

AGENDA  
HARMONY PLANNING & ZONING COMMISSION  
Regular Meeting

February 5, 2025  
7:00 P.M.

Council Room  
Community Center

1. Call To Order
2. Roll Call
3. Consent agenda:
  - a. Minutes
4. Business
  - a. Chicken Ordinance – Fillmore Central High School
  - b. GSS Inc. – Telecommunication Tower
5. Adjourn

MINUTES  
HARMONY PLANNING & ZONING COMMISSION  
Regular Meeting

October 2, 2024  
7:00 P.M.

Council Room  
Community Center

Meeting was called to order by Jesse Grabau at 7:19 p.m.

P & Z Board Members Present: Jim Strozyk, Rod Johnson, Erik Olson, Jesse Grabau and Miles Petree. Also present was City Administrator Alissa Stelpflug, & Jay Masters.

CONSENT AGENDA: Board member Petree motioned to approve the consent agenda which consisted of minutes from the previous meeting. Board member Johnson seconded the motion. A vote was held. All in favor. Motion carried.

MONSTERBASH EASEMENT AGREEMENT: Board Member Grabau questioned Masters on how far Ryan's building is from the property line, he stated it was about 10 feet from the lot line. Grabau asked if the lot pins were still there since Masters had the lot surveyed recently. Masters confirmed that the pins are still there. Alissa handed out an email prior from Attorney Schieber that included factors the board should think about when making the recommendation for the variance.

- Is the proposed use reasonable?
- Is there circumstance unique to the property that prevent compliance with existing setbacks?
- Will the proposed addition change the essential character of the locality?
- Will the proposed addition still be in Harmony with the general purposes and intent of the ordinances.

Masters reminded the board that he originally brought this up to the Planning and Zoning board back in January. At that time the board gave him the P & Z checklist, asked for him to have the property staked and then measurements would be done after that. Which has all been done. He was also informed to have the neighboring properties notified. Masters expressed at the August meeting he came with a check for \$150 for the Variance Request Application. Informed the board that the neighbors had been talked to and were in favor of him proceeding forward. He also presented drawings for the whole lot. In September a Public Hearing was held and he brought in the permission letters from his neighbors that the board recommended him getting. A copy of the easement agreement between John and Jacqui Ryan and Bryan Berg (on behalf of Monster bash. Masters stated, I have done everything that has been requested of me. Masters also mentioned that he would work with Greg on redoing the easement agreement due to it not having legal descriptions and having a formal notary block that a recorder would expect. Masters explained that several businesses and residents in the Harmony area are in support of this and have donated funds to assist in the addition. He listed off all the businesses and people whom have donated to this project and expressed his concern with the effect it would have if the addition didn't get

approved. Board member Petree expressed his concern regarding the lot lines and the how big this event has gotten. Board member Strozyk stated he has been in construction his whole life and understands why they want to add on but also need to stay within the guidelines. When he looks at the property there are too many buildings located right next to the building. Recommended renting a different place for storage. Safety should be the main concern, if there would be a fire in the building it would be hard to get everyone out quickly and safely. Board member Petree stated that they could build a storage building on the property next to them since they just purchased it. Masters stated they already have a plan in mind for that lot. Board member Johnson expressed that if there was a fire the trucks and ambulances wouldn't need to get that close anyways. He also mentioned that the neighbors are fine with it and the alley isn't really accessible anyways. Board member Grabau explained that they need to vote on this and look at it as if it were any other business in town. We all support the Monster Bash and want to see them succeed however we need to think about how this will effect the neighborhood in the future. A motion was made by Board member Petree to leave lot at 18 feet and recommend to council for no variance. Board member Olson 2<sup>nd</sup> the motion. A vote was held, Grabau, Strozyk, Petree, and Olson were in favor. Johnson, not in favor.

APPOINT MEETING CHAIR: Motion made by Board member Johnson to appoint board member Grabau to be chair, board member Strozyk seconded motion. A vote was held. All in favor. Motion carried.

WAGE RECOMMENDATION TO COUNCIL: Motion made by board member Grabau to recommend \$25 per inspection for each permit, seconded by Board member Petree. A vote was held. All in favor. Motion carried

Upon no further business, Board Member Grabau adjourned the meeting at 8:05 pm.

