



WILLMAR CITY COUNCIL MEETING

MONDAY, NOVEMBER 3, 2025 @ 6:30 PM

BOARD ROOM HEALTH AND HUMAN SERVICES BUILDING

2200 – 23rd STREET NE, WILLMAR MINNESOTA

AGENDA

1. Call Meeting to Order
2. Roll Call
3. Pledge of Allegiance
4. Proposed Additions or Deletions to Agenda
5. Proclamation
 - A. Willmar Polio Proclamation
6. Consent Items
Approve:
 - A. City Council Minutes of October 20, 2025
 - B. Special Council Minutes of October 30, 2025
 - C. Council Work Session Minutes of October 13, 2025
 - D. Board of Zoning Appeals Minutes of October 14, 2025_Draft
 - E. Planning Commission Minutes of October 22, 2025_Draft
 - F. Willmar Municipal Utilities Commission Minutes of October 13, 2025
 - G. Accept and Final Project No. 2508 Seal Coat Improvements
 - H. Accounts Payable Report, 10/15/2025 - 10/29/2025
7. Approve Consent Agenda Items
8. Items Removed from Consent Agenda
9. Open Forum (Individuals Limited to Three (3) Minutes)
10. Public Hearing:
 - A. Ordinance Amending Chapter 16 Article III Sanitary Sewer System
11. Regular Business
 - A. Bike, Pedestrian, and Trail Plan
 - B. Introduction of Amendment to Codify the City of Willmar Zoning Ordinance No. 1060 and Set Public Hearing Date
 - C. Consideration to Enter an Agreement with a Consultant to Rewrite the City of Willmar Zoning Ordinance

- D. Forward Board of Zoning Appeals Item: Request to Modify Setback
- E. Introduction of Amendments to the City Charter and Request to Set Public Hearing Date
- F. 2025 Construction Projects Professional Services Amendment No. 1
- G. Business 71 LRIP Funding Pursuit
- H. 2026 Projects Design & Construction Professional Services Agreement
- I. Street and Utility, Crack Seal/Sealcoat, and Stormwater Capital Improvement Plans
- J. Rail Corridor Study Cooperative Agreement
- K. Agricultural Land Exemption of Special Assessments
- L. Amendment to the Assessment Roll for the 2025 Street and Other Improvements
- M. Willmar Reassessment of KCHRA Property

12. Announcements

13. Adjourn

Proclamation

Rotary International World Polio Day

WHEREAS, Rotary is a global network of neighbors, friends, leaders, and problem-solvers who unite and take action to create lasting change in communities across the globe; and

WHEREAS, the Rotary motto, Service Above Self, inspires members to provide humanitarian service, follow high ethical standards, and promote goodwill and peace in the world; and

WHEREAS, Rotary in 1985 launched PolioPlus and in 1988 helped establish the Global Polio Eradication Initiative, which today includes the World Health Organization, U.S. Centers for Disease Control and Prevention, UNICEF, and the Bill & Melinda Gates Foundation, and Gavi, the Vaccine Alliance, to immunize the children of the world against polio; and

WHEREAS, polio cases have dropped by 99.9 percent since 1988 and the world stands on the threshold of eradicating the disease; and

WHEREAS, to date, Rotary has contributed more than US\$2.2 billion and countless volunteer hours to protecting nearly 3 billion children in 122 countries; and

WHEREAS, Rotary is working to raise an additional \$50 million per year, which would be leveraged for maximum impact by an additional \$100 million annually from the Bill & Melinda Gates Foundation; and

WHEREAS, these efforts are providing much-needed operational support, medical staff, laboratory equipment, and educational materials for health workers and parents; and

WHEREAS, in addition, Rotary has played a major role in decisions by donor governments to contribute more than \$10 billion to the effort; and

WHEREAS, there are over 1.2 million Rotary members in 36,000 clubs throughout the world that sponsor service projects to address such critical issues as poverty, disease, hunger, illiteracy, and the environment in their local communities and abroad;

Therefore, I, Douglas Reese, Mayor of the City of Willmar, Minnesota, do hereby proclaim November 7, 2025 World Polio Day in Willmar, Minnesota and encourage all citizens to join me and Rotary International in the fight for a polio-free world.

Douglas E. Reese, Mayor
City of Willmar

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM HEALTH AND HUMAN SERVICES
BUILDING 2200 – 23rd STREET NE
WILLMAR MINNESOTA

October 20, 2025
6:30 PM

The regular meeting of the Willmar City Council was called to order by Mayor Douglas Reese. Members present on a roll call were Mayor Douglas Reese, Council Members Justin Ask, Audrey Nelsen, Tom Gilbertson, Steve Gardner, Rick Fagerlie, Vicki Davis, Tom Butterfield, and Carl Shuldes, Present 9, Absent 0.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Michael Holme, Finance Director Tom Odens, Planning and Development Director Christopher Corbett, Human Resource Director Alissa Gambrel, Director of Community Growth Pablo Obregon, Information Systems Coordinator Jonah Johnson, Communications & Multimedia Technician David Hillenbrand, City Clerk Vernae Larsen, and City Attorney Robert Scott.

There were no additions or deletions to the agenda.

A motion was made by Council Member Ask to **Approve the Agenda as Presented**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes	Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes	None

City Clerk Vernae Larsen reviewed the consent agenda.

Approve:

- A. City Council Minutes of October 6, 2025
- B. Planning Commission Meeting Minutes of October 8, 2025_DRAFT
- C. Willmar Municipal Utilities Commission Minutes of October 13, 2025
- D. **Resolution No. 2025-115** Blue Cross Blue Shield of MN sponsorship funding for Community Growth led Special Events
- E. Accounts Payable Report, 10/2/2025 - 10/14/2025

Information:

- F. Review Planning Commission Applicant Stacy Petersen
- G. Finance Report through 9/30/2025
- H. WMU Financial Report for August 2025
- I. ~~Director Reports~~

Council Member Gilbertson pulled Line I. Director Reports from the Consent Agenda for additional discussion.

Council Member Ask moved to **Approve Consent Agenda Items as Amended**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes

Noes None

I. Directors Reports – Council Member Gilbertson noted that American Planning Association held their conference in Willmar and asked Planning and Development Director Christopher Corbett to provide additional information on that convention. Director Corbett offered additional details about the number of attendees and some of the extra activities they attended and feedback from attendees.

Following discussion, Council Member Gilbertson moved to approve **Item I. Directors Reports that was Removed from Consent Agenda**. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes

Noes None

REGULAR BUSINESS

A. Approve Plans & Specifications, Authorize Advertisement for Bids: Willmar Connect Phase 1

Director of Operations Box presented an update on the Willmar Connect project and asked for the adoption of the resolution approving plans and specifications and to authorize advertisement for bids for Willmar Connect Phase 1. Council Member Gilbertson moved to **Adopt Resolution 2025-116 Approving Plans & Specifications and Authorizing Advertisement for Bids: Willmar Connect Phase 1**. Council Member Shuldes seconded the motion, which carried on a roll call vote of Ayes 5, Noes 3.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Davis, Council Member Shuldes

Noes Council Member Gardner, Council Member Fagerlie, Council Member Butterfield

B. Certification of Unpaid Utility Charges as a Lien

City Clerk Vernae Larsen presented the Unpaid Utility Charges and requested Council approval to certify them to the County Auditor for Collection in 2026. Council Member Ask moved to **Adopt Resolution No. 2025-117 Certifying as Special Assessment the Amount for Unpaid Utility Charges as a Lien to the County Auditor for collection along with other taxes in 2026**.

Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes None

C. **Consideration of Jimmy P's LLC On-Sale Intoxicating and Sunday Liquor Licenses**

City Clerk Vernae Larsen presented an On-Sale Intoxicating Liquor License Application for the Fiscal Year Ending April 25, 2026, and the Sunday Liquor License Application through the Fiscal Year Ending December 31, 2025 for Jimmy P's LLC to the Council for approval. A motion was made Council Member Ask to **Aprove the On-Sale Intoxicating and Sunday Liquor Licenses for Jimmy P's LLC**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes None

D. **Request for a Special City Council**

City Administrator Leslie Valiant requested that the Council schedule a special meeting before the end of October. Following discussion, Council Member Nelsen moved to **Schedule the Special City Council Meeting for October 30, 2025 at 7:00 a.m.** Council Member Shuldes seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes None

CLOSED SESSION

A. **Minn. Stat. § 13D.05, subd. 3(c) — Property Located Under 1st Street Bridge**

A motion was made by Council Member Fagerlie to enter **Closed Session pursuant to Minn. Stat. § 13D.05, subd. 3(c) to discuss the Property Located Under 1st Street Bridge**. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes None

The Council entered closed session at 7:20 PM pursuant to Minn. Stat. § 13D.05, subd. 3(c).
Closed session concluded at 7:45 PM.

Having no further business to discuss, Council Member Nelsen moved to **Adjourn at 7:47 PM**. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes None

MAYOR

Attest:

CITY CLERK

Resolution No. 2025-115

AUTHORIZATION TO ACCEPT WILLMAR EQUITY EVENT SERIES GRANT

Motion By: Ask Second By: Fagerlie

BE IT RESOLVED, by the City Council of the City of Willmar to accept the grant of \$20,000 from Blue Cross Blue Shield for funding Willmar equity events series.

Dated this 20th day of October 2025.

/S/ Douglas E. Reese
Mayor

Attest:

/S/ Vernae Larsen
City Clerk

RESOLUTION NO. 2025-116

A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING PUBLICATION OF THE ADVERTISEMENT FOR BIDS FOR WILLMAR CONNECT, PHASE 1.

