go primarily to retrieve their personal effects and in some cases they will be retrieving their collateral as well.
- All traffic will be directed to come into our facility from the south (taking the 70th street exit off of Highway 61).
- We will be dropping off some repossessed cars/trucks “after hours” and our plan is to route vehicles into the storage yard via the gate just south of the warehouse and have them exit the yard via the gate just north of the yellow house. This should virtually eliminate any noise from “backup beepers”. Also, by exiting via the north gate our headlights will not shine on any homes but rather down 4th street. Should we have occasion to exit the south gate our headlights would shine down 3rd street.
- We anticipate doing some repair and sprucing up to the exteriors of both the warehouse and the small yellow house.
- We will not be selling any of the collateral.
- We will not be repairing any of the collateral.
- We want to install lighting in such a way that for the most part it aims down and to the east wherever practical. **We will not allow any exterior lighting that will have an impact on any of the homes of the citizens Newport with the possible exception of 396 7th Avenue which we will own.**

We anticipate some office staff working out of the warehouse and some in the old “paint and auto repair shop”. At this time we envision conducting business with debtors (when they come to our office to retrieve personal effects or their collateral) from the old repair shop.

We are requesting an exception to ***City Zoning Code 1330 General District Regulations Section 1330.05 Subd. 7 Paving and Curbing***: requiring the periphery of all parking areas to be constructed with poured-in-place concrete curbing. We are requesting that concrete curb and gutter not to be required under the city code for the following reasons;

1. This is a unique parking area and is not open to the public.
2. Only professional employees/drivers are allowed to operate vehicles in that area.
3. We are proposing a security fence one foot from the edge of parking so vehicles will not be able to drop off the edge of the parking area alleviating the concern of deterioration of the hard surface edge.
4. The request is controlled by the city if the use were to change under the conditions of the CUP.

Fence Example from Dave Sullivan



Warehouse Building at 310 7th Avenue – Newport, MN

Remove existing steel siding on the face of the building replace with new painted steel siding and trim. Color to be determined.

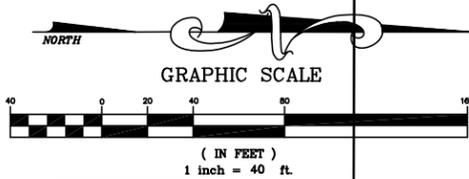
Replace existing service doors, window and all existing trim on the face. Replace with new window, trim and maintenance free doors.

Existing fence will be repaired and a privacy mesh screening material will be installed on both sides of the fence (on the 7th Avenue side) to greatly improve the outward appearance and virtually prevent any view of the inside of the lot. Other areas of the fencing that are visible (but not on 7th Avenue) will be screened on at least the inside of the fence.

EMERGENCY OVERFLOW
 CLASS 3 RIPRAP W/GEOTEXTILE
 10' WIER BOTTOM EL. 743.4
 6:1 SLOPES TO TOP EL. 744.0

SOUTH BASIN DESIGN DATA
 100YR HW EL. 743.36
 NWL = 741.0
 BASIN TOP 744.0
 BASIN BOTTOM EL. 738.0
 8" HICKENBOTTOM CONTROL OUTLET
 WITH 44-1" HOLES PER FOOT
 & 8-1"x 4" SLOTS PER FOOT
 BOTTOM HOLE 741.00
 TOP OPEN RISER 743.40

EAST BASIN DESIGN DATA
 100YR HW EL. 743.36
 NWL 741.8
 BASIN TOP 744.0
 BASIN BOTTOM EL. 738.0
 8" HICKENBOTTOM CONTROL OUTLET
 WITH 44-1" HOLES PER FOOT
 & 8-1"x 4" SLOTS PER FOOT
 BOTTOM HOLE 741.80
 TOP OPEN RISER 743.40



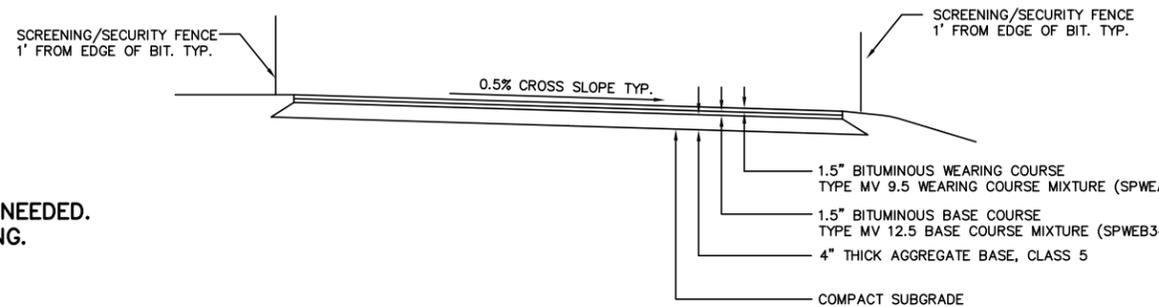
GOVERNING SPECIFICATIONS

THE 2014 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION", SUBJECT TO ANY AMENDMENTS & THE 1999 EDITION OF THE "STANDARD UTILITIES SPECIFICATIONS" AS PER THE CITY ENGINEER'S ASSOCIATION OF MINNESOTA AND THE CURRENT CITY OF NEWPORT STANDARD SPECIFICATIONS SHALL GOVERN.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
 TWIN CITY AREA 651-454-0002
 MN. TOLL FREE 1-800-252-1166

FENCE NOTE:
 1.) EXISTING FENCE SHALL BE REPAIRED AND MAINTAINED AS NEEDED.
 2.) FENCE ALONG CITY STREET SHALL PROVIDE FULL SCREENING.