### §91.01 DEFINITIONS.

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

**ANIMAL.** Any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

- (1) **DOMESTIC ANIMALS.** Those animals commonly accepted as domesticated household pets. Unless otherwise defined, domestic animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous and non-constricting reptiles or amphibians, and other similar animals.
- (2) **FARM ANIMALS.** Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, farm animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, and other animals associated with a farm, ranch, or stable.
- (3) **NON-DOMESTIC ANIMALS.** Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non-domestic animals shall include:
  - (a) Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.
  - (b) Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.
  - (c) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.
  - (d) Any member or relative of the rodent family including any skunk (whether or not de-scented), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.
  - (e) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
  - (f) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this section, including but not limited to bears, deer, monkeys and game fish.

**AT LARGE.** Off the premises of the owner and not under the custody and control of the owner or other person, either by leash, cord, chain, or otherwise restrained or confined.

**CAT.** Both the male and female of the felidae species commonly accepted as domesticated household pets.

**DOG.** Both the male and female of the canine species, commonly accepted as domesticated household pets, and other domesticated animals of a dog kind.

**OWNER.** Any person or persons, firm, association or corporation owning, keeping, or harboring an animal.

**RELEASE PERMIT.** A permit issued by the Animal Control Officer or other person in charge of the pound for the release of any animal that has been taken to the pound. A release permit may be obtained upon payment of a fee to the City Administrator/Clerk-Treasurer in accordance with the regular license requirement if the animal is unlicensed, payment of a release fee, and any maintenance costs incurred in capturing and impounding the animal. The release fee shall be as established in the Ordinance Establishing Fees and Charges adopted pursuant to §30.11, as it may be amended from time to time.

## **§91.02 DOGS AND CATS.**

- (A) *Running at large prohibited.* It shall be unlawful for the dog or cat of any person who owns, harbors, or keeps a dog or cat, to run at large. A person, who owns, harbors, or keeps a dog or cat that runs at large shall be guilty of a misdemeanor. Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person, so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading "Dogs or Cats Prohibited".
- (B) *License required.*
- (1) All dogs over the age of six months kept, harbored, or maintained by their owners in the city, shall be licensed and registered with the city. Dog licenses shall be issued by the City Administrator/Clerk-Treasurer upon payment of the license fee as established by the Ordinance Establishing Fees and Charges adopted pursuant to §30.11 of this code, as that ordinance may be amended from time to time. The owner shall state, at the time application is made for the license and upon forms provided, his or her name and address and the name, breed, color, and sex of each dog owned or kept by him or her. No license shall be granted for a dog that has not been vaccinated against rabies, as evidenced by a current certificate, including date of vaccination, by a veterinarian qualified to practice in the state in which the dog is vaccinated.
  - (2) It shall be the duty of each owner of a dog subject to this section to pay to the City Administrator/Clerk-Treasurer the license fee established in the Ordinance Establishing Fees and Charges adopted pursuant to §30.11, as it may be amended from time to time.
  - (3) Upon payment of the license fee, the City Administrator/Clerk-Treasurer shall issue to the owner a license tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the application. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a replacement tag shall be issued by the City Administrator/Clerk-Treasurer with the new number recorded on the original application form. A charge shall be made for each replacement tag in an amount established in the Ordinance Establishing Fees and Charges adopted pursuant to §30.11, as it may be amended from time to time. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period.
  - (4) The licensing provisions of this division (B) shall not apply to dogs whose owners are non-residents visiting temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor shall this provision apply to "companion dogs" properly trained to assist handicapped persons for the purpose of aiding them in travel or other activities.

- (5) The funds received by the City Administrator/Clerk-Treasurer from all dog licenses and replacement tag fees as established by the Ordinance Establishing Fees and Charges adopted pursuant to §30.11 of this code, as that ordinance may be amended from time to time, shall first be used to defray any costs incidental to the enforcement of this chapter; including, but not restricted to, the costs of licenses, tags, and impounding and maintenance of the dogs.
- (C) *Cats.* Cats shall be included as controlled by this division insofar as running-at-large, pickup, impounding, boarding, licensing and proof of anti-rabies vaccine is concerned. All other provisions of this section shall also apply to cats unless otherwise provided.
- (D) *Vaccination.*
  - (1) All dogs and cats kept harbored, maintained, or transported within the city shall be vaccinated at least once every three years by a licensed veterinarian for rabies, with a live modified vaccine.
  - (2) A certificate of vaccination must be kept by the owner on which is stated the date of vaccination, owner's name and address, each animal's name (if applicable), sex, description and weight, the type of vaccine, and the veterinarian's signature. Upon demand made by the City Administrator/Clerk-Treasurer, the Animal Control Officer or a police officer, the owner shall present for examination the required certificate(s) of vaccination for the animal(s). In cases where certificates are not presented, the owner or keeper of the animal(s) shall have seven days in which to present the certificate(s) to the City Administrator/Clerk-Treasurer or officer. Failure to do so shall be deemed a violation of this section.  
Penalty, see §91.99