Motion By: Gilbertson Second By: Shuldes

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Willmar Connect, Phase 1, for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bid packages will be publicly opened and read at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 20th day of October, 2025

/S/ Douglas E. Reese
Mayor

Attest:

/S/Vernae Larsen
City Clerk

RESOLUTION NO.2025-117

RESOLUTION APPROVING UNPAID UTILITY CHARGES BE CERTIFIED AGAINST THE
REAL PROPERTY

Motion By: Ask Second By: Fagerlie

WHEREAS, Section 16-127 of the Willmar City Code states that such unpaid utility bills represent a lien on the real property receiving utility services; and

WHEREAS, the Willmar Municipal Utilities Commission has offered the owner the right to request an appearance before the Commission to make objections to payment; and

WHEREAS, the Willmar Municipal Utilities Commission has adopted Resolution No. 43 on October 13, 2025, requesting the Willmar City Clerk to certify the unpaid utility charges as a lien on the real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid utility charges totaling \$14,816.17 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2026 and collected by the County Treasurer, and paid to the City Clerk along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid utility charges be certified against the real property as follows:

- | | | |
|----|--|----------|
| 1. | Parcel No. 95-310-0190
Located at 303 Becker Ave SE
Described as Section 14, Township 119, Range 35
<i>HIGHLAND ADDITION TO WILLMAR</i>
<i>Lot 11 & 12</i> | \$449.89 |
| 2. | Parcel No. 95-664-0570
Located at 1609 7 ½ Street SW
Described as Section 22, Township 119, Range 35, Lot 7, Block 4
<i>PERKINS' FOURTH ADDITION TO THE CITY OF WILLMAR</i> | \$877.85 |
| 3. | Parcel No. 95-090-1490
Located at 1017 7 th Street SW
Described as Section 15, Township 119, Range 35
<i>BOOTH'S ADDITION TO WILLMAR</i>
<i>Block K Lot 10 Except North 5 Feet; Northerly Half of Lot 9</i> | \$958.66 |
| 4. | Parcel No. 95-540-0010
Located at 804 Olaf Avenue NW
Described as
<i>ERIK NILSONS ADDITION TO THE VILLAGE OF WILLMAR</i>
<i>(Nelson's Addition to the Village of Willmar)</i>
<i>West 71 Feet of Lot 1, Block 1 of Nelson's Addition & West</i>
<i>71 Feet of South 3 Feet of Lot 2, Block 3, Thorpe & Lien's Addition</i> | \$958.66 |

5. Parcel No. 95-820-0260
 Located at 940 Olaf Avenue NW \$963.63
 Described as Section 10, Township 119, Range 35, Block 2
THORPE & LIENS ADDITION TO THE CITY OF WILLMAR
Part of Lot 9: Commencing 125 Feet West of Southeast Corner
Thence North Parallel with East Line to North Line Thereof
Thence West 125 Feet Thence South Parallel with East Line
to a Point on South Line Thence East on South Line
125 Feet to Beginning Except South 109 Feet of West 50 Feet
& Except North 120 Feet of West 60 Feet

6. Parcel No. 95-320-0410
 Located at 500 13th Street SW \$1025.77
 Described as Section 15, Township 119, Range 35, Lot 1, Block 4
HIGHLAND PLACE IN THE CITY OF WILLMAR

7. Parcel No. 95-094-0300
 Located at 605 Lakeland Drive SE \$525.72
 Described as Section 13, Township 119, Range 35, Lot 1, Block 1
THIRD ADDITION TO BOULDER POINT

8. Parcel No. 95-916-3630
 Located at 1711 Gorton Avenue NW \$509.82
 Described as Section 16, Township 119, Range 35
West 75 Feet of East 200 Feet of North 150 Feet of Lot 10
of State Subdivision

9. Parcel No. 95-220-0420
 Located at 309 Bernard Street SE \$1,087.11
 Described as Section 14, Township 119, Range 35, Block 4
FERRING'S ADDITION TO THE CITY OF WILLMAR
South 78 Feet of Lot 1 & of West Half of Lot 2, & North Half
of Vacated Alley Lying Southeasterly of Parcel

10. Parcel No. 95-630-0040
 Located at 517 Benson Avenue SE \$4,285.40
 Described as Section 14, Township 119, Range 35, Block 1
PAULSON & SUNDE'S SUBDIVISION OF LOT D EASTERN
ADDITION TO WILLMAR
Lot 4 Unloading Platform Easement to GN RY on Northerly 9.6 Feet
Misc. 25 P247

11. Parcel No. 95-240-0070
 Located at 410 Litchfield Avenue SE \$203.99
 Described as Section 14, Township 119, Range 35
GILBERTSON'S SUBDIVISION
Lot 7 & West Half of Lot 6

12. Parcel No. 95-684-0470
 Located at 613 27th Avenue SW \$1,639.36
 Described as Section 22, Township 119, Range 35, Block 4
PORTLAND ACRES FOURTH ADDITION TO THE
CITY OF WILLMAR
Lot 7 Except East 36 Feet, East 23 Feet of Lot 6

- | | | |
|-----|--|----------|
| 13. | Parcel No. 95-142-0280
Located at 1401 19 th Avenue SE
Described as Section 23, Township 119, Range 35, Block 2
<i>DANA HEIGHTS</i>
<i>Lots 8, 9 & 10 Except Part Platted as Dana Heights Third Addition</i> | \$131.96 |
| 14. | Parcel No. 95-909-0160
Located at 420 30 th Street NW
Described as Section 09, Township 119, Range 35
<i>North 412 Feet of South 740 Feet of Government Lot 3</i> | \$384.36 |
| 15. | Parcel No. 95-916-3120
Located at 109 14 th Street NW
Described as Section 16, Township 119, Range 35
<i>Lot 4 (of State Subdivision of Government Lots 1 & 1 & of the Southeast Quarter of Northeast Quarter) Except the Following Description Tracts: A) The West 21 Rods Thereof, B) The East 152 Feet of West 498.5 Feet of North 150 Feet Thereof, C) The North 139 Feet Except the West 498.5 Feet & the East 86 Feet Thereof, D) The East 86 Feet of North 129 Feet Thereof</i> | \$160.76 |
| 16. | Parcel No. 95-540-0410
Located at 519 7 th Street NW
Described as Block 3
ERIK NILSONS ADDITION TO THE VILLAGE OF WILLMAR
(Nelson's Addition to the Village of Willmar)
Lot 7 of Lot 3 | \$653.23 |

Dated this 20th day of October 2025.

/S/ Douglas E. Reese

Mayor

Attest:

/S/Vernae Larsen

City Clerk

WILLMAR CITY COUNCIL PROCEEDINGS CITY
HALL, CONFERENCE ROOM 1
333 6th St SW, WILLMAR MINNESOTA

October 30, 2025
7:00 AM

The special meeting of the Willmar City Council was called to order by Mayor Douglas Reese. Members present on a roll call were Mayor Douglas Reese, Council Members Justin Ask, Audrey Nelsen, Tom Gilbertson, Steve Gardner who attended remotely, Vicki Davis, Tom Butterfield, and Carl Shuldes, Absent: Rick Fagerlie, Present 8, Absent 1.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Finance Director Tom Odens, Human Resource Director Alissa Gambrel, and City Clerk Vernae Larsen.

REGULAR BUSINESS

A. 2026 Health Insurance Contract

Human Resource Director Alissa Gambrel presented the Contract from Minnesota Healthcare Consortium/Medica for 2026 employee medical insurance for approval. Following discussion, a motion was made by Council Member Butterfield to **Adopt Resolution No. 2025-118 Approving the 2026 Minnesota Healthcare Consortium/Medica Health Insurance Contract**. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes	Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes	None

Having no further business to discuss, Council Member Ask moved to **Adjourn at 7:16 a.m.** Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.
7:15

Ayes	Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes	None

MAYOR

Attest:

CITY CLERK

Resolution No. 2025-118

**A RESOLUTION TO APPROVE MINNESOTA HEALTHCARE CONSORTIUM/MEDICA CONTRACT FOR 2026
EMPLOYEE MEDICAL INSURANCE IN THE AMOUNT OF \$2,338,449 WITH EMPLOYEE ASSISTANCE PROGRAM
ADDITIONAL BENEFIT IN THE AMOUNT OF \$2,440.80**

Motion By: Butterfield Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the quote from Minnesota Healthcare Consortium/Medica for 2026 employee medical insurance with additional Employee Assistance Program benefit is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the insurer for the terms and consideration of the health insurance contract in the amount of \$2,338,449 and the Employee Assistance Program contract in the amount of \$2,440.80.

Dated this 30th day of October, 2025

/S/ Douglas E. Reese

Mayor

Attest:

/S/Vernae Larsen

City Clerk

WILLMAR CITY COUNCIL PROCEEDINGS
RICE HOME MEDICAL BUILDING
1033 19th Ave SW, Willmar, MN 56201

October 13, 2025
6:30 PM

The work session of the Willmar City Council was called to order by Mayor Douglas Reese. Members present on a roll call were Mayor Douglas Reese, Council Members Justin Ask, Audrey Nelsen, Tom Gilbertson, Steve Gardner, Rick Fagerlie, Vicki Davis, Tom Butterfield, and Carl Shuldes, Present 9, Absent 0.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Michael Holme, Finance Director Tom Odens, Planning and Development Director Christopher Corbett, Human Resource Director Alissa Gambrel, Director of Community Growth Pablo Obregon, and Information Systems Coordinator Jonah Johnson.

Director of Community Growth Pablo Obregon read a statement for Indigenous Peoples Day.

A. Review the 2026 Budget

City Administrator Leslie Valiant introduced Finance Director Tom Odens to review the work session material. Director Odens provided a summary of the material and described budget scenarios as outlined in the agenda material. After continued discussion, direction was provided by the City Council to increase capital improvement program funding to \$810,000, decrease the City Hall levy to \$500,000, and decrease the operations budget by an additional estimated amount of \$245,000, resulting in an estimated 0% tax rate increase for 2026.

With nothing further to discuss, Council Member Ask moved to **Adjourn** at 8:23 PM. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Ayes	Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield, Council Member Shuldes
Noes	None

MAYOR

Attest:

CITY CLERK

**BOARD OF ZONING APPEALS MEETING
OCTOBER 14, 2025 @ 5:30PM
333 6TH STREET SW, CONFERENCE ROOM 1**

MINUTES

The Willmar Board of Zoning Appeals met on Wednesday, October 14, 2025, at 5:30PM at City Hall.

Members Present: Steve Ahmann.

Members Absent: Jeanne Kling.

Others Present: Christopher Frank (City Planner); and Nathan Cooley (Applicant).