TYPICAL PAVEMENT SECTION



G-Cubed Inc.
 Engineering
 Surveying
 Planning
 285 Westview Drive
 West Saint Paul, MN 55118
 ph. 651.288.9474 fax 651.455.4948

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA
 Geoffrey G. Griffin
 DATE _____ REG. NO. 21940

DESIGNED	DJT	REVISED	BY	DATE	LATEST REVISION: 2/12/2014
DRAWN					Prepared For: DAVE SULLIVAN
CHECKED					6127 S. Hearthstone Ave. Cottage Grove, MN 55016
					FILE NO.:14-012 CP

CITY OF NEWPORT
 WASHINGTON COUNTY
 MINNESOTA

IMPERIAL RECOVERY
 SERVICES MN

SITE IMPROVEMENT
 AND GRADING PLAN
 BENCHMARKS:
 TOP MH CL CL 4TH ST. AND 7TH AVE. ELEV. 743.07'
 TOP MH CL CL 6TH ST. AND 7TH AVE. ELEV. 742.70'
SHEET 2 OF 5 SHEETS

RESOLUTION NO. 2014-12

A RESOLUTION APPROVING A REZONING REQUESTED BY DAVID SULLIVAN, 6127 S HEARTHSTONE AVENUE, COTTAGE GROVE, MN, 55016, FOR PROPERTY LOCATED ON 7TH AVENUE BETWEEN 3RD AND 6TH STREETS, NEWPORT, MN 55055

WHEREAS, David Sullivan, 6127 S Hearthstone Avenue, Cottage Grove, MN 55016, has submitted a request for a rezoning; and

WHEREAS, The proposed rezoning is for property located on 7th Avenue between 3rd and 6th Streets, Newport, MN 55055, and is more fully legally described as follows:

PID#01.027.22.21.0009 - Lot 5, 6, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley.

PID#01.027.22.21.0010 - Lots 7, 8, 9 and 10, Block 3, Division No. 6 St. Paul Park, Washington County, Minnesota, together with the vacated alley

PID#01.027.22.21.0011 - Lots 11, 12, 13, 14, and 15, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0012 - Lots 16, 17, and 18, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0013 - Lots 19 and 20, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0014 - Lots 21 and 22, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0015 - Lots 23 and 24, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0016 - Lots 1, 2, 3, and 4, Block 4, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley.

PID#01.027.22.21.0017 - Lots 5, 6, 7, 8, 9, 10, and 11, Block 4, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley, vacated 8th Avenue, and vacated Parker Street.

PID#01.027.22.21.0018 - Lots 12, 13, 14, and 15, Block 4, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0019 - Part of Block 5 being North 1/2 of all lying West of the Chicago Rock Island and Pacific Railroad Right of Way and south of the North line of Lot 18, Block 3, Division No 6, projected East to the Railroad Right of Way and vacated 8th Avenue, Washington County, Minnesota

PID#01.027.22.21.0020 - Part of Block 5 being South 1/2 of all lying West of the Chicago Rock Island and Pacific Railroad Right of Way and south of the South line of Lot 18, Block 3, Division No 6, projected East to the Railroad Right of Way and vacated 8th Avenue, Washington County, Minnesota

PID#01.027.22.21.0021 - Part of Block 5 being all lying North of the South Line of Lot 19, Block 3, Division No 6 easterly to C B & N Railway Right of Way and the South Line of Lot 23, Block 3, Division No 6 St. Paul Park and vacated 8th Avenue, Washington County, Minnesota

PID#01.027.22.21.0022 - Part of Block 5 all that part lying North of the South Line of Lot 23, Block 3, Division No 6 St. Paul Park extended Easterly to C B & Q Railway Right of Way and vacated 8th Avenue, Washington County, Minnesota

WHEREAS, The described property is zoned Business Park/Office/Warehouse District (B-1); and

WHEREAS, The request is to rezone the property to General Business District (B-2); and

WHEREAS, Chapter 13, Section 1310.02, Subdivision 3, of the Code of Ordinance states; "Proceedings for amendment, which are initiated by the petition of the owner or owners of the property, shall be filed with the Zoning Administrator. All applications shall be accompanied by an administrative fee as prescribed in Subsection 1310.01 and shall include the following information:

- A. The name and address of the applicant or applicants;
- B. A description of the area proposed to be rezoned; the names and addresses of all owners of property lying within such area and a description of the property owned by each;
- C. The present zone classification of the area and the proposed zone classification;
- D. A description of the present use of each separately owned tract within the area, and the intended use of any tract of land therein;
- E. A site plan showing the location and extent of the proposed building, parking, loading, access drives, landscaping and any other improvements;
- F. A statement of how the rezoning would fit in with the general zoning pattern of the neighborhood, and the zoning plan of the entire City;
- G. A map showing the property to be rezoned, and the present zoning of the surrounding area for at least a distance of three hundred fifty (350) feet, including the street pattern of such area, together with the names and addresses of the owners of the lands in each area." and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on March 12, 2014; and

WHEREAS, the Planning Commission's findings related to the request for approval of a Rezoning included the following:

1. The proposed rezoning from the B-1 District to the B-2 District is consistent with the goals and policies in the Comprehensive Plan that encourage redevelopment of the portions of the City along Highway 61 with a mix of residential and commercial uses.
2. The proposed zoning is compatible with many of the existing uses around the site. The surrounding areas include a diverse mix of uses, including railroads, commercial, residential, and light industrial uses. The performance standards in the zoning ordinance can be applied so that the uses allowed in the B-2 district are compatible with the residential and commercial uses in the MX-4 District.
3. The proposed zoning fits the general pattern of zoning in the City. Most of the land along Highway 61 has been zoning for Business or Mixed Use.
4. The proposed rezoning will allow for redevelopment of the property with new uses that have a higher value than the existing and past uses of the site. Redevelopment is likely to have a positive impact on the value of adjacent properties. The rezoning is likely to conserve or improve property values in the City.

5. The proposed rezoning will allow for redevelopment of the property and cleanup of existing pollution on the site. The redevelopment and cleanup will result in positive impacts for the entire City. The cleanup of pollution on the site and redevelopment with a new use are in the interest of public health, safety and welfare.

WHEREAS, The Planning Commission recommended Council approval of the proposed rezoning, Resolution No. P.C. 2014-1.

NOW, THEREFORE, BE IT RESOLVED That the Newport City Council Approves a Rezoning of the described property from B-1 to B-2 to applicant David Sullivan, 6127 S Hearthstone Avenue, Cottage Grove, MN 55016.

Adopted this 17th day of April, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____

Tim Geraghty, Mayor

ATTEST: _____

Deb Hill, City Administrator

RESOLUTION NO. 2014-13

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT REQUESTED BY DAVID SULLIVAN, 6127 S HEARTHSTONE AVENUE, COTTAGE GROVE, MN, 55016, FOR PROPERTY LOCATED ON 7TH AVENUE BETWEEN 3RD AND 6TH STREETS, NEWPORT, MN 55055

WHEREAS, David Sullivan, 6127 S Hearthstone Avenue, Cottage Grove, MN 55016, has submitted a request for a Conditional Use Permit to allow for an Vehicle Storage Lot Use/ automobile repossession business use, not including auto body repair or major repair; and

WHEREAS, the property is located on 7th Avenue between 3rd and 6th Streets, Newport, MN 55055, and is more fully legally described as follows:

PID#01.027.22.21.0009 - Lot 5, 6, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley.

PID#01.027.22.21.0010 - Lots 7, 8, 9 and 10, Block 3, Division No. 6 St. Paul Park, Washington County, Minnesota, together with the vacated alley

PID#01.027.22.21.0011 - Lots 11, 12, 13, 14, and 15, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

PID#01.027.22.21.0012 - Lots 16, 17, and 18, Block 3, Division No 6 St. Paul Park, Washington County, Minnesota, together with vacated alley and vacated 8th Avenue.

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PID#01.027.22.21.0021 - Part of Block 5 being all lying North of the South Line of Lot 19, Block 3, Division No 6 easterly to C B & N Railway Right of Way and the South Line of Lot 23, Block 3, Division No 6 St. Paul Park and vacated 8th Avenue, Washington County, Minnesota

PID#01.027.22.21.0022 - Part of Block 5 all that part lying North of the South Line of Lot 23, Block 3, Division No 6 St. Paul Park extended Easterly to C B & Q Railway Right of Way and vacated 8th Avenue, Washington County, Minnesota

WHEREAS, The described property is zoned General Business District (B-2); and

WHEREAS, Section 1310.10 Subd. 2 Criteria states the criteria for acting upon a Conditional Use Permit (C.U.P.) application as follows: *“In acting upon an application for a conditional use permit, the City shall consider the effect of the proposed use upon the health, safety, and general welfare of the City including but not limited to the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land; the effect on surrounding properties, including valuation, aesthetics and scenic views, land uses, character and integrity of the neighborhood; consistency with the Newport comprehensive plan; impact on governmental facilities and services, including roads, sanitary sewer, water and police and fire; effect on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes flood plains and soils; and other factors as found relevant by the City. The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City or other governmental bodies having jurisdiction over the City. In permitting a new conditional use or the alteration of an existing conditional use, the City may impose, in addition to the standards and requirements expressly specified by this chapter, additional conditions which it considers necessary to protect the best interest of the surrounding area or the community as a whole.”*; and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on March 12, 2014; and

WHEREAS, the Planning Commission’s findings related to the request for approval of a Conditional Use Permit include the following:

1. The proposed use is designated in Section 1330 of the development code as a conditional use in the B-2 General Business Zoning District.
2. The proposed use is consistent with the Newport Comprehensive Plan, which supports the development of a mix of residential and commercial uses in the areas along Highway 61.
3. The conditions for approval of the proposed use include requirements for development and operation of the site so that the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the potential impacts of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.
4. The redevelopment of the property with a new use and associated cleanup of existing pollution on the site will have positive impacts on surrounding properties, including valuation, aesthetics, and the character of the neighborhood.
5. The proposed use will have no negative impacts governmental facilities and services, including roads, sanitary sewer, water and police and fire.

6. The potential use and development plan will result in the cleanup of existing pollution on the site, and provide positive impacts to surface and ground waters and soils.
7. In permitting a new conditional use, the City has adopted conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.

WHEREAS, The Planning Commission recommended Council approval of the proposed rezoning, Resolution No. P.C. 2014-2.

NOW, THEREFORE, BE IT RESOLVED That the Newport City Council Approves a Conditional Use Permit for a Vehicle Storage Lot Use/ automobile repossession business use, not including auto body repair or major repair with the following conditions:

1. The Applicant shall submit Final Site Plan(s) and Building Plans that are substantially in conformance with the plans that were submitted to the City, dated February 12, 2014. All elements of the Final Plans must meet the requirements of the zoning ordinance. Final plans shall be submitted within 60 days of the approval of the CUP, and before the start of business operations on the site.
2. The applicant shall combine the parcels that will be occupied by the business as needed to meet the minimum lot size requirements.
3. The Applicant shall modify the plans for City Engineer approval, and comply with the requests of the City Engineer included in the Engineer's memo, dated February 18, 2014, except for the requirement that concrete curbing be required for the parking area. All work shall be completed in accordance with the City of Newport's Engineering Standards (with the exception of the concrete curb requirement). The plans shall be submitted within 60 days of the approval of the CUP, and before the start of business operations on the site.
4. No concrete curb shall be required for the parking areas on the site. Parking lots shall drain to the stormwater ponds.
5. Maximum truck loads serving the site may not exceed 9 tons in weight year-round.
6. Trucks shall enter the site using the gate south of the warehouse, and shall exit the property using that gate or the gate north of the existing house near 4th Avenue between 8 a.m. and 8:00 p.m. At all other hours, trucks shall enter and exit the site using the gate south of the warehouse. The height of the gates shall be the same as the fence, and the gates must remain closed when not in use.
7. The applicant shall revise the plan to include a location for visitor parking and handicapped parking that meets State and Federal regulations.
8. The applicant shall provide the plans for the improvements to the warehouse to the City staff for approval. The plans shall include removing existing rust from the warehouse exterior, painting the front façade of the warehouse, maintaining the warehouse in a rust-free condition, and removal of the existing Bill's Auto Parts signage. The warehouse plans shall be submitted to the City within 60 days of the approval of the CUP, and improvements to the warehouse shall be completed within 150 days of approval of the CUP.
9. No outside storage other than vehicles stored on the parking areas is permitted on the site.
10. No servicing of vehicles, sales of vehicles or parts, auto body work or automobile painting is permitted on the site.

11. No stacking, crushing, or dismantling of vehicles is permitted on the site.
12. All trash and recycling equipment shall be stored within an enclosed structure. The materials used to construct the trash enclosure shall be the same materials used on the exterior of the principal structure.
13. Lighting shall conform to the plan submitted with the application and the ordinance requirements. Lighting fixtures shall be downcast, cutoff-type fixtures that prevent glare from spilling onto adjacent residential areas.
14. The fencing and related screening on the site shall be repaired and maintained in good condition so that the requirements of the ordinance are met. Fencing and screening improvements shall be completed before the business begins operations at the site.
15. Any utility equipment installed at the site must meet the ordinance requirements.
16. The applicant shall submit final plans for fence repairs and screening elements to the City staff for approval within 60 days of the approval of the CUP.
17. The applicant shall submit a landscape plan to the City for approval that includes a screen of conifer trees (Black Hills Spruce, *Picea glauca densata*, or equivalent) that shall screen the fence from the view of adjacent residential properties. The trees shall be a minimum 5 feet in height at planting, and shall be maintained or replaced as needed to screen the fence. The landscape plan shall be submitted to the City within 60 days of approval of the CUP, and improvements shall be completed within 150 days of approval of the CUP.
18. The daytime hours of operation shall be 8:00 a.m. to 8:00 p.m.
19. The applicant shall direct traffic to access the site from the south, using the 70th Street exit from Highway 61 and 7th Avenue.
20. The business may bring repossessed vehicles to the site outside the daytime hours of operation (8 a.m. to 8 p.m.) under the following conditions:
 - a. The trucks that are dropping off vehicles shall enter and exit the site via the gate south of the warehouse building. Headlights shall be controlled so there are no impacts to homes across 7th Avenue.
 - b. Equipment shall use broadband alarms only. The use of back-up beepers shall be prohibited at the business. The applicant shall utilize equipment with broadband alarms, minimize equipment and alarm volumes, and utilize a circular traffic pattern to the extent feasible to minimize the need for equipment to back up on the site.
21. The Applicant shall apply to the City for a permit for any sign(s) proposed as the site. All signs shall meet the ordinance requirements.
22. The permitted use on the site does not include automobile painting and body work.
23. Noise, odors, smoke and particulate matter produced on the site shall not exceed Minnesota Pollution Control Agency standards.
24. The applicant shall complete a Development Agreement with the City that includes at least the following:
 - 1) the responsibilities, phasing and deadlines for the cleanup of the hazardous materials on the site and 2)

a maintenance agreement and performance bond for the stormwater facilities on the site. The deadline for clean-up of hazardous materials at the site shall be January 1, 2018.

25. The applicant shall continue to work with the City to apply for grant funds to clean up the site, through grant cycles in 2014 and 2015. If the City is not awarded grant funds for cleanup, the applicant will be responsible for cleanup, and shall provide to the City a detailed plan for treatment and disposal of contaminated soils for the site that meets regulatory requirements.

26. The applicant shall pay all fees and escrow associated with this application.

Adopted this 17th day of April, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator



MEMO

TO: Mayor and City Council
Deb Hill, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: April 14, 2014

SUBJECT: Participation in the Local Performance Measurement and Reporting Program

BACKGROUND

The Council on Local Results and Innovation (CLRI) was created by the Legislature in 2010 to establish a voluntary performance measurement and reporting program for counties and cities. Cities and counties that chose to participate in this voluntary program are eligible for a reimbursement of \$0.14 per capita in local government aid and would also be exempt from levy limits for taxes payable in the following calendar year (if levy limits are in effect). Please note that even though the City did participate in 2013, it was not exempt from levy limits for 2014.

The City Council approved a resolution in 2013 to participate in the program and adopted the below measures.

General

1. Rating of the overall quality of services provided by the City.
3. Rating of the overall appearance of the City.
7. Rating of the quality of City recreational programs and facilities.

Police Services

10. Part I and II Crime Clearance Rates
11. Rating of safety in the community

Fire and EMS Services

13. Insurance industry rating of fire services.
14. Rating of the quality of fire protection services.

Streets

21. Rating of the road conditions in the City.
25. Rating of the quality of snowplowing on City streets.

Water

26. Rating of the dependability and quality of the City's water supply.
27. Operating cost per 1,000,000 gallons of water pumped/produced.

Sanitary Sewer

28. Rating of the dependability and quality of the City's sanitary sewer service.
29. Number of sewage blockages on the City system per 100 connections.

The City issued an online survey to gather results for several of the measures in August and September 2013. The City received 51 surveys, which resulted in a response rate of 3.72%. City staff was informed in January 2014 that since 2013 was its first year of participation, all the City needed to submit for the 2013 report was the Resolution approving participation and that the survey results would be part of the 2014 report. The City did receive \$484 in December 2013 for participating in 2013.

DISCUSSION

The City Council will need to discuss whether or not it would like to participate in the program in 2014. If so, the City will need to file a report with the Office of the State Auditor by July 1, 2014 in order to receive the reimbursement and levy limit exemption for taxes payable in the following calendar year. If the City Council elects to participate in the program again, the 2014 report will consist of the following:

- Resolution No. 2014-14 approving of participation in the Performance Measurement Program and adopting certain measures
- The 2013 Local Performance Measurement Report
- A performance measurement system that outlines community goals and appropriate outcome and output measures for the adopted measures

If the City Council elects to participate in this program, it will need to discuss the following items:

1. Which of the performance measures would it like to adopt and implement
2. How the survey requirement should be fulfilled
3. How it will adopt and implement the performance measurement system

Performance Measures

Attached for your review is the list of 29 standard measures provided by the CLRI, the City must adopt and implement at least 10. The categories for the measures are: General, Police Services, Fire and EMS Services, Streets, Water, and Sanitary Sewer. The City Council can adopt the same measures as last year, add more measures, or adopt completely new measures. The CLRI recommends that the City Council adopt the same measures from 2013 to determine improvement.

Survey

Several of the measures listed require conducting a survey. Last year, the City did an online survey and had hard copies available at the Library and City Hall. The online survey is available again if the City Council wishes to go that route. The City can also mail the surveys through the newsletter or a mailing done in-house. Below are the costs for each route:

- **On-line Survey:** \$0
- **Newsletter:** Staff received a quote for putting the survey in all of the newsletters that it issues quarterly. To put a survey in all 1,450 newsletters, it would cost \$582. If the City wanted to put pre-paid postage on the survey it would need to get a Business Reply Permit through the Post Office which requires an annual payment of \$220 plus we would need to pay for postage on the surveys that are returned to us. Depending on the size of the survey, the postage for the returned surveys could cost either \$1.31 or \$1.81. Estimating a response rate of 30%, it would cost between \$1,371 and \$1,589 plus staff time to do a survey through the newsletter.
- **In-House Mailing:** Staff could create a random selection of addresses through Microsoft Excel for mailing the survey in-house. Staff used online calculators to determine how many addresses the survey should be sent to. Some factors that went into the calculation were margin of error (how sure do you want to be that the answers reflect the population), confidence interval (how sure do you want to be), population (number of households), and wanted response rate. Research recommends that you use a 5% margin of error and a 95% confidence interval. The League of MN Cities stated that a good response rate is 30%. According to the Post Office, there are 1,410 households in Newport. Using this as the population, the online calculators came out with sample size of 1,010 households. With a cost of \$1.03 per mailing, it would cost \$1,040 plus staff time to mail a survey in-house.

Performance Measurement System

Attached for your review is recommended steps for the City to take in order to adopt and implement its performance measurement system. The City Council completed Step 1 through the Strategic Plan Process and will need to discuss Step 3 once the performance measures are adopted for 2014.

RECOMMENDATION

The City Council can elect to participate in the program by approving Resolution No. 2014-14. If the City Council elects to participate, direction is needed for the measures, survey and performance measurement system.

RESOLUTION NO. 2014-14

A RESOLUTION APPROVING PARTICIPATION IN THE PERFORMANCE MEASUREMENT PROGRAM ESTABLISHED BY THE STATE OF MINNESOTA AND THE COUNCIL ON LOCAL RESULTS AND INNOVATION

WHEREAS, in 2010, the Minnesota Legislature created the Council on Local Results and Innovation; and

WHEREAS, the Council on Local Results and Innovation developed a standard set of 29 performance measures that will aid residents, taxpayers, and state and local elected officials in determining the efficacy of cities and counties in providing services and measure residents' opinion of those services; and

WHEREAS, the performance measurement program established by the State of Minnesota and the Council on Local Results and Innovation is voluntary; and

WHEREAS, participation in this program will provide the City of Newport with a reimbursement of \$0.14 per capita annually and relief from levy limits for taxes, if levy limits are in effect; and

WHEREAS, in order to be eligible for the reimbursement and exemption, the City of Newport must officially adopt and implement at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage, and evaluate programs and processes for optimal future outcomes ; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newport that the City will adopt the below performance measures and report the results to its citizens by the end of 2014 through publication, direct mailing, posting on the City's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

General

1. Rating of the overall quality of services provided by the City.
3. Rating of the overall appearance of the City.
7. Rating of the quality of City recreational programs and facilities.

Police Services

10. Part I and II Crime Clearance Rates
11. Rating of safety in the community

Fire and EMS Services

13. Insurance industry rating of fire services.
14. Rating of the quality of fire protection services.

Streets

21. Rating of the road conditions in the City.
25. Rating of the quality of snowplowing on City streets.

Water

26. Rating of the dependability and quality of the City's water supply.
27. Operating cost per 1,000,000 gallons of water pumped/produced.

Sanitary Sewer

28. Rating of the dependability and quality of the City’s sanitary sewer service.

29. Number of sewage blockages on the City system per 100 connections.

BE IT FURTHER RESOLVED, that the City Council of Newport will submit to the Office of the State Auditor the actual results of the performance measures adopted by the City.

Adopted this 17th day of April, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator

Standard Measures for Cities

Category	#	Measure	Notes:
General	1.	Rating of the overall quality of services provided by your city (survey data, provide year completed and total responses)	Example of responses: excellent, good, fair, poor
	2.	Percent change in the taxable property market value	County assessor's office data
	3.	Citizens' rating of the overall appearance of the city (survey data, provide year completed and total responses)	Example of responses: excellent, good, fair, poor
	4.*	Nuisance code enforcement cases per 1,000 population	$(\text{Number of cases} / \text{Population}) \times 1,000 = \text{cases per 1,000 population}$
	5.*	Number of library visits per 1,000 population	$(\text{Number of visits} / \text{Population}) \times 1,000 = \text{visits per 1,000 population}$
	6.*	Bond rating	Standard & Poor's Ratings Services or Moody's Investor Services
	7.	Citizens' rating of the quality of city recreational programs and facilities (survey data, provide year completed and total responses)	Example of responses: excellent, good, fair, poor
	8.*	Accuracy of post election audit (% of ballots counted accurately)	
Police Services	9.	Part I and II Crime Rates	Submit data as reported by the Minnesota Bureau of Criminal Apprehension
	10.*	Part I and II Crime Clearance Rates	Submit data as reported by the Minnesota Bureau of Criminal Apprehension
	11.	Citizens' rating of safety in their community (survey data, provide year completed and total responses)	Example of responses: very safe, somewhat safe, neither safe nor unsafe, somewhat unsafe, very unsafe
	12.	Average police response time	Average time it takes to respond to top priority calls from dispatch to officer on scene.
Fire & EMS Services	13.	Insurance industry rating of fire services	Insurance Service Office (ISO) Rating. The ISO issues ratings to fire departments throughout the country for the effectiveness of their fire protection services and equipment. ISO analyzes data and then assigns a classification from 1 to 10. Class 1 represents superior property fire protection and Class 10 indicates that the area's fire suppression program does not meet ISO's minimum criteria.
	14.	Citizens' rating of the quality of fire protection services (survey data, provide year completed and total responses)	Example of responses: excellent, good, fair, poor
	15.	Average fire response time	Average time it takes from dispatch to apparatus on scene for calls that are dispatched as a possible fire
	16.*	Fire calls per 1,000 population	$(\text{Number of calls} / \text{population}) \times 1,000 = \text{calls per 1,000 population}$
	17.*	Number of fires with loss resulting in investigation	
	18.*	EMS calls per 1,000 population	$(\text{Number of calls} / \text{population}) \times 1,000 = \text{calls per 1,000 population}$
	19.	Emergency Medical Services average response time	Average time it takes from dispatch to arrival of EMS
Streets	20.	Average city street pavement condition rating	Provide average rating and the rating system program/type. Example, 70 rating on the Pavement Condition Index (PCI).
	21.	Citizens' rating of the road conditions in their city (survey data, provide year completed and total responses)	Example of responses: excellent, good, fair, poor. Alternatively: good condition, mostly good condition, many bad spots
	22.*	Expenditures for road rehabilitation per paved lane mile rehabilitated (jurisdiction only roads)	Total cost for rehabilitations / lane miles rehabilitated
	23.*	Percentage of all jurisdiction lane miles rehabilitated in the year	Lane miles rehabilitated in year / total number of lane miles
	24.*	Average hours to complete road system during snow event	
	25.	Citizens' rating of the quality of snowplowing on city streets (survey data, provide year completed and total responses)	Example of responses: excellent, good, fair, poor
Water	26.	Citizens' rating of the dependability and quality of the city water supply (survey data, provide year completed and total responses)	Example of responses: excellent, good, fair, poor
	27.	Operating cost per 1,000,000 gallons of water pumped/produced	Centrally provided system: $(\text{actual operating expense for water utility} / (\text{total gallons pumped} / 1,000,000)) = \text{cost per million}$
Sanitary Sewer	28.	Citizens' rating of the dependability and quality of city sanitary sewer service (Provide year completed and total responses)	Example of responses: excellent, good, fair, poor
	29.	Number of sewer blockages on city system per 100 connections	Centrally provided system: $(\text{Number of blockages} / \text{number of connections}) \times 100 = \text{blockages per 100 connections}$

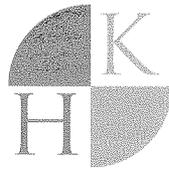
*New or amended measure

Minnesota Council on Local Results and Innovation

Performance Measurement System

The following are steps that must be taken by a city/county to effectively adopt and implement the basic performance measurement system.

1. City Council/county board should adopt **community goals** related to the services that are provided.
 - a. Community goals are typically long-term (3 to 5 years) and describe the strategic objectives a city/county is seeking to achieve in the future. Examples of community goals include objectives such as a safe community, livable neighborhoods, low taxes, and low unemployment.
2. Adopt by official **resolution** and implement a minimum of **10 performance measures** .
3. Establish appropriate **outcome and output measures** for the performance measures that were adopted.
 - a. **Outcome measures** describe the results of the services provided, and are used to help assess whether the community goals are being met. Examples include citizens' rating of safety or road condition, overall pavement condition index rating, and percentage of children with no recurrence of maltreatment.
 - b. **Output measures** detail the units produced, goods or service provided, or people served. An example of public safety services output would be police/sheriff or fire response times.
4. **Report** the results of the measures at least annually **to the public** through publication, direct mailing, posting on the city/county website, or a public hearing at which the budget and levy will be discussed and public input will be taken.
5. **Report** by July 1 of each year **to the Office of the State Auditor** to be eligible for the benefits of participation in the program. The reporting includes your official resolution, and the city/county results of the 10 minimum performance measures adopted and implemented. To report, go to www.auditor.state.mn.us and select "Forms", and then the Performance Measurement Program menu item.



Frederic W. Knaak*
Wayne B. Holstad**

**Also Licensed in
Wisconsin & Colorado*

***Also Licensed in
Massachusetts, Iowa,
Federal Court of Claims*

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"Local in character, national in reputation, international in reach"

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MEMORANDUM: MONTHLY NEWPORT PROSECUTION REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: FRITZ KNAAK, NEWPORT CITY ATTORNEY
DATE: April 10, 2014

This past month, our office has represented the City in a total of 83 prosecutions that were followed through to conviction or alternative disposition. They break down as follows:

Arraignments & Rule 8 Hearings: 54
Pretrials: 22
Omnibus Hearings: 0
Court Trials: 0
Jury Trials: 3
Revocation/Plea Hearings/Sentencing: 4

The report from the court Hearing Officer regarding Newport tickets for the month of March is summarized as follows:

Customers	17	
Citations	17	
Charges	21	
Disposed	16	% Resolved
CFD/DUP	3	95.0%
Contest/NG	0	
DNQ	1	
Extension	1	
No Guidelines	0	
Parking	2	
Petty Misdemeanor	9	
Misdemeanor	10	

March 2014

Newport Police Department
Activity Report

		Monthly Total	Yearly Total
ACCIDENTS		8	37
ADMINISTRATIVE		75	280
ALARMS		10	26
ANIMAL CALLS		16	37
ARRESTS	Felony	4	7
	Misdemeanor	7	22
	Gross Misd.	1	6
ASSAULTS	Aggravated		1
	Simple		2
ASSIST OTHER DEPT/OFFICER		73	219
ASSIST PUBLIC		125	475
AUTO THEFT		2	3
	Attempted		
BURGLARY		2	2
	Attempted		
CHILD ABUSE/NEGLECT			1
CIVIL DISPUTES		3	13
CRIMINAL SEXUAL CONDUCT		1	5
CURFEW			
DAMAGE TO PROPERTY			3
DEATH INV.			1
DISORDER CONDUCT		4	6
DOMESTICS		14	39
DRIVING COMPLAINT		7	23
DRUGS/PARAPHERNALIA			1
DRUNKS/DETOX			9
D.W.I.		2	12
FIRECALLS		3	14
FORGERY			
FOUND PROPERTY		1	2
HAR/COMM		6	11
HANG UPS (911)		3	9
HOMICIDE			1
JUVENILE PETTY CITATIONS		1	2
JUVENILE PROBLEMS		10	14
LOCK-OUTS		2	19
MEDICAL CALLS		26	70
MISSING PERSONS		1	5
ORDINANCE VIOLATIONS		41	155
ORDINANCE WINTER PARK		27	29
PROWLERS			
ROBBERY			
	Attempted		
RUN-AWAY		1	2
STOLEN AUTOS RECOVERED			2
SUSPICIOUS ACTIVITY		23	50
THEFT		14	26
	Attempted		
CITATIONS		132	261
TRAFFIC WARNINGS		54	145
		Monthly Total	Yearly Total
Overall Grand Total All Events		699	2047

AGREEMENT TO OBTAIN STREET MAINTENANCE AND REPAIR SERVICES

This Agreement is made this ___ day of _____2014, by and between the City of Newport (hereinafter referred to as “Newport”) and the City of Cottage Grove (hereinafter referred to as “Cottage Grove”).

WHEREAS, it is the desire of the parties, and it is the purpose of this Agreement, that certain road-related services be performed or contracted for by Cottage Grove on behalf of Newport.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth below, the above parties hereto agree as follows:

1. Term: The term of this Agreement shall be from April 1, 2014 through April 1, 2015, and shall automatically renew for successive one-year terms until it is terminated as provided herein.

2. Services. For the term of this Agreement, Cottage Grove shall provide Newport with the following services in and on behalf of Newport and at the direction of Newport’s Engineer:

- a. Cottage Grove will engage a contractor to perform sealcoating, crack sealing, and striping on those streets in Newport identified by the City’s Public Works Superintendent, in addition to the streets within Cottage Grove for which Cottage Grove is otherwise contracting (“Services”). The City may identify and make available other street maintenance or repair services to Newport, and such services received by Newport shall constitute and be considered part of “Services” for the purposes of this Agreement. Each year during the term of this Agreement, Newport shall, prior to January 1st, notify Cottage Grove of its desire to obtain services pursuant to this Agreement and, by no later than February 1st, Newport shall provide Cottage Grove a plan for the specific sealcoating, crack sealing, and/or striping services Newport is requesting in that year.
- b. Nothing herein shall require Cottage Grove to develop a contract for any particular Services to be provided in Newport if Cottage Grove is not in need of those particular Services on its streets in the year.
- c. The purpose of this Agreement is to provide cost savings and efficiencies for the parties in the collective repair and maintenance of their streets. However, nothing herein shall prohibit either party from contracting for additional or different services, or prohibit Newport from contracting directly for the provision of one or more Services as it deems appropriate.

3. Payments. Newport shall pay for or directly provide the following with regard to the Services it receives:

- a. Newport will reimburse Cottage Grove for the actual costs charged to Cottage Grove by its contractor for performing Services on Newport streets. At its sole cost and expense, Newport will provide an inspector to oversee the delivery of the Services occurring in Newport over the term of this Agreement. Newport must submit contract quantities to Cottage Grove prior to February 1st for inclusion in the Cottage Grove contract for that year. Newport agrees to reimburse Cottage Grove for the actual costs charged to Cottage Grove by its contractor for the requested Services.
- b. Newport will pay Cottage Grove an engineering and administration fee of 6% for all Services performed in Newport in a year as part of this Agreement.
- c. Newport will pay all invoices within 45 days' after the invoice date. Cottage Grove shall include with its invoices copies of the contractor's claims showing the amount charged for the work performed and materials used in Newport.

4. Termination. This Agreement shall terminate as follows:

- a. Upon written notice delivered to the other party before January 1st, which shall have the effect of terminating the Agreement for the upcoming year; or
- b. At any time, upon mutual agreement of the parties; or
- c. Upon at least 45 days' written notice of a material breach if the breaching party fails to come into compliance with the requirements of this Agreement by the end of the notice period.

5. Insurance. Cottage Grove shall require its contractor(s) to provide insurance as specified below, and Newport shall be named as an additional insured on such insurance:

Comprehensive General Liability	\$1,000,000 per occurrence, \$2,000,000 aggregate
Auto Liability	\$1,200,000 per occurrence
Workers compensation	Statutory amount

By December 1st each year Cottage Grove shall provide, or require its contractors to provide, Newport a copy of the certificates of insurance for each contractor providing services in Newport.

6. Indemnification. Cottage Grove agrees to defend, indemnify and hold harmless Newport, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses, including attorneys' fees, arising out of or resulting from Cottage Grove's performance of the duties required under this Agreement, provided that any such claim, action, damage, loss or expense is caused in whole or in part by an alleged negligent act, omission, or willful misconduct (including, but not limited to, a claimed breach of contract made by the contractor) of Cottage Grove. Cottage Grove agrees to require, as part of its contract with the contractor used to provide the Services, to include Newport in the contractor's indemnification obligation under the contract. Newport agrees to defend, indemnify and hold harmless Cottage Grove, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses, including attorneys' fees, arising out of or resulting from Newport's performance of the duties required of it under this Agreement, provided that any such claim, action, damage, loss or expense is caused in whole or in part by an alleged negligent act or omission or willful misconduct of Newport. This provision shall not be construed as a waiver by either party of any defenses, immunities or limitations on liability to which they are entitled, under Minnesota Statutes, Chapter 466 or otherwise.

7. Service Contract. This is a service contract. The parties do not intend to create, and nothing herein shall be construed as creating, a joint powers agreement, joint venture, or joint enterprise. However, to the extent a court of competent jurisdiction may find such a relationship exists, Cottage Grove and Newport shall be considered a single governmental entity as provided in Minnesota Statutes, section 471.59, subdivision 1a for the purposes of determining total liability. The limits of liability for Cottage Grove and Newport shall not be added together to determine the maximum amount of liability for either party or for any occurrence.

8. Contracting Procedure and Oversight. Cottage Grove shall be solely responsible for letting the contracts for the services to be provided hereunder in accordance with all applicable laws, rules, and regulations. The bonds obtained from the contractor for the work shall include the work to be performed in Newport. Cottage Grove shall, to the extent reasonably necessary, assist Newport to draw upon the performance bond as needed to complete or correct any work the contractor fails to perform in Newport in accordance with the contract. Newport will be responsible for inspecting the work to be performed in Newport, but Cottage Grove shall be responsible for generally overseeing the contractor's performance of services in accordance with the contract. Newport will immediately notify Cottage Grove of any defects in the work or in the contractor's performance of services that Newport may observe.

9. Miscellaneous. This Agreement is solely for the benefit of the parties hereto and no other person shall have any right, claim, or interest in it.

10. Legal Compliance. Both parties agree to comply with all applicable state, federal and local laws, rules and regulations in carrying out their respective obligations under this Agreement.

11. Entire Agreement. This Agreement represents the entire agreement between Cottage Grove and Newport and supersedes and cancels any and all prior agreements or proposals, written or oral, between the parties relating to the subject matter hereof. No amendments, addenda, alterations, or modifications to the terms and conditions of this Agreement shall be effective unless in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have set forth their hands on the day and year first written above.

[Signature page follows]

CITY OF COTTAGE GROVE

CITY OF NEWPORT

By: _____
Its Mayor

By: _____
Its Mayor

Date

Date

By: _____
Its City Administrator

By: _____
Its City Administrator

Date

Date