### **§91.03 NON-DOMESTIC ANIMALS.**

It shall be illegal for any person to own, possess, harbor, or offer for sale, any non-domestic animal within the city. Any owner of a non-domestic animal at the time of adoption of this code shall have 30 days in which to remove the animal from the city after which time the city may impound the animal as provided for in this section. An exception shall be made to this prohibition for animals specifically trained for and actually providing assistance to the handicapped or disabled, and for those animals brought into the city as part of an operating zoo, veterinary clinic, scientific research laboratory, or a licensed show or exhibition.  
Penalty, see §91.99

### **§91.04 FARM ANIMALS.**

Farm animals shall only be kept in an agricultural district of the city, or on a residential lot of at least ten acres in size, provided that no animal shelter shall be within 300 feet of an adjoining piece of property. An exception shall be made to this section for those animals brought into the city as part of an operating zoo, veterinary clinic, scientific research laboratory, or a licensed show or exhibition.

### **§91.05 IMPOUNDING.**

- (A) *Running at large.* Any unlicensed animal running at large is hereby declared a public nuisance. Any Animal Control Officer or police officer may impound any dog or other animal found unlicensed or any animal found running at large and shall give notice of the impounding to the owner of the dog or other animal, if known. In case the owner is unknown, the officer shall post notice at the city office that if the dog or other animal is not claimed within the time specified in division (C) of this section, it will be sold or otherwise disposed of. Except as otherwise provided in this section, it shall be unlawful to kill,

City of Harmony  
County of Fillmore  
State of Minnesota

Ordinance No. \_\_\_\_

AN ORDINANCE AMENDING THE CITY OF HARMONY CITY CODE CHAPTER 91, SECTION 91.04 RELATING TO FARM ANIMALS

The City Council of the City of Harmony ordains:

Section 1. The City Council of the City of Harmony hereby replaces Section 91.04 of the City Code in its entirety, to read as follows:

Section 91.04 Farm Animals.

- (A) **Farm Animals Generally.** Farm animals shall only be kept in an agricultural district of the city, or on a residential lot of at least ten acres in size, provided that no animal shelter shall be within 300 feet of an adjoining piece of property. An exception shall be made to this section for those animals brought into the city as part of an operating zoo, veterinary clinic, scientific research laboratory, or a licensed show or exhibition, or those animals falling under 91.04(B).
- (B) **Chickens.** The keeping of chickens is permitted on industrial properties within any industrial zoning district subject to the following requirements.
  - a. **Definitions.** For purposes of this subdivision, the following terms shall have the following meanings:
    - i. Chicken means a farm bird that serves as a source of eggs or meat.
    - ii. Coop means the structure for keeping or housing of chickens permitted by the ordinance.
    - iii. Hen means a female chicken.
    - iv. Rooster means a male chicken.
    - v. Run means a fully-enclosed and covered area attached to a coop or standing alone as an independent structure where chickens can roam unsupervised, while still being contained.
  - b. **Permit Required.** Any person desiring to keep chickens must first obtain a chicken permit from the City. No permit shall be issued except in compliance with this section.
    - i. Any person desiring to obtain a chicken permit under this subdivision must make a written application to the City Clerk on a form provided by the City and pay an application fee as set in the City fee schedule.
    - ii. All initial permits will expire on December 31<sup>st</sup> of the following year after their issuance unless sooner revoked. Renewal permits shall expire on December 31<sup>st</sup> of the second year following their issuance unless sooner revoked.
    - iii. The City may revoke a permit by written notice to the permit holder for failure to comply with provisions of this section or any of the permit's conditions.
  - c. **Inspections.** The City may inspect the premises for which a permit has been granted in order to ensure compliance with this subdivision.
  - d. **Conditions.** Any permit will be subject to the following conditions:

- i. The keeping of any poultry besides chickens is prohibited.
- ii. Roosters are prohibited.
- iii. No more than one chicken per four hundred square feet shall be housed or kept on any one industrial lot.
- iv. Chickens shall only be allowed as permitted under Section 91.04(A) or on an industrial zoned lot.
- v. Outdoor slaughtering of chickens in city limits is prohibited.
- vi. Chickens must be confined at all times in a fully enclosed chicken coop or chicken run. Chicken coops and runs shall comply with the following requirements:
  - 1. The floor area of any coop shall be a minimum of 2 square feet per chicken.
  - 2. Coops larger than 50 square feet shall meet all accessory structure requirements of the City Code, except all coops or runs shall be located at least 50 feet from residential structures.
  - 3. Any coop or run shall be no more than 200 square feet in size.
- vii. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, or excessive, odor causing deposits of manure. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.
- viii. All food shall be stored in an enclosed, rodent proof building or container.
- ix. Dead chickens shall be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.
- e. **Termination/Expiration of Permit.** Persons that intend to no longer keep chickens on their premises shall notify the City. Any coop or chicken run must be removed upon expiration or termination of the permit.

**(C) Violations and Penalties**

- a. Any person violating any sections of this ordinance shall be deemed guilty of a petty misdemeanor.
- b. If a person is found guilty by a court for violation of this Ordinance, their permit to own, keep, harbor, or have custody of chickens shall be deemed automatically revoked and no new permit may be issued for a period of one (1) year.
- c. Any person violating any conditions of this permit shall reimburse the City for all costs borne by the City to enforce the conditions of the permit including but not limited to the pickup and impounding of chickens.

Section 2: Effective Date. This ordinance shall take effect upon its summary publication in the City's official newspaper. Said publication shall read as follows:



Ordinance 91.04 allowing the keeping of chickens in industrial areas, subject to specific conditions. A copy of the full ordinance is available for review at City Hall, 225 3<sup>rd</sup> Ave SW, Harmony, MN 55939.

Adopted this \_\_\_\_ day of May, 2018, by the Harmony City Council.

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Steve Donney, Mayor

ATTEST:

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Jerome Illg, City Administrator

**ARTICLE VI SCHEDULE OF DISTRICT REGULATIONS**

**Section 600 District regulations shall be as set forth in this article.**

**Section 601 Regulations for Agricultural District.**

**Section 601.1 Use Regulations.**

AGRICULTURAL DISTRICT	
PERMITTED PRINCIPAL USES	
<ul style="list-style-type: none"> <li>• Single Family Dwellings, Farm and Non-Farm</li> <li>• Two Family Dwellings, Farm and Non-Farm</li> <li>• Farm Related Dwellings</li> <li>• Farms, Stables, and Specialized Animal or Poultry farms provided that no waste materials, residues or the like shall remain upon the premises so as to become a nuisance or offensive to other local property owners and residents</li> <li>• Truck Gardens, Orchards, Nurseries and Greenhouses</li> <li>• Churches</li> <li>• Public and Parochial Schools</li> <li>• Publicly Owned and operated Buildings</li> <li>• Cemeteries</li> <li>• Hospitals, Clinics, Sanitariums and Nursing or Convalescent Homes</li> <li>• Veterinary Clinics</li> <li>• Noncommercial Parks, Playgrounds and Recreation Areas owned or operated by public or semi-public agencies</li> <li>• Public Utility Structures and Equipment</li> <li>• Public and Private Forests, Wildlife Preserves or Similar Conservation Projects</li> <li>• Customary Home Occupations</li> <li>• Livestock Buying Stations</li> </ul>	

AGRICULTURAL DISTRICT		
PERMITTED ACCESSORY USES AND STRUCTURES	USES AND STRUCTURES BY SPECIAL EXCEPTION ONLY	PROHIBITED USES AND STRUCTURES
<ul style="list-style-type: none"> <li>• Those customarily incidental to permitted principal uses.</li> <li>• Bulletin Boards and signs not exceeding 20 square feet in area which pertain to the lease, sale or hire of a building on premises or of products on the premises, provided that such signs are removed as soon as the sale or lease is completed.</li> </ul>	<ul style="list-style-type: none"> <li>• Mining.</li> <li>• Extraction of Raw Materials.</li> <li>• Mobile Home Parks.</li> <li>• Signs and Billboards.</li> <li>• Transient Circus or Carnivals.</li> <li>• Mausoleums and Crematoriums.</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial and Industrial Uses.</li> <li>• Animal Confinement Areas within 500 feet of existing dwellings of other local property owners and residents. (For purposes of this section, animal confinement area shall be defined as any permanent livestock housing structure, farrowing structure, finishing</li> </ul>

		area or similar structure used of the permanent housing of livestock or poultry. An area used for the pasturing of livestock shall not be considered an animal confinement area.)
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**Section 601.2 Height Regulations.**

No building shall exceed three stories or 50 feet in height. There shall be no height limitation on silos.

**Section 601.3 Building Site Regulation.**

All buildings shall be located on lots with at least 43,000 square feet and all dwellings shall be located on lots with a minimum width of 150 feet.

**Section 601.4 Front Yard Requirement.**

Each lot shall have a front yard of not less than 50 feet.

**Section 601.5 Side Yard Requirement.**

Each lot shall have two side yards, one on each side of the building of not less than 25 feet each.

**Section 601.6 Rear Yard Requirement.**

Each lot shall have a rear yard of not less than 50 feet, and no accessory building shall be erected closer than four feet to the adjoining property and shall not have overhang or watershed closer than two feet to the adjoining property.

## Section 602 Regulations for Residential District.

### Section 602.1 Use Regulations

RESIDENTIAL-1 DISTRICT
PERMITTED PRINCIPAL USES & STRUCTURES
<ul style="list-style-type: none"> <li>• Single Family Dwelling</li> <li>• Two-Family Dwelling</li> <li>• Churches and accessory buildings</li> <li>• Public and Parochial Schools</li> <li>• Non-commercial Parks, Playgrounds and Recreation Areas owned and operated by public or semi-public agencies</li> <li>• Publicly owned and operated buildings</li> <li>• Hospitals, medical and dental clinics, nursing and convalescent homes</li> <li>• Customary home occupations</li> <li>• Truck Gardens, Orchards and Nurseries, Grain and Crop Farming</li> </ul>

RESIDENTIAL-1 DISTRICT		
PERMITTED ACCESSORY USES AND STRUCTURES	USES AND STRUCTURES BY SPECIAL EXCEPTION ONLY	PROHIBITED USES AND STRUCTURES
<ul style="list-style-type: none"> <li>• Those customarily incidental to permitted principal uses.</li> <li>• Church Bulletin Boards.</li> <li>• One Sign (not exceeding 12 square feet) advertising construction sale or rent of building or lot on which it is located, sign to be removed as soon as construction, sale or lease is completed.</li> </ul>	<ul style="list-style-type: none"> <li>• Funeral Home.</li> <li>• Mobile Home Park.</li> <li>• Multi-Family Dwellings.</li> <li>• Clubs, lodges, social and recreational, except those whose chief activity is carried on for financial profit.</li> <li>• Boarding, lodging and rooming houses.</li> <li>• Professional Offices.</li> </ul>	<ul style="list-style-type: none"> <li>• Stables, Animal Farms, Poultry Farms.</li> <li>• Commercial and Industrial Uses.</li> </ul>

### Section 602.2 Height Regulation.

No building shall exceed two and one-half stories or 35 feet in height.

### Section 602.3 Building Site Regulation. (Was modified by council on 6/14/05)

All buildings shall be located on lots with at least 6,000 square feet and all dwellings shall be located on lots with a minimum width of 50 feet, except that the square footage requirement shall not apply to any lot that was platted prior to the adoption of this ordinance on November 4, 1976.

### Section 602.4 Front Yard Requirement.

Each lot shall have a front yard of not less than 25 feet.

### Section 602.5 Side Yard Requirement.

Each lot shall have two side yards, one on each side of the building of not less than 6 feet each.

**Section 602.6 Rear yard Requirement.**

Each lot shall have a rear yard of not less than 30 feet (except that any lot that was platted prior to the adoption of this ordinance on November 4, 1976, shall have a rear yard of not be less than 18 feet), and no accessory building shall be erected closer than four feet to the adjoining property, and shall not have an overhang or watershed closer than two feet to the adjoining property.

**Section 602.7 Residential Parking – Off-Street.**

All parking spaces required hereafter by this ordinance shall be on the same tract as the building and shall be hard surfaced or gravel surfaced with proper drainage being provided, except that upon approval of the Board of Adjustments, the parking spaces may be provided on another tract within five hundred (500) feet of said building. Each parking space shall be at least nine (9) feet by twenty (20) feet and shall have proper access to the approaching drive.

Off-street parking spaces, as computed by the Administrative Official, shall be provided and satisfactorily maintained by the owner of the property; for each building and functioning use in all districts which after the date of enactment of this ordinance is erected, for any of the following or similar purposes. Spaces shall be provided in numbers not less than hereinafter set out.

- a. Dwelling, one (1) parking space for each dwelling or family unit.
- b. Hotel, motel, boarding house, mobile home park, one (1) parking space for each guest sleeping room or for each provided site.
- c. Hospitals, clinics, sanitariums, welfare institutions, nursing homes or similar establishments, one (1) parking space for each eight hundred (800) square feet of floor area in said building.

**Section 602.8 Use Regulations.**

RESIDENTIAL-2 DISTRICT	
PERMITTED PRINCIPAL USES AND STRUCTURES	
<ul style="list-style-type: none"> <li>Any Use Permitted in the "R-1" District <u>and the Following Commercial Uses:</u></li> <li>Art, book &amp; school supply stores.</li> <li>Jewelry stores.</li> <li>Auto accessory stores.</li> <li>Laundries, self-serv.</li> <li>Auto repair garage.</li> <li>Loan offices.</li> <li>Bakeries, retail sales.</li> <li>Medical and dental clinics.</li> <li>Banks.</li> <li>Book and stationery stores.</li> <li>Milk depots.</li> <li>Bulletin boards.</li> <li>Monument sales.</li> <li>Bus depots.</li> <li>Newspaper offices.</li> <li>Camera stores.</li> <li>Personal service shops.</li> <li>Candy and ice cream stores.</li> <li>Photography studios.</li> <li>Churches.</li> <li>Post offices.</li> <li>Printing shops.</li> <li>Drug stores.</li> <li>Professional offices.</li> </ul>	<ul style="list-style-type: none"> <li>Dry cleaning and laundry processing</li> <li>Radio and television plants, studios.</li> <li>Electrical and household appliance</li> <li>Restaurants, cafes, stores, tea rooms.</li> <li>Electrical repair shops.</li> <li>Shoe repair shops.</li> <li>Flower shops.</li> <li>Signs.</li> <li>Fuel sales, automotive retail only.</li> <li>Storage garages.</li> <li>Furniture stores.</li> <li>Multi-Family dwellings.</li> <li>Garden supply and seed stores.</li> <li>Gift shops.</li> <li>Greenhouses, retail sales.</li> <li>Grocery stores.</li> <li>Hardware stores.</li> <li>Hobby shops.</li> <li>Hotels and motels.</li> <li>Jewelry stores.</li> <li>Plumbing shops.</li> <li>Contractors and construction offices.</li> <li>Department stores Any other enclosed commercial activity similar to the above listed uses.</li> </ul>

RESIDENTIAL-2 DISTRICT		
PERMITTED ACCESSORY USES AND STRUCTURES	USES AND STRUCTURES BY SPECIAL EXCEPTION ONLY	PROHIBITED USES AND STRUCTURES
<ul style="list-style-type: none"> <li>Those customarily incidental to permitted principal uses.</li> <li>Church Bulletin Boards.</li> <li>One-sign (not exceeding twelve square feet) advertising construction, sale or rent of building or lot on which it is located, sign to be removed as soon as construction, sale or lease is completed.</li> </ul>	<ul style="list-style-type: none"> <li>Funeral Home.</li> <li>Mobile home Park.</li> <li>Professional offices.</li> <li>Clubs, lodges, social and recreational except those whose chief activity is carried on for financial profit.</li> <li>Boarding, lodging, and rooming houses.</li> </ul>	<ul style="list-style-type: none"> <li>Stables, Animal farms, Poultry farms.</li> <li>Commercial uses not listed, and industrial uses.</li> </ul>

**Section 602.9 Height Regulation.**

No building shall exceed two and one-half stories or 35 feet in height.

**Section 602.10 Building Site Regulation.** (Was modified by council on 6/14/05)

All buildings shall be located on lots with at least 6,000 square feet and all dwellings shall be located on lots with a minimum width of 50 feet, except that the square footage requirement shall not apply to any lot that was platted prior to the adoption of this ordinance on November 4, 1976.

**Section 602.11 Front Yard Regulation.**

Each lot shall have a front yard of not less than 25 feet.

**Section 602.12 Side Yard Regulation.**

Each lot shall have two side yards, one on each side of the building of not less than 6 feet each.

**Section 602.13 Rear yard Regulation.**

Each lot shall have a rear yard of not less than 30 feet (except that any lot that was platted prior to the adoption of this ordinance on November 4, 1976, shall have a rear yard of not be less than 18 feet), and no accessory building shall be erected closer than four feet to the adjoining property, and shall not have an overhang or watershed closer than two feet to the adjoining property.

**Section 602.14 Residential Parking – Off-Street.**

All parking spaces required hereafter by this ordinance shall be on the same tract as the building and shall be hard surfaced or gravel surfaced with proper drainage being provided, except that upon approval of the Board of Adjustment, the parking spaces may be provided on another tract within five hundred (500) feet of said building. Each parking space shall be at least nine (9) feet by twenty (20) feet and shall have proper access to the approaching drive.

Off-street parking spaces, as computed by the Administrative Official shall be provided and satisfactorily maintained by the owner of the property; for each building and functioning use in all districts which after the date of enactment of this ordinance is erected, for any of the following or similar purposes. Spaces shall be provided in numbers not less than hereinafter set out.

- a. Dwelling, one (1) parking space for each dwelling or family unit.
- b. Hotel, motel, boarding house, mobile home park, one (1) parking space for each guest sleeping room or for each provided site.
- c. Hospitals, clinics, sanitariums, welfare institutions, nursing homes or similar establishments, one (1) parking space for each eight hundred (800) square feet of floor area in said building.

## Section 603 Regulations for Commercial District

## Section 603.1 Use Regulations

COMMERCIAL DISTRICT	
PERMITTED PRINCIPAL USES & STRUCTURES	
<ul style="list-style-type: none"> <li>• Dwelling Units on Second Floor or Above and Existing Dwellings</li> <li>• Art &amp; School supply stores</li> <li>• Hardware stores</li> <li>• Assembly halls &amp; public buildings</li> <li>• Hobby shop</li> <li>• Auto accessory stores</li> <li>• Hospitals</li> <li>• Auto Repair garage Hotels and motels</li> <li>• Auto Sales Indoor/outdoor amusements</li> <li>• Automobile, truck &amp; trailer body repair</li> <li>• Jewelry stores</li> <li>• Laundries, self-service</li> <li>• Bakeries, retail sales</li> <li>• Libraries &amp; public bldgs.</li> <li>• Bakeries, wholesale</li> <li>• Loan offices</li> <li>• Banks</li> <li>• Lumber yards</li> <li>• Blacksmith shop</li> <li>• Medical &amp; dental clinics</li> <li>• Book and stationery stores</li> <li>• Milk depots</li> <li>• Bulletin boards</li> <li>• Monument sales</li> <li>• Bus Depots</li> <li>• Newspaper offices</li> <li>• Camera Stores</li> <li>• Nightclubs</li> <li>• Candy and ice cream stores</li> <li>• Office supply stores</li> <li>• Car washes</li> <li>• Personal service shops</li> <li>• Churches</li> <li>• Pet shops</li> <li>• Clubs and lodges</li> <li>• Photography studio</li> <li>• Commercial bakeries</li> <li>• Recreation centers</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Plumbing shops</li> <li>• Contractors and Construction offices</li> <li>• Post office</li> <li>• Department stores</li> <li>• Printing shops</li> <li>• Drive-in restaurants</li> <li>• Professional offices</li> <li>• Drug stores</li> <li>• Public utility &amp; Public service uses</li> <li>• Dry cleaning &amp; laundry processing plants</li> <li>• Radio &amp; television studios</li> <li>• Electrical and household appliance stores</li> <li>• Railroad freight stations, passenger stations &amp; service tracks</li> <li>• Electrical substations and offices</li> <li>• Electrical repair shops</li> <li>• Farm Implement sales &amp; service</li> <li>• Restaurants, cafes, tea rooms</li> <li>• Feed stores</li> <li>• Shop repair shops</li> <li>• Flower shops</li> <li>• Sign Painting shops</li> <li>• Food product processing, except slaughter houses</li> <li>• Signs</li> <li>• Storage garages</li> <li>• Frozen Food lockers</li> <li>• Taverns</li> <li>• Fuel sales, retail only</li> <li>• Theaters</li> <li>• Funeral homes</li> <li>• Furniture stores</li> <li>•</li> <li>• Garden supply and seed stores</li> <li>• Gift shops listed uses.</li> <li>• Grain elevators &amp; warehouses</li> <li>• Greenhouses, retail sales</li> <li>• Grocery stores</li> <li>• Any other enclosed commercial activity similar to the above</li> </ul>



COMMERCIAL DISTRICT		
Permitted Accessory Uses and Structures	Uses and Structures by Special Exception Only	Prohibited Uses and Structures
<ul style="list-style-type: none"> <li>Those customarily incidental to permitted principal uses.</li> </ul>	<ul style="list-style-type: none"> <li>Animal hospitals &amp; veterinary clinics</li> <li>Dairy products manufacturing</li> <li>New dwellings</li> <li>Seed processing</li> </ul>	<ul style="list-style-type: none"> <li>Industrial uses</li> </ul>

**Section 603.2 Height Regulation.**

No building shall exceed three stories or 50 feet in height.

**Section 603.3 Building Site Regulations.**

Motels and Auto Courts shall be located on lots with at least 43,000 square feet and there shall be no minimum lot requirements for other commercial uses.

**Section 603.4 Front yard requirement.**

There shall be no minimum lot requirements for commercial uses.

**Section 603.5 Side yard requirement.**

There shall be no minimum lot requirements for commercial uses.

**Section 603.6 Rear yard requirement.**

Each lot shall have a rear yard of not less than 30 feet.

**Section 603.7 Off street parking.**

All parking spaces required hereafter by this ordinance shall be on the same tract as the building and shall be hard surfaced or gravel surfaced with proper drainage being provided, except that upon approval of the Board of Adjustment, the parking spaces may be provided on another tract within five hundred (500) feet of said building. Each parking space shall be at least nine (9) feet by twenty (20) feet and shall have proper access to the approaching drive.

Off-street parking spaces, as computed by the Administrative official, shall be provided and satisfactorily maintained by the owner of the property; for each building and functioning use in all districts, which after the date of enactment of this ordinance is erected for any of the following or similar purposes. Spaces shall be provided in numbers not less than herein after set out.

- a. Hotel, motel, boarding house, Mobile Home Park, one (1) parking space for each guest sleeping room or for each provided site.
- b. Restaurant, or other eating or drinking establishment, one (1) parking space for each four (4) singular seats.
- c. Hospitals, clinics, sanitariums, welfare institutions, nursing homes or similar establishments, one (1) parking space

for each eight hundred (800) square feet of floor area in said building.

d. Commercial, business buildings, one (1) parking space for each two workers, based on peak employment.

e. Office buildings and professional buildings, one (1) parking space for each two workers, based on peak employment.

RE: 6734 Harmony - Telecommunication Tower Regulations - City of Harmony, MN



Mike Huizenga <MHuizenga@gssmidwest.com>

To: Alissa Stelpflug

Cc: Mike Huizenga



Wed 2/5/2025 11:26 AM

This message is part of a tracked conversation. Click here to find all related messages or to open the original flagged message.



RE: City of Wykoff, MN - Fillmore County - Jurisdiction Question for Telecom Projects  
Outlook item

Start your reply all with: [Thank you!](#) [Will do.](#) [Received, thank you.](#) [Feedback](#)

Hi Alissa,

If the City of Harmony is considering adding a telecommunication section to their ordinance, I'd like to politely request that Fall Zone Engineering Certificate language is considered as an addition, as well. I've provided some context as to what these are on the attached email (sent to the City of Wykoff), but this is fairly standard language that we see across the country.

Please let me know if you have any questions. Thanks again for all your help... see you tonight.

### Setbacks

#### Minnesota

- From property line – The minimum setback from the boundary of the property on which the telecommunications tower is located shall be the principal building setback for the zoning district or the “fall zone” as certified by a registered professional engineer licensed in ~~Virginia~~, whichever is greater. If the “fall zone” establishes the setback, then the required certification shall be filed with the Planning Department at time of site plan review. No habitable structures or places where people gather shall be located within any “fall zone.”

**Mike Huizenga**  
Project Manager



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~200 foot self-support telecommunication tower