1. Co-Chair Ahmann called for order at 5:30PM.
2. Roll Call.
3. Additions/Deletions: Item 4.2 Board Officer Elections was removed for lack of quorum.
4. **REGULAR BUSINESS**

4.1 HEARING AND ACTION

4.1.1 NATHAN COOLEY: REQUEST FOR GARAGE ADDITION WITHIN 5-FOOT SIDE SETBACK

Location: 3108 1st Ave NW; Parcel #: 95-835-0280; Ward 1.

Due to the absence of the board's only other member, Jeanne Kling, the board recommended that the issue be referred to the City Council for review. The person who requested the variance, Nathan Cooley, was present and stated he was understanding and accepting of the situation. Steve Allman stated he would personally recommend approval of the variance request if decision would have been possible at this meeting.

A public hearing was briefly opened and closed with nobody from the public appearing or providing comment.

City Staff informed the Board that charter amendments are planned to go before City Council at an upcoming meeting to merge the Board of Zoning Appeals and the Planning Commission due to the lack of members willing to serve on the Board of Zoning Appeals. Board Member Ahmann agreed that seems to be a needed solution and expressed willingness to join the Planning Commission as part of the merger.

Board Member Ahmann motioned to refer decision on this item to the City Council due to the lack of available members on the Board of Zoning Appeals; there was no available member to second the motion, and Ahmann voted affirmatively.

5. **MISCELLANEOUS:**

None.

6. **ADJOURN**

The meeting was adjourned at 5:35PM.

**WILLMAR PLANNING COMMISSION
WEDNESDAY, OCTOBER 22, 2025
333 6TH STREET SW, CONFERENCE ROOM 1**

MINUTES

The Willmar Planning Commission met on Wednesday, October 22, 2025, at 6:00PM at City Hall.

Members Present: Yvon Fils-Aime; Christopher Buzzeo; Stacy Holwerda; and Bob Poe.

Members Absent: Gary Newberg.

Others Present: Christopher Frank (City Planner); Justin Paffrath (Applicant).

1. Chair Buzzeo called for order at 6:00PM.
2. Roll Call.
3. Additions/Deletions: None.
4. Minutes:
 - 4.1. **Planning Commission Minutes for October 8, 2025**: Commissioner Poe motioned to approve the Minutes for October 8, 2025, seconded by Commissioner Holwerda, and approved unanimously.
5. General Public Testimony: None.
6. **REGULAR BUSINESS**
 - 6.1 HEARING AND ACTION

None.
 - 6.2 PLATS

None.
 - 6.3 BRIEFINGS
 - 6.3.1 **CONDITIONAL USE PERMIT: JUSTIN PAFFRATH DOWNTOWN TEMP CONTROL STORAGE**
Location: 314 5TH ST SW; PID#: 95-003-4840, 4850; Zone: CBD; Ward 3

The applicant, Justin Paffrath, is seeking a Conditional Use Permit (CUP) for temperature-controlled storage on the lower level of the old Hardware Hank building. The upper level will remain apartments. Storage is not currently allowed in the downtown district, but the Renaissance Zone overlay includes a provision allowing other uses not permitted by zoning to be requested via a CUP.

Mr. Paffrath noted the space has been vacant since Hardware Hank closed, and there is a need for conditioned storage in the city. The storage would involve small compartments, such as 5'x10' or 10'x10' units, with controlled temperature and moisture. Commissioners asked about building access, to which there are three points of access: from the city lot on the south, the front entrance, and the private parking lot on the north. The plan is to direct loading/unloading traffic through the private parking lot to avoid congestion on 5th Street. Concerns were raised about the storage of potentially dangerous materials (like lithium-ion batteries or gasoline in snowblowers). The applicant stated they would comply with the law and implement disclosures and surveillance.

City staff noted the request is currently undergoing departmental review and those comments will be provided before the decision meeting. This was a briefing to introduce the project, and a public hearing will be required at a future meeting.

6.3.2 MINOR SUBDIVISION: NORTHWOOD ESTATES THIRD ADDITION

Location: 1307 WESTWOOD CT NW; PID#: 95-560-0060, 0070, 0080; Zone: R-1; Ward 1

The proposed minor subdivision is to combine three lots into two. The middle bare lot (0070) will be split and absorbed by the neighbors on either side (0060 and 0080). The outer lots are currently occupied by private residences, and this action is initiated by the parties occupying the private residences. Preliminary and final plats are under review by Engineering. Easements running along the current lot lines will be through the middle of the remaining properties, which will require the property owners to deal with potential easement vacations. The City Planner noted that since the adjacent lots are already developed in an R-1 zone, no new construction other than an addition to the existing residences would be possible.

Commissioners discussed the impact on surrounding landowners besides the involved residences to be negligible. **Commissioner Poe motioned to proceed with this minor subdivision without a public hearing, seconded by Commissioner Holwerda, and passed unanimously.**

6.3.3 MINOR SUBDIVISION: TRENTWOOD ESTATES FIFTH ADDITION

Location: 1701 LOWER TRENTWOOD CIR NE; PID#: 95-828-0580, 0590, 0700; Zone: R-2; Ward 1

The proposed minor subdivision is to combine three lots into two by splitting the middle lot down the middle to widen the two adjacent lots. This lot is zoned R-2, which allows for duplexes. Similar to 6.3.2, existing easements may need to be addressed by the developer/owner. The owners are unknown and would be able to develop additional rental duplexes in the resulting lots, similar to new duplexes built in the last year.

Commissioner Holwerda moved to have a public hearing for the minor subdivision request of Trentwood Estates Fifth Edition. The intent is to provide transparency for surrounding landowners given the possibility of more duplexes, seconded by Commissioner Fils-Aime, and passed

unanimously. The City Planner noted that requiring a public hearing would delay the decision until the second meeting in November due to requiring notice publication.

7. DIRECTOR'S REPORT

None.

8. MISCELLANEOUS

None.

9. ADJOURN

Commissioner Holwerda moved to adjourn the meeting, seconded by Commissioner Poe, and passed unanimously. The meeting was adjourned at 6:41 PM.

The Willmar Municipal Utilities Commission met in regular session on Monday, October 13, 2025, at 11:45 a.m. in the WMU Auditorium. Commissioners present included Shawn Mueske (President), John Kennedy, Terrill Sieck, Dave Baumgart, Carol Laumer, Bruce DeBlieck, and Patricia Elizondo.

Staff present included Jeron Smith, General Manager; Janell Johnson, Director of Administration; Kevin Marti, Facilities & Maintenance Supervisor; Mike Sangren, Information Systems Coordinator; Abby Ahrendt, Executive Secretary; and Tom Gilbertson, City Council Liaison. City Attorney Robert Scott attended via teleconference. Jennifer Kotila of the *West Central Tribune* was also present.

President Mueske called the meeting to order, followed by the Pledge of Allegiance. With no changes to the agenda, he proceeded to the Consent Agenda. General Manager Smith highlighted items within the payment of bills. Following review and discussion, Commissioner Baumgart moved, and Commissioner Laumer seconded to approve the Consent Agenda.

RESOLUTION NO. 42

BE IT RESOLVED by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Consent Agenda be approved as presented, including the following:

- ❖ Minutes from the September 22, 2025, MUC Meeting
- ❖ Bills represented by vouchers No. 20251476 through No. 20251599, including associated wire transfers, totaling \$1,983,064.67.

Dated this 13th day of October, 2025.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of seven ayes and zero nays.

Director of Administration Johnson presented the August 2025 Financial Reports, which included a summary of the Income Statement covering revenues and expenses, retained earnings, and comparative data for both the Electric and Water Divisions, along with the Investment Portfolio and Cost of Power Report as of August 31, 2025.

Director of Administration Johnson reviewed ongoing collection efforts for delinquent utility bills, including the lien process. Property owners were notified and given the opportunity to contest; no requests were received. Following discussion, Johnson requested approval of a resolution asking the City Council to place

liens on twenty (20) properties totaling \$16,047.91. Commissioner DeBliek offered the resolution, seconded by Commissioner Baumgart.

RESOLUTION NO. 43

BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Municipal Utilities Commission requests the Willmar City Council to place liens on twenty (20) identified properties for delinquent utility bills for the total collectible amount of \$16,047.91.

Dated this 13th day of October, 2025.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of seven ayes and zero nays.

Facilities & Maintenance Supervisor Marti reviewed the bids received for the Bulk Water Fill Station Project and recommended awarding the project to AquaFlow International for their low bid of \$78,870.00. Following discussion, Commissioner Laumer offered the resolution to award the bid to AquaFlow International, seconded by Commissioner Baumgart.

RESOLUTION NO. 44

BE IT RESOLVED that the Willmar Municipal Utilities Commission of the City of Willmar, Minnesota, awards the Bulk Water Fill Station Project to AquaFlow International in the amount of \$78,870.00.

Dated this 13th day of October, 2025.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of seven ayes and zero nays.

Supervisor Marti reviewed cost comparisons between using the existing Well D2 and establishing a new direct connection to the water distribution system. Staff determined that sealing Well D2 and proceeding with the new connection would be the most cost-effective and practical option. Following discussion, Commissioner DeBliek offered a motion to authorize the sealing of Well D2, seconded by Commissioner Sieck. Motion carried unanimously.

General Manager Smith reported that proposals are being accepted until November 3rd for 2025-2027 audit services and bids until November 4th for the Wind Turbine Decommissioning Project. He noted that the Mayor read the Public Power Proclamation at the October 6th City Council meeting and that the amendment to Ordinance No. 1531, correcting identified rate discrepancies, was approved by the City Council at their meeting on October 6th. Smith also highlighted the Employee Recognition Luncheon, recognizing service milestones, new hires, retirements, and births within the Utilities. He mentioned the Willmar Fire Department's Family Night, where WMU participated with an energy services booth and two WMU linemen provided safety demonstrations. In response to a request for an update on the joint meeting between the City Council and Utility Commission, Smith reported that WMU staff has met with city staff twice to identify talking points and solicit proposals which will be presented to both bodies for approval before scheduling the joint meeting.

Upcoming Events:

- ❖ WMU Survey – September 22 – November 21
- ❖ Governance Committee Meeting – October 20
- ❖ MRES Area Meeting (Alexandria, MN) – October 22
- ❖ MMUA Governance in Action (St. Cloud, MN) – January 23, 2026

President Mueske asked for any additional discussion. Hearing none, Kennedy moved to adjourn, and Baumgart seconded. Motion carried unanimously. The meeting adjourned at 12:22 p.m.

Respectfully submitted,
WILLMAR MUNICIPAL UTILITIES

Abby Ahrendt, Executive Secretary

ATTEST:

Secretary



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	6.G.
Agenda Section:	Consent Items	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge, City Engineer
Item:	Accept and Final Project No. 2508 Seal Coat Improvements		

RECOMMENDED ACTION:

Adopt the resolution accepting Project No. 2508 and authorizing final payment to Pearson Bros., Inc. in the amount of \$35,736.58.

OVERVIEW:

Project No. 2508, the 2025 Seal Coat Improvements, was awarded to Pearson Bros, Inc. at the March 3rd, 2025 Council Meeting. All quantities have been reviewed by staff with the recommendation final payment be made.

BUDGETARY/FISCAL ISSUES:

The final payment is within the project budget.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Resolution- Accept & Final Project No. 2508
2. Project No. 2508 2025 Seal Coat Pay Application 2 - FINAL

Resolution No.

A RESOLUTION ACCEPTING PROJECT NO. 2508 AND AUTHORIZING FINAL PAYMENT.

Motion By:_____ Second By:_____

IMPROVEMENT: Project No. 2508: 2025 Seal Coat Improvements

CONTRACTOR:	Person Bros., Inc.
DATE OF CONTRACT:	March 3, 2025
BEGIN WORK:	May 1, 2025
COMPLETE WORK:	September 25, 2025
APPROVE, ENGINEERING DEPT:	October 21, 2025

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 2508 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$213,515.30
CHANGE ORDER NO. 1	-\$5,293.35
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$208,221.95
Less Previous Payments	\$172,485.37
FINAL PAYMENT DUE CONTRACTOR:	\$35,736.58

Dated this 3rd day of November, 2025

Attest:	_____
	Mayor

City Clerk	



**BOLTON
& MENK**

Real People. Real Solutions.

2040 Highway 12 East
Willmar, MN 56201-5818

Ph: (320) 231-3956
Fax: (320) 231-9710
Bolton-Menk.com

October 21, 2025

Leslie Valiant
City Administrator
City of Willmar
333 6th St SW
Willmar, MN 56201

RE: 2025 Seal Coat Improvement Project
City of Willmar, Minnesota
City Project No.: 2508
BMI Project No.: 24X.136909

Dear Leslie:

Please find enclosed the Final Payment Application No. 2 and Change Order for the above-mentioned project. The pay application includes all work completed through September 11, 2025. The change order is included to reconcile the final quantities of the project and consequently the final contract amount. We have reviewed the final construction material required to make final payment. Enclosed with this pay application is final contract closeout material including; Consent of Surety to Final Payment, lien wavers, and IC-134's for this project.

Upon receiving and reviewing all closeout documents, we recommend approving this final pay application #2 and change order #1 to closeout out the contract. A two year warranty stands on the project from substantial completion. If you agree, please sign the attached pay application and change order, and return one with payment to Pearson Bros., Inc. and one to me for our files.

If you have any questions on the above, please call.

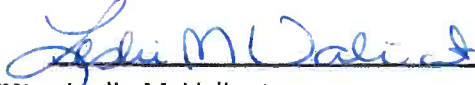
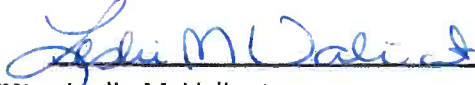
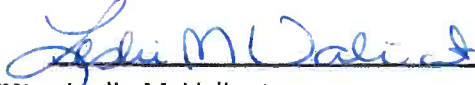
Sincerely,

Bolton & Menk, Inc.

Spencer Johnson, P.E.
Project Manager

Enclosure

Contractor's Application for Payment

Owner: <u>City of Willmar</u> Engineer: <u>Bolton & Menk, Inc.</u> Contractor: <u>Pearson Bros., Inc.</u> Project: <u>2025 Seal Coat Improvement Project</u> Contract: <u>2025 Seal Coat Improvement Project</u>	Owner's Project No.: <u>2508</u> Engineer's Project No.: <u>24X.136909</u> Agency's Project No.: _____																																				
Application No.: <u>2-FINAL</u> Application Date: <u>9/11/2025</u>																																					
Application Period: <u>From</u> <u>7/17/2025</u> <u>to</u> <u>8/1/2025</u>																																					
<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 60%;">1. Original Contract Price</td><td style="width: 10%; text-align: right;">\$</td><td style="width: 30%; text-align: right;">213,515.30</td></tr><tr><td>2. Net change by Change Orders</td><td style="text-align: right;">\$</td><td style="text-align: right;">(5,293.35)</td></tr><tr><td>3. Current Contract Price (Line 1 + Line 2)</td><td style="text-align: right;">\$</td><td style="text-align: right;">208,221.95</td></tr><tr><td>4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)</td><td style="text-align: right;">\$</td><td style="text-align: right;">208,221.95</td></tr><tr><td>5. Retainage</td><td></td><td></td></tr><tr><td> a. _____ X \$ 208,221.95 Work Completed</td><td style="text-align: right;">\$</td><td style="text-align: right;">-</td></tr><tr><td> b. _____ X \$ - Stored Materials</td><td style="text-align: right;">\$</td><td style="text-align: right;">-</td></tr><tr><td> c. Total Retainage (Line 5.a + Line 5.b)</td><td style="text-align: right;">\$</td><td style="text-align: right;">-</td></tr><tr><td>6. Amount eligible to date (Line 4 - Line 5.c)</td><td style="text-align: right;">\$</td><td style="text-align: right;">208,221.95</td></tr><tr><td>7. Less previous payments</td><td style="text-align: right;">\$</td><td style="text-align: right;">172,485.37</td></tr><tr><td>8. Amount due this application</td><td style="text-align: right;">\$</td><td style="text-align: right;">35,736.58</td></tr><tr><td>9. Balance to finish, including retainage (Line 3 - Line 4)</td><td style="text-align: right;">\$</td><td style="text-align: right;">-</td></tr></table>		1. Original Contract Price	\$	213,515.30	2. Net change by Change Orders	\$	(5,293.35)	3. Current Contract Price (Line 1 + Line 2)	\$	208,221.95	4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	208,221.95	5. Retainage			a. _____ X \$ 208,221.95 Work Completed	\$	-	b. _____ X \$ - Stored Materials	\$	-	c. Total Retainage (Line 5.a + Line 5.b)	\$	-	6. Amount eligible to date (Line 4 - Line 5.c)	\$	208,221.95	7. Less previous payments	\$	172,485.37	8. Amount due this application	\$	35,736.58	9. Balance to finish, including retainage (Line 3 - Line 4)	\$	-
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Contractor's Certification The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment; (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.																																					
Contractor: <u>Pearson Bros., Inc.</u>																																					
Signature: <u></u>	Date: <u>9/25/25</u>																																				
Name: <u>Todd Bartels</u>	Title: <u>General Manager</u>																																				
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Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Willmar	Owner's Project No.:	2508
Engineer:	Bolton & Menk, Inc.	Engineer's Project No.:	24X.136909
Contractor:	Pearson Bros., Inc.	Agency's Project No.:	
Project:	2025 Seal Coat Improvement Project		
Contract:	2025 Seal Coat Improvement Project		

Application No.: 2-FINAL		Application Period:		From	07/17/25	to	08/01/25	Application Date: 09/11/25				
A	B	C	D	E	F	F1	F2	G	H	I	J	K
Bid Item No.	Description	Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Quantity Previous Estimate	Value Previous Estimate	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)	Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)
Original Contract												
1	BITUMINOUS MATERIAL FOR FOG SEAL (CSS-1h)	2,145.00	GAL	2.41	5,169.45	1,593.00	3,839.13	1,593.00	3,839.13		3,839.13	74%
2	BITUMINOUS MATERIAL FOR SEALCOAT (CRS-2P)	6,075.00	GAL	1.49	9,051.75	5,075.00	7,561.75	5,075.00	7,561.75		7,561.75	84%
3	BITUMINOUS SEALCOAT (P)	17,010.00	SQ YD	1.69	28,746.90	17,010.00	28,746.90	17,010.00	28,746.90		28,746.90	100%
4	ROUTE & SEAL BITUMINOUS PAVEMENT CRACKS	12,090.00	LIN FT	0.80	9,672.00	12,700.00	10,160.00	12,700.00	10,160.00		10,160.00	105%
5	GAP MASTIC REPAIR BITUMINOUS PAVEMENT CRACKS	945.00	LIN FT	4.50	4,252.50	945.00	4,252.50	945.00	4,252.50		4,252.50	100%
6	4-INCH STRIPE (DOUBLE YELLOW)	825.00	LIN FT	2.00	1,650.00	-	-	775.00	1,550.00		1,550.00	94%
7	4-INCH STRIPE (YELLOW)	2,780.00	LIN FT	1.00	2,780.00	-	-	2,622.00	2,622.00		2,622.00	94%
8	4-INCH STRIPE (BROKEN YELLOW)	650.00	LIN FT	0.70	455.00	-	-	787.00	550.90		550.90	121%
9	4-INCH STRIPE (WHITE)	900.00	LIN FT	0.70	630.00	-	-	877.00	613.90		613.90	97%
10	24-INCH STOP BAR	115.00	LIN FT	10.00	1,150.00	-	-	146.00	1,460.00		1,460.00	127%
11	PAVEMENT MESSAGE - ARROW	625.00	SQ FT	10.50	6,562.50	-	-	655.00	6,877.50		6,877.50	105%
12	PAVEMENT MARKING - CROSS WALK	760.00	SQ FT	8.50	6,460.00	-	-	720.00	6,120.00		6,120.00	95%
13	BITUMINOUS MATERIAL FOR FOG SEAL (CSS-1h)	2,880.00	GAL	2.41	6,940.80	2,142.00	5,162.22	2,142.00	5,162.22		5,162.22	74%
14	BITUMINOUS MATERIAL FOR SEALCOAT (CRS-2P)	8,150.00	GAL	1.49	12,143.50	7,150.00	10,653.50	7,150.00	10,653.50		10,653.50	88%
15	BITUMINOUS SEALCOAT (P)	22,825.00	SQ YD	1.69	38,574.25	22,825.00	38,574.25	22,825.00	38,574.25		38,574.25	100%
16	ROUTE & SEAL BITUMINOUS PAVEMENT CRACKS	7,600.00	LIN FT	0.80	6,080.00	7,600.00	6,080.00	7,600.00	6,080.00		6,080.00	100%
17	GAP MASTIC REPAIR BITUMINOUS PAVEMENT CRACKS	115.00	LIN FT	4.50	517.50	115.00	517.50	115.00	517.50		517.50	100%
18	4-INCH STRIPE (BROKEN YELLOW)	1,045.00	LIN FT	0.70	731.50	-	-	1,063.00	744.10		744.10	102%
19	PAVEMENT MARKING - CROSS WALK	290.00	SQ FT	8.50	2,465.00	-	-	720.00	6,120.00		6,120.00	248%
20	BITUMINOUS MATERIAL FOR FOG SEAL (CSS-1h)	1,340.00	GAL	2.41	3,229.40	990.00	2,385.90	990.00	2,385.90		2,385.90	74%
21	BITUMINOUS MATERIAL FOR SEALCOAT (CRS-2P)	3,795.00	GAL	1.49	5,654.55	3,315.00	4,939.35	3,315.00	4,939.35		4,939.35	87%
22	BITUMINOUS SEALCOAT (P)	10,625.00	SQ YD	1.69	17,956.25	10,625.00	17,956.25	10,625.00	17,956.25		17,956.25	100%
23	ROUTE & SEAL BITUMINOUS PAVEMENT CRACKS	1,855.00	LIN FT	0.80	1,484.00	1,855.00	1,484.00	1,855.00	1,484.00		1,484.00	100%
24	GAP MASTIC REPAIR BITUMINOUS PAVEMENT CRACKS	305.00	LIN FT	4.50	1,372.50	305.00	1,372.50	305.00	1,372.50		1,372.50	100%
25	BITUMINOUS MATERIAL FOR FOG SEAL (CSS-1h)	1,920.00	GAL	2.41	4,627.20	1,425.00	3,434.25	1,425.00	3,434.25		3,434.25	74%
26	BITUMINOUS MATERIAL FOR SEALCOAT (CRS-2P)	5,440.00	GAL	1.49	8,105.60	4,960.00	7,390.40	4,960.00	7,390.40		7,390.40	91%
27	BITUMINOUS SEALCOAT (P)	15,235.00	SQ YD	1.69	25,747.15	15,235.00	25,747.15	15,235.00	25,747.15		25,747.15	100%
28	ROUTE & SEAL BITUMINOUS PAVEMENT CRACKS	845.00	LIN FT	0.80	676.00	845.00	676.00	845.00	676.00		676.00	100%
29	GAP MASTIC REPAIR BITUMINOUS PAVEMENT CRACKS	140.00	LIN FT	4.50	630.00	140.00	630.00	140.00	630.00		630.00	100%
Original Contract Totals						\$ 213,515.30		\$ 181,563.55		\$ 208,221.95	\$ -	\$ 208,221.95 98%
Change Orders												
CO 1	Reconciliation of Final Contract Amount	1.00	LUMP SUM	(5,293.35)	(5,293.35)				-		-	
					-				-		-	
Change Order Totals						\$ (5,293.35)				\$ -	\$ -	
Original Contract and Change Orders												
Project Totals						\$ 208,221.95				\$ 208,221.95	\$ -	\$ 208,221.95 100%

CHANGE ORDER FORM

NO.: 1

Owner: City of Willmar
 Engineer: Bolton & Menk, Inc.
 Contractor: Pearson Bros., Inc.
 Project: 2025 Seal Coat Improvement Project
 Contract Name: 2025 Seal Coat Improvement Project
 Date Issued: 9/11/2025

Owner's Project No.: 2508
 Engineer's Project No.: 24X.136909
 Contractor's Project No.:

Effective Date of Change Order: 9/11/2025

The Contract is modified as follows upon execution of this Change Order:

Description:

Reconciliation of final contract amount to the final constructed quantities, resulting in a lump sum decrease in the amount of \$5,293.35

Attachments: None

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 213,515.30	Original Contract Times: Substantial Completion: 9/19/2025 Ready for final payment: 11/3/2025
Increase from previously approved Change Orders No. 0: \$ 0.00	Increase from previously approved Change Orders No. 0: Substantial Completion: N/A Ready for final payment: N/A
Contract Price prior to this Change Order: \$ 213,515.30	Contract Times prior to this Change Order: Substantial Completion: 9/19/2025 Ready for final payment: 11/3/2025
Decrease this Change Order: \$ \$5,293.35	Increase this Change Order: Substantial Completion: N/A Ready for final payment: N/A
Contract Price incorporating this Change Order: \$ 208,221.95	Contract Times with all approved Change Orders: Substantial Completion: 8/1/2025 Ready for final payment: 9/11/2025

Recommended by Engineer
 By: [Signature]
 Title: Principal In Charge
 Date: 10/21/2025

Accepted by Contractor
[Signature]
 General Manager
 9/25/25

Authorized by Owner
 By: [Signature]
 Title: City Administrator
 Date: 10/21/2025

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City of Willmar – 24X136909 – 2508
 January 2025

CHANGE ORDER FORM
 PAGE 00 63 63-1



AIA® Document G707™ – 1994

Consent Of Surety to Final Payment

Bond No: 100416238

PROJECT: *(Name and address)*

2025 Seal Coat Improvement Project; City of
Willmar, MN

ARCHITECT'S PROJECT NUMBER: 2508

CONTRACT FOR: General Construction

OWNER: ☒

ARCHITECT: ☐

CONTRACTOR: ☐

SURETY: ☐

OTHER: ☐

TO OWNER: *(Name and address)*

City of Willmar
333 SW 6th Street | PO Box 755,
Willmar, MN 56201

CONTRACT DATED: March 6, 2025

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Merchants Bonding Company (Mutual)
P.O. Box 14498
Des Moines, IA 50306-3498

, SURETY,

on bond of

(Insert name and address of Contractor)

Pearson Bros., Inc.
11079 Lamont Avenue N.E.
Hanover, MN 55341

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety
of any of its obligations to

(Insert name and address of Owner)

City of Willmar
333 SW 6th Street | PO Box 755
Willmar, MN 56201

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **September 25, 2025**

(Insert in writing the month followed by the numeric date and year.)

Merchants Bonding Company (Mutual)

(Surety)

(Signature of authorized representative)

Joshua R Loftis, Attorney-in-Fact

(Printed name and title)

Attest:

(Seal):

Joseph Cardinal



MERCHANTS

BONDING COMPANY™

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, and MERCHANTS NATIONAL INDEMNITY COMPANY, an assumed name of Merchants National Bonding, Inc., (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Alissa Cahalan; Anne Crowner; Ashlea McCaughey; Austin Muehlschlegel; Ben Williams; Brian J Oestreich; Brian M Deimerly; Cameron M Burt; Colby D White; Connor Oberg; Craig E Hansen; Dione R Young; Donald E Appleby; Douglas Muth; Ginger Hoke; Grace Dickinson; Grace Rasmussen; Graydon Dotson; Greg Krier; Jamie Gifford; Jay D Freiermuth; Jenni Marino; Jessie Allen; Joe Tiernan; John Cord; Joseph Cardinal; Joshua R Loftis; Kate Zanders; Keeton Welch; Kristine M Becks; Lindsey Minuttillo; Mark R DeWitt; Mark Sweigart; Melinda C Blodgett; Michelle Morrison; Michelle R Gruis; Nathan Weaver; Nicole Stillings; R C Bowman; Ryan Olivia E Lundy; Sandra M Engstrum; Sara Huston; Sarah C Brown; Seth Rooker; Taylor Fogle; Ted Jorgensen; Tim McCulloh; Todd Bengford; Zach Fuller

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the By-Laws adopted by the Board of Directors of the Companies.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship or obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 11th day of August, 2025.



MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
MERCHANTS NATIONAL INDEMNITY COMPANY

By

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 11th day of August, 2025, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL), MERCHANTS NATIONAL BONDING, INC., and MERCHANTS NATIONAL INDEMNITY COMPANY; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



(Expiration of notary's commission
does not invalidate this instrument)

Notary Public

I, Elisabeth Sandersfeld, Secretary of MERCHANTS BONDING COMPANY (MUTUAL), MERCHANTS NATIONAL BONDING, INC., and MERCHANTS NATIONAL INDEMNITY COMPANY do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 25th day of September, 2025.


Secretary

From: Mathew Leaf <matt@mpasphalt.net>
Sent: Monday, June 30, 2025 7:53 AM
To: Brenna Schreifels
Subject: FW: Your Recent Contractor Affidavit Request

From: MN Revenue e-Services <eservices.mdor@state.mn.us>
Sent: Monday, June 30, 2025 7:53 AM
To: Mathew Leaf <matt@mpasphalt.net>
Subject: Your Recent Contractor Affidavit Request

This email is an automated notification and is unable to receive replies.

Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-724-525-536
Submitted Date and Time:	30-Jun-2025 7:52:28 AM
Legal Name:	MP ASPHALT MAINTENANCE LLC
Federal Employer ID:	82-3548843
User Who Submitted:	mleaf2121
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1404383232
Minnesota ID:	5330725
Project Owner:	CITY OF WILLMAR
Project Number:	2025 SEAL COAT CRACK SEAL
Project Begin Date:	19-Jun-2025
Project End Date:	27-Jun-2025
Project Location:	CITY OF WILMAR
Project Amount:	\$21,350.00
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

How to View and Print this Request

You can see copies of your requests by going into your History.

This message and any attachments are solely for the intended recipient and may contain nonpublic / private data. If you are not the intended recipient, any disclosure, copying, use, or distribution of the information included in this

message and any attachments is prohibited. If you have received this communication in error, please notify us and immediately and permanently delete this message and any attachments. Thank you.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-893-291-488
Submitted Date and Time:	1-Oct-2025 4:31:37 PM
Legal Name:	PEARSON BROS INC
Federal Employer ID:	41-1751395
User Who Submitted:	mhallich
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	742961152
Minnesota ID:	1232027
Project Owner:	CITY OF WILLMAR
Project Number:	6259-6273-6338
Project Begin Date:	30-Jun-2025
Project End Date:	18-Aug-2025
Project Location:	CITY OF WILLMAR
Project Amount:	\$208,221.95

Subcontractor Summary

Name	ID	Affidavit Number
SIR LINES-A-LOT INC	3509324	1333735424
MP ASPHALT MAINTENANCE LLC	5330725	1404383232

Important Messages

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Please [print this page](#) for your records using the print or save functionality built into your browser.

Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-917-513-696
Submitted Date and Time:	15-Sep-2025 9:31:49 AM
Legal Name:	SIR LINES-A-LOT INC
Federal Employer ID:	46-5427787
User Who Submitted:	linesalot
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1333735424
Minnesota ID:	3509324
Project Owner:	CITY OF WILLMAR
Project Number:	CP 2508
Project Begin Date:	01-Aug-2025
Project End Date:	15-Aug-2025
Project Location:	WILLMAR, MN
Project Amount:	\$25,329.71
Subcontractors:	No Subcontractors

Important Messages

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Contact Us

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City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	6.H.
Agenda Section:	Consent Items	Originating Department:	Finance
Resolution:	No	Prepared By:	Tom Odens, Finance Director
Ordinance:	No	Presented By:	Vernae Larsen, City Clerk
Item:	Accounts Payable Report, 10/15/2025 - 10/29/2025		

RECOMMENDED ACTION:

Review and Approve Accounts Payable Listing

OVERVIEW:

BUDGETARY/FISCAL ISSUES:

Reduction of Departmental Budgets by amounts approved.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. 10.15.25-10.29.25 CK 75845-75953
2. EFT CK 619-622

Vendor Payment Listing

October 15, 2025 thru October 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
103800	AFLAC	826163	75845	775.43	Premiums w/h from employees 10/17
100375	KANDIYOHI CO-OP ELECTRIC POWER	STMT/10-25	75846	1,495.43	Kandi Co-Op electric
102593	LOFFLER COMPANIES	5158154	75847	300.06	Standalone printer prints
101838	MARCO TECHNOLOGIES LLC	500-0623211-000	75848	206.51	500-0623211-000 payoff
100541	MUNICIPAL UTILITIES	STMT/09-25	75849	40,907.69	Municipal Utilites Sept
103143	US BANK EQUIPMENT FINANCE	567077946	75850	751.80	500-0664928-000/001
100809	WESTBERG, EISCHENS PLLP	84846	75851	40,000.00	2024 Financial Audit
103642	AFFORDABLE STUMP GRINDING LLC	101625	75852	1,800.00	Stump Grinding
104394	Alison Scheffler	102425	75853	200.00	Reimbursement for Civic Center Holiday Wreaths
103557	AMAZON CAPITAL SERVICES	1X3Y-GMGJ-WQ7P	75854	5.69	tassel
103557	AMAZON CAPITAL SERVICES	1YKQ-RMYV-1KXW	75854	58.46	puzzles
103557	AMAZON CAPITAL SERVICES	1YPV-YWLC-3YKL	75854	13.06	Logitech Unifying receiver
103557	AMAZON CAPITAL SERVICES	13GQ-TP31-6TLY	75854	23.18	baking molds
103557	AMAZON CAPITAL SERVICES	1K9N-DW96-6TKG	75854	7.81	Printable Tabs
103557	AMAZON CAPITAL SERVICES	1THP-6X7V-TKDP	75854	16.72	QR codes for storage efficiency
103557	AMAZON CAPITAL SERVICES	164R-HJV1-TRC4	75854	58.89	Hockey pucks for Adult Hockey
103557	AMAZON CAPITAL SERVICES	1NQ1-HFJR-6MQT-2	75854	0.30	Youth footballs
103557	AMAZON CAPITAL SERVICES	1X3H-TKQC-CVYJ	75854	38.99	Airhorns for youth football
103557	AMAZON CAPITAL SERVICES	1DFX-FTT9-9CXD	75854	10.85	puzzles
103557	AMAZON CAPITAL SERVICES	1JVV-9NK4-CDQL	75854	100.44	Office Supplies
103557	AMAZON CAPITAL SERVICES	1TPX-J6WY-G1TR	75854	35.99	puzzles and yarn
103557	AMAZON CAPITAL SERVICES	1PKD-WW4N-CHPC	75854	18.99	Acrylic Sign Holders
103557	AMAZON CAPITAL SERVICES	1G9C-1JX3-GV6R	75854	47.85	PUZZLES
103557	AMAZON CAPITAL SERVICES	1VMY-QRRR-7YPV	75854	29.97	puzzles
103557	AMAZON CAPITAL SERVICES	1PKD-WW4N-DKN7	75854	13.37	TOPS
103557	AMAZON CAPITAL SERVICES	1PKD-WW4N-GNCP	75854	25.13	YARN
103557	AMAZON CAPITAL SERVICES	19FT-GTHW-WJT9	75854	20.99	swiftie party plates
103557	AMAZON CAPITAL SERVICES	1R1J-VH4K-JCLQ	75854	10.04	Binder Clips
103557	AMAZON CAPITAL SERVICES	19QP-136L-4KTL	75854	18.39	Padlocks for Concessions
100057	AMERICAN WELDING & GAS INC	0011181561	75855	96.00	Fire extinguisher testing
100057	AMERICAN WELDING & GAS INC	0011181560	75855	206.85	Test and refill fire extinguishers
103008	ASPEN MILLS	363479	75856	1,341.45	Name tags, pants, shirts, & sewing patches
103610	AUSTIN INCORPORATED	49419	75857	120.00	Septic Pumping
103610	AUSTIN INCORPORATED	49596	75857	120.00	Septic Pumping
103610	AUSTIN INCORPORATED	49778	75857	120.00	Septic Pumping
102860	BATTERY WHOLESALE INC	274070WIL	75858	13.99	UPS shop battery
100097	BECKER ARENA PRODUCTS INC	617692	75859	26,466.00	Installation of Hockey Boards
104299	BFirst Industrial	80025952-00	75860	56.02	Drill bits, Marker, Screws
104299	BFirst Industrial	80025665-00	75860	16.68	Drill Bit
104299	BFirst Industrial	80026101-00	75860	30.12	Small Tools
104299	BFirst Industrial	80026363-00	75860	36.98	Screws, Markers, Pen
101010	BOLTON & MENK INC	0377129	75861	7,044.50	PFAS Source ID & Red. Grant Prof. Svcs
101010	BOLTON & MENK INC	0377122	75861	1,077.50	MS4 Admin. Prof. Svcs
101010	BOLTON & MENK INC	0377119	75861	5,652.50	City Engineer Prof. Svcs 8-30 thru 9-26-25
101010	BOLTON & MENK INC	0377112	75861	2,062.00	Engineering Prof. Svcs 8-30 thru 9-26-25
101010	BOLTON & MENK INC	0377113	75861	4,584.00	2026 Projects Feasibility Study
101010	BOLTON & MENK INC	0377118	75861	11,798.00	TH 40 Tile Repair
101010	BOLTON & MENK INC	0377110	75861	1,026.00	Project No. 2404-B Prof Svcs
101010	BOLTON & MENK INC	0377115	75861	1,214.50	Project No. 2504-B Prof Svcs
101010	BOLTON & MENK INC	0376154	75861	3,939.75	Iverson Park LS Prof. Svcs
101010	BOLTON & MENK INC	0377127	75861	693.00	TH 40 Turn Lanes Prof. Svcs
101010	BOLTON & MENK INC	0377108	75861	883.50	Project No. 2401-A Prof. Svcs
101010	BOLTON & MENK INC	0377116	75861	5,220.00	Project No. 2508 Prof. Svcs
101010	BOLTON & MENK INC	0377123	75861	4,121.50	Outdoor covered rink prof. svcs
101010	BOLTON & MENK INC	0377128	75861	310.50	Project No. 2404-A Prof. Svcs
101010	BOLTON & MENK INC	0377111	75861	39,696.27	Project No. 2503-D Prof. Svcs
101010	BOLTON & MENK INC	0377125	75861	5,467.50	Project No. 2503-C Prof. Svcs
101010	BOLTON & MENK INC	0377120	75861	3,505.50	ELLS 7, 8 & 9 Prof. Svcs
101010	BOLTON & MENK INC	0377109	75861	19,785.50	Project No. 2401-B Prof. Svcs
101010	BOLTON & MENK INC	0377114	75861	2,297.08	Project No. 2501-A Prof. Svcs
101010	BOLTON & MENK INC	0377124	75861	31,501.43	Project No. 2503-B Prof. Svcs

Vendor Payment Listing

October 15, 2025 thru October 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
101980	BSE	931374467	75862	80.99	Emergency Lights
104395	Carlson Hayes Group	1053	75863	700.00	Motvational Speaker
103390	CENTRACARE	7300327500	75864	25.00	Drug Test B. Saunders
103390	CENTRACARE	507033015	75864	90.00	OT Job Back Screen T Wubben
103390	CENTRACARE	730699240	75864	25.00	New hire drug screen T Wubben
101259	CENTRAL COUNTIES COOPERATIVE	59916	75865	3,402.79	Fertilizer
102890	CENTRAL MN DUST CONTROL LLC	6213	75866	783.00	Dust control
100154	CHAMBERLAIN OIL CO	527193-00	75867	326.00	Nitrile gloves
100736	CHARTER COMMUNICATIONS	175505001102125	75868	88.71	Oct/Nov TV
104390	Children of the Promise	0014513	75869	100.00	damage deposit refund
104344	Chosen Valley Testing	56050	75870	927.00	Special Inspections for Outdoor Rink
101708	CINTAS CORPORATION	5299190008	75871	180.85	First Aid Kits
102984	CODE 4 SERVICES INC	10943	75872	433.00	Getac Body Camera for Officer
104392	Community Broadband Action Network Corporation	1061	75873	3,750.00	Willmar Connect Engagement - SEPT 2025
103677	COORDINATED BUSINESS SYSTEMS	TNA125091	75874	256.97	CVB - Managed IT
104090	Cortez Arredondo	102725	75875	70.00	Meal Reimbursement while at Training
100186	CROW CHEMICAL & LIGHTING	131137	75876	358.45	Cleaning supplies
100186	CROW CHEMICAL & LIGHTING	131219	75876	311.03	Cleaning supplies
100186	CROW CHEMICAL & LIGHTING	131226	75876	47.60	Cleaning supplies
103271	DAIRYLAND SUPPLY INC	01-64040	75877	1,808.61	Honeywagon shovels
100212	DOOLEY'S PETROLEUM INC	781207	75878	20,457.14	Diesel and unleaded fuel
104183	DSC Communications	2510534	75879	774.00	Backup Batteries for Radios
104183	DSC Communications	2510575	75879	643.64	Siren work
100222	DUININCK INC	567798	75880	1,351.50	Asphalt
100222	DUININCK INC	567794	75880	1,827.21	Asphalt
100222	DUININCK INC	568027	75880	825.00	Asphalt Tack
100222	DUININCK INC	567985	75880	2,787.48	Sand
100222	DUININCK INC	567775	75880	1,221.45	Asphalt
104393	Efficient Septic Pumping & Drain	8203	75881	260.00	Trailhead Waste Removal
101567	ETTERMAN ENTERPRISES	376664	75882	751.80	Hardware for dugouts on sunrise
102177	EVANS/JASON	102725	75883	70.00	Meal Reimbursements while at Training
103617	FARMER DAVE LLC	100525	75884	10,335.90	Hauling biosolids
103617	FARMER DAVE LLC	101225	75884	3,649.80	Hauling biosolids
100810	FERGUSON ENTERPRISES INC	2053247	75885	38.76	Plumbing Supplies
100810	FERGUSON ENTERPRISES INC	2052944	75885	10.62	Plumbing
100810	FERGUSON ENTERPRISES INC	2086724	75885	32.99	Toilet Flush Parts 4-Seasons
102973	FLEETPRIDE	129668078	75886	190.98	85w-140 GearLube
102973	FLEETPRIDE	129694895	75886	107.99	85w-140 GearLube
100288	GALLS LLC	032769632	75887	124.93	Ultra Plus Cuff Case with Closed for Explorers
100293	GENERAL MAILING SERVICES	75138	75888	147.29	Mailing of evidence
100786	GRAINGER INC	9662490722	75889	93.10	Ear plugs
100786	GRAINGER INC	9654553446	75889	46.42	HVAC belts
100786	GRAINGER INC	9665037835	75889	377.62	Exhaust fan motor, town shop
100786	GRAINGER INC	9676521017	75889	68.37	General supplies
100786	GRAINGER INC	9674748349	75889	333.78	Water Filters
103608	GRAVE/MATTHEW L	101525	75890	122.00	Reimbursement for MSFCA Conference
101504	GREENSPRING MEDIA GROUP	2025ci-11802	75891	1,400.00	CVB - Advertising
100316	HACH COMPANY	14709742	75892	4,106.75	BOD meter
103042	HANNEMAN/BENJAMIN J	102725	75893	47.00	Meal Reimbursement while at Training
103184	HANSON *PETTY CASH/FRANK	10142025	75894	90.00	Food permit & (7)meals @ Chiefs Assc. Mtg. Willmar
100324	HAUG IMPLEMENT CO - JOHN DEERE	535907	75895	229.28	Hyd Hose
102609	HAUG-KUBOTA LLC	28002	75896	80.64	Fuel Filters
900111	HAWK CREEK ANIMAL SHLTR	58069	75897	12,008.50	Oct - Dec 2025 Boarding
100325	HAWKINS INC	7231042	75898	10,870.58	Ind. ferric
103936	HOFFMAN CONSTRUCTION CO. LLC	INV491	75899	2,250.00	Radio station forcemain repair
103936	HOFFMAN CONSTRUCTION CO. LLC	INV490	75899	10,699.43	W3 hydrant repair
103936	HOFFMAN CONSTRUCTION CO. LLC	INV504	75899	1,173.91	W3 hydrant fitting
103936	HOFFMAN CONSTRUCTION CO. LLC	INV487	75899	4,521.00	Man Hole Adjustment Rings
103936	HOFFMAN CONSTRUCTION CO. LLC	INV488	75899	2,725.00	Sinkhole at 6th St/ Pacific Ave SW
103936	HOFFMAN CONSTRUCTION CO. LLC	INV471	75899	2,925.00	Sink hole Hill RD
103936	HOFFMAN CONSTRUCTION CO. LLC	INV509	75899	1,487.50	Meadow Ln SW

Vendor Payment Listing

October 15, 2025 thru October 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
103023	INNOVATIVE OFFICE SOLUTIONS	IN4957000	75900	52.94	office supplies, paper
103861	JOE RILEY CONSTRUCTION	G25240	75901	1,851.50	Asphalt
103127	JRVBR INC\OUTDOOR NETWORK	5758	75902	500.00	CVB - Advertising
100382	KANDIYOHI CO RECORDER'S OFFICE	711323	75903	46.00	Document #711323 Deferred Assessment
101507	KANDIYOHI CO SHERIFF'S DEPT	2025-77	75904	129.55	Halloween Candy for Community Events
103138	KING'S ELECTRIC LLC	3505	75905	4,622.61	LED pole lights, town
103138	KING'S ELECTRIC LLC	3491	75905	518.64	EL 5 overloads
103376	LLOYD SECURITY INC	1000002034	75906	137.97	Vehicle Storage Fire Alarm
103226	LOCAL GOV'T INFORMATION SYS.	152744	75907	361.68	LOGIS Network Services work
102593	LOFFLER COMPANIES	5144534	75908	34.44	CVB-Telephone Charges
102593	LOFFLER COMPANIES	567463021	75909	312.35	500-0757297-000
103701	LYNN LEMBCKE CONSULTING	A25-046	75910	1,500.00	ALPR Audit 02/01/24 through 05/31/25
100424	M-R SIGN CO INC	229486	75911	91.33	No Trucks Signs
100424	M-R SIGN CO INC	229571	75911	149.55	Truck Weight sign
100424	M-R SIGN CO INC	229671	75911	118.75	Street Signs
103263	M.D. GRAPHICS	9122	75912	379.00	Graphic work
100449	MENARDS	01353	75913	7.96	Welding tip cleaners
100449	MENARDS	01610	75913	99.98	shelves
100449	MENARDS	01340	75913	36.96	Shop supplies
100449	MENARDS	01344	75913	6.99	Wood filler
100449	MENARDS	01455	75913	63.75	(4) JB ""80"" lubricant, pine sol
100449	MENARDS	01914	75913	18.46	brackets
100449	MENARDS	01744	75913	27.40	General supplies
100449	MENARDS	01747	75913	204.96	Lab water
100449	MENARDS	00109	75913	16.67	nuts and bolts
100449	MENARDS	01960	75913	56.70	Driveway Marker
100449	MENARDS	01959	75913	45.36	Driveway Markers
100449	MENARDS	01961	75913	39.05	Cable, Bungee straps,
101805	MINI BIFF LLC	16805	75914	636.77	Mini Biff Turf Fields
101805	MINI BIFF LLC	16804	75914	157.26	Mini Biff
101805	MINI BIFF LLC	17031	75914	129.54	Mini Biff
101805	MINI BIFF LLC	16890	75914	611.14	Mini Biffs Robbins Island
100497	MN DEPT OF TRANSPORTATION	P00020609	75915	935.48	Master partnership material testing
900033	MN TRAPLINE PRODUCTS INC	INV6300121	75916	21.58	PPE Rubber Gloves
103756	MR. CLEAN WILLMAR CLEANING SER	STMT/09-25	75917	1,440.00	Shelter Cleaning
100541	MUNICIPAL UTILITIES	STMT/09-2025	75918	71,172.59	Municipal Utilities Sept 2025
100544	MVTL LABORATORIES INC	1328369	75919	360.00	Lab test's
100544	MVTL LABORATORIES INC	1329138	75919	82.25	Lab test's
100544	MVTL LABORATORIES INC	1329266	75919	72.00	Soil samples
100544	MVTL LABORATORIES INC	1330085	75919	144.00	Soil samples
100544	MVTL LABORATORIES INC	1330359	75919	58.25	Lab test
100249	NAPA CENTRAL MN	945173	75920	12.24	Mirror Bracket
102884	NARTEC, INC	22001	75921	527.91	Meth test ampules (Bag of 100) Qty 3
103502	NELSON SANITATION & RENTAL INC	INV/2025/13626	75922	2,300.00	Televise JOTS and Lake Ave.
102547	CARRANZA/NOE	276	75923	150.00	Interpreting Services for ICR 25010335
102547	CARRANZA/NOE	277	75923	150.00	Interpreting Services for ICR# 25010849
103605	NORTH CENTRAL INTERNATIONAL	R201003870:01	75924	1,743.53	Semi repair
104348	Pearson Bros Inc	Appl #2 2508	75925	35,736.58	Project No. 2508 Pay Application No. 2 Final
100608	PETERSON SHOE STORE	238550	75926	242.24	safety boots - Jeremy Marcus
100608	PETERSON SHOE STORE	238487	75926	212.49	Safety boots M. Hatzinger
100608	PETERSON SHOE STORE	238698	75926	203.99	Safety boots M. Van Den Einde
100608	PETERSON SHOE STORE	238459	75926	203.99	Safety boots S. Carruthers
103170	POMP'S TIRE SERVICE,INC.	210782258	75927	1,152.00	Tires for Squads
103170	POMP'S TIRE SERVICE,INC.	210792788	75927	10,880.80	Tire's
100374	PREMIUM WATERS INC	330685934	75928	49.49	water
101093	QUICK SIGNS	183671	75929	89.00	Directional arrows, Hoist
100639	RAMBOW INC	672028	75930	1,138.00	PPE Winter Jackets, Reflective coats
103560	RECON ROBOTICS INC	77285	75931	817.00	Throwbot Repair
101136	RIDGEWATER COLLEGE	2025-10-1716	75932	7,098.00	CDL Training- J. Haugen
103161	ROAD MACHINERY & SUPPLIES CO	S8344702	75933	112.34	Trash pump repair
103441	SCHAEFBAUER/JOSEPH	102725	75934	70.00	Meal Reimbursements while at Training

Vendor Payment Listing

October 15, 2025 thru October 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
104389	Scheffler *Petty Cash/Ryan	101525	75935	1,200.00	Petty cash for Concessions and Open Skate
102142	SCHUELER/ALLEN	101725	75936	400.00	prescription safety glasses reimbursement Allen
100683	SCOTT SWANSON'S EQUIPMENT CO	47952	75937	92.50	Pressure washer hose
100685	SERVICE CENTER/CITY OF WILLMAR	STMT/09-25	75938	1,596.00	September Equipment Repair Parts
100685	SERVICE CENTER/CITY OF WILLMAR	STMT/09-2025	75938	18,860.00	Unleaded and Diesel Fuel
103780	SIR LINES-A-LOT LLC	H25-1023-001	75939	22,995.10	2025 Pavement Marking
900094	ST LOUIS MRO INC	66680	75940	25.00	Drug screen T. Wubben
103256	STEINBEISSER AUTO REPAIR LLC	21936	75941	115.50	Propane
100161	SYSCO WESTERN MINNESOTA	153A2241Z	75942	28.13	Concessions
100161	SYSCO WESTERN MINNESOTA	153A2225Z	75942	35.62	Concessions
100161	SYSCO WESTERN MINNESOTA	353022984	75942	598.97	Concessions
103040	TACTICAL SOLUTIONS	10952	75943	930.00	Certification of Radar Units
104315	The Tradesmen Construction, Inc.	Appl #6	75944	163,877.00	Outdoor Covered Rink Project
102583	TORKELSON'S LOCK SERVICE	25-541	75945	235.00	Keys and Push bar lock
101471	TRAFFIC CONTROL CORPORATION	161449	75946	6,650.00	Traffic Signal Maintenance
103795	TYLER TECHNOLOGIES, INC	CI100-00227508	75947	2,100.00	Tyler Technologies FY25/26 renewal (eParking)
102687	ULINE	199777503	75948	654.16	Heavy Duty Corrugated Boxes for Evidence Mailing
100264	US BANK	7937327	75949	550.00	Paying agent fees 2021B
100264	US BANK	7937328	75949	550.00	paying agent fee 2021C
100377	VOSIKA PORTABLE TOILET RENTAL	017247	75950	420.00	Portable Restroom/Sinks for Welcoming Week
104386	William Fernandez Valle	101625	75951	642.04	Refund permit # BLDR-2025-0023
102689	WILLMAR AUTO VALUE	22583751	75952	9.99	JB Weld
102689	WILLMAR AUTO VALUE	22584931	75952	51.96	Balance Beads
102689	WILLMAR AUTO VALUE	22584817	75952	1.59	Drain Plug Gasket
102689	WILLMAR AUTO VALUE	22584087	75952	35.88	Map Sensor, Oil Filter
102689	WILLMAR AUTO VALUE	22584932	75952	27.98	Balance Beads
102689	WILLMAR AUTO VALUE	22584936	75952	(13.99)	Balance Beads
102689	WILLMAR AUTO VALUE	22585095	75952	13.99	Balance Beads
102689	WILLMAR AUTO VALUE	22584802	75952	224.99	Fuel Pump
102689	WILLMAR AUTO VALUE	22586419	75952	129.29	Battery
102689	WILLMAR AUTO VALUE	22585775	75952	99.16	Filters, Spark Plugs
102689	WILLMAR AUTO VALUE	22586260	75952	301.90	Battery's, Filter, air fresheners
102689	WILLMAR AUTO VALUE	22587094	75952	123.31	Battery for the generator
102689	WILLMAR AUTO VALUE	22587102	75952	44.47	Sand Paper and Scrubbers
100393	WILLMAR NOON KIWANIS	10212025	75953	95.50	Jul, Aug, Sept QTR Inv
Total				756,368.06	

Vendor Payment Listing

October 15, 2025 thru October 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
100492	MN DEPT OF REVENUE	STMT/10-25	619	3,899.93	Fuel and Sales Tax
100467	CENTERPOINT ENERGY	STMT/09-2025	620	3,431.88	Natural Gas September 2025
103996	UBS Financial Services, INC	102425	621	1,000,000.00	UBS Money Market
102365	CARDMEMBER SERVICE	STMT/9-25	622	19,167.25	Bremer Bank Credit Card Stmt 09/2025
			TOTAL	1,026,499.06	



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	10.A.
Agenda Section:	Public Hearing:	Originating Department:	Wastewater
Resolution:	No	Prepared By:	Kyle Box, City Operations Director
Ordinance:	Yes	Presented By:	Sara Sietsema, Environmental Specialist
Item:	Ordinance Amending Chapter 16 Article III Sanitary Sewer System		

RECOMMENDED ACTION:

1. Adopt the Ordinance Amending Chapter 16, Article III. Sanitary Sewer System
2. Publish the Ordinance by Summary

OVERVIEW:

The City of Willmar currently has a Sanitary Sewer System Ordinance that addresses related items. Staff will provide an overview of a future ordinance amendment to address additional inflow and infiltration that the City experiences most noticeably during large rain events. Within the proposed amendment, the ordinance largely focuses on future requirements for an inspection of the private sewer lateral (service line) when the following criteria are met:

- At the point of sale or upon transfer of property.
- When a new or previously unconnected structure is connected to an existing private sewer lateral.
- As a condition of approval of any major building remodel project, with a project estimated by the city to cost \$50,000 or more.
- As a condition of approval of any building remodel project that involves any new plumbing system or parts of the existing plumbing system that will be altered, extended, or repaired.
- When a sewer overflow from a private sewer lateral has reached public property.
- When a sewer overflow from a private sewer lateral presents a public health threat.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Amendment - Article III Sanitary Sewer System
2. Summary publication of sanitary sewer system regulations ordinance amendment

ORDINANCE NO. _____

AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 16, UTILITIES,
ARTICLE III, SANITARY SEWER SYSTEM

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE SECTION 16, ARTICLE III, DIVISION 1. Chapter 16, Article III, Division 1 of the Willmar Municipal Code is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 16-54. Applicability.

This ordinance shall apply to all water entering the sanitary sewer system unless explicitly exempted by the city.

Sec. 16-55. Compatibility with Other Regulations.

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall apply.

Sec. 16-58. Discharging stormwater, roof water, or groundwater to sanitary sewer.

No owner of any real property within the city, or ~~his~~ their agents, employees or servants, shall run or discharge or cause to be run or discharged any stormwater, roof water or foundation drainage into any sanitary sewer, or have any property connected to a sanitary sewer by a pipe, connection or sewer which carries either stormwater, roof water or foundation drainage from such building or property into such sanitary sewer.

* * * *

Section 2. AMENDMENT OF MUNICIPAL CODE SECTION 16-71. Chapter 16, Article III, Division 2, Section 16-71 of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 16-71. Permit.

(a) *Required.*

* * * *

- (3) Connections to the city's sewer system, including extensions, shall be designed such that all facilities conform to:

* * * *

Section 3. AMENDMENT OF MUNICIPAL CODE CHAPTER 16, ARTICLE III, DIVISION 3. Chapter 16, Article III, Division 3 of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 16-86. Definitions.

* * * *

Clear water means stormwater, natural precipitation, melting snow, groundwater, roof drainage, ground surface and subsurface drainage, downspout, yard drain, sump pump, foundation drain, yard fountain, pond, swimming pool, cistern overflow, or any other water that is not required to be treated by state or federal law. Swimming pool water that is required to be treated in accordance with city or state regulations shall not be considered clear water.

* * * *

Sewer service lateral means all sewer service pipes that extend from the municipal sewer main to the structure that it serves.

* * * *

Sec. 16-87. Violation of division; penalty.

* * * *

(b) Penalties; injunctive relief.

- (1) Any person, user or industrial user who fails to remedy the violation within the time provided in the notice issued pursuant to subsection (a) of this section or who fails to otherwise comply with any of the provisions of this division or with an order of the approving authority issued pursuant to this division, or who tampers with metering or sampling, shall be subject to a civil fine not less than of \$1,000.00 for each offense and shall additionally be liable to the city for any expense, loss or damage occasioned by such violation, including reasonable attorney's fees and other expenses of litigation. A person, user or industrial user ~~convicted~~ found in of any violation of this division by the city shall be fined per violation, plus damages. Each day a condition is allowed to exist which is contrary to all or any part of this division shall constitute a new violation. Change of ownership or occupancy of premises delinquent under the provisions of this division shall not be cause for reducing or eliminating charges due and penalties for violations.

* * * *

- (c) Show Cause Hearing. If a violation of this article, or any permit, agreement, or order issued pursuant to this article is not corrected by timely compliance, the city administrator or their authorized representative may order any user which caused or allowed the violation to show cause before the city council why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the city council regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the city council why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail at least ten days before the hearing. Service may be made on any agent or officer of a corporation. Whether or not a duly

notified industrial user appears as noticed, immediate enforcement action may be pursued.

- (1) Conduct of hearing. The city council may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the city to;
 - a. Issue in the name of the city council a notice of hearing requesting the attendance and testimony of a witness and the production of evidence relevant to any matter involved in such hearing;
 - b. Take the evidence; and
 - c. Transmit a report of the evidence and hearing, including a transcript thereof and other evidence, together with recommendations to the city council for action thereon.
- (2) Transcripts. At any hearing held pursuant to this chapter, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.
- (3) Compliance orders. After the city council has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

Sec. 16-88. Powers and authority of inspectors.

- (a) Duly authorized city employees, bearing proper credentials and identification, shall be permitted to enter all properties at any time for inspection, observations, measurement, sampling, testing, repair and maintenance in accordance with this article.

* * * *

Sec. 16-90. Wastewater discharge permit required for certain users.

* * * *

- (e) *Duration; modification.* A permