

ORDINANCE 420

AN ORDINANCE ESTABLISHING AN UPDATED AND CONTEMPORARY
ZONING ORDINANCE TEXT AND ZONING ORDINANCE MAP; AND
SUBDIVISION REGULATIONS
FOR THE CITY OF LONG LAKE, MINNESOTA

THE CITY COUNCIL OF THE CITY OF LONG LAKE DOES ORDAIN:

SECTION 1: TITLE AND APPLICATION.

- Subd. 1. Title. This Ordinance shall be known as the "Long Lake Zoning Ordinance" except as referred to herein, where it shall be known as "this Ordinance".
- Subd. 2. Intent and Purpose. This Ordinance is enacted for the following purposes: to protect and promote the health, safety, morals and general welfare by lessening congestion in the public rights-of-way; securing safety from fire, panic and other dangers; providing adequate light and air; facilitating the adequate provision of water, sewerage and other public services and facilities; conserving the values of property and encouraging the most appropriate use of land; promoting well-managed and staged development of residential, commercial, industrial recreational and public areas; conserving and managing the use of natural resources and agricultural lands.
- Subd. 3. Scope and Authority. From and after the effective date of this Ordinance, the subdivision and use of all land and every building and the erection or structural alteration of any building or portion of a building in the City shall be in conformity with the provisions of this Ordinance. Any building, structure or use lawfully existing on November 1, 1993, which is not in conformity with the regulations herein prescribed shall be regarded as non conforming, but may be continued except as, and subject to, the requirements contained in Section 23. The provisions of this ordinance shall be interpreted and applied in accordance with, and as permitted by, Minnesota Law and are adopted pursuant to authority contained in Minnesota Statutes 462.351 to 462.364. This Ordinance shall not repeal, annul, or in any way impair or interfere with the provisions of other ordinances or regulations of the City except as expressly provided herein.
- Subd. 4. Relation to Comprehensive Municipal Plan. It is the policy of the City of Long Lake that the enforcement, amendment, and administration of this ordinance be accomplished with due consideration of the recommendations contained in the Comprehensive Municipal Plan as developed and amended from time to time by the Planning Commission and City Council of the City. The Council recognizes the Comprehensive Municipal Plan as the Policy for responsibility to regulate land use and development in accordance with the policies and purpose herein set forth.

Subd. 5. Interpretation.

A. General. The provisions of this Ordinance shall be interpreted as the minimum requirements necessary to accomplish the purposes of this Ordinance. Except as herein provided, the provisions of this Ordinance are cumulative and in addition to the provisions of other laws and ordinances governing the same subjects. Where the provisions of this Ordinance impose greater restrictions than those of any law, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any law, or other ordinance or regulation impose greater restrictions than this ordinance, such greater restrictions shall be controlling. Written interpretations of the provisions of this Ordinance shall be provided as necessary by the Planning Commission or the City Attorney. Interpretations shall be maintained on file by the City Clerk

B. Rules. The following rules of construction shall be used in interpreting this Ordinance: words used in the present tense shall include the past and future tenses, and the future, the present; words in the singular shall include the plural, and the plural, the singular; the word "building" shall include the word structure; the word "lot" shall include the word "plot"; the word "shall" is mandatory, the word "may" is permissive; and the masculine gender includes the feminine and the neuter genders.

Subd. 6. Standard, Requirement. Where the conditions imposed by any provision of this Ordinance are either more or less restrictive than comparable conditions imposed by other ordinance, rule or regulation of the City, the ordinance, rule or regulation which imposes the more restrictive condition, standard, or requirement shall prevail.

Subd. 7. In their interpretation and application, the provisions of this Ordinance shall be held to the minimum requirements for the promotion of the public health, safety and welfare.

Subd. 8. Application

A. No structure shall be erected, converted, enlarged reconstructed, or altered, and no structure or land shall be used for any purpose nor in any manner which is not in conformity with the provisions of this Ordinance.

B. No subdivision of land shall be recorded in the Hennepin County Recorder's office or have any validity unless the subdivision has been prepared, approved, and acknowledged in accordance with the provisions of this Ordinance.

Subd. 9. Except as herein provided, no building, structure or premises shall hereafter be used or occupied and no building permit shall be granted that does not conform to the requirements of this Ordinance.

Subd. 10. Authority. This Ordinance is enacted pursuant to the authority granted by the Municipal Planning Act, Minnesota Statutes, Sections 462.352 to 462.65.

Subd. 11. Separability. It is hereby declared to be the intention of the City that the several provisions of this Ordinance are separable in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, building, or other structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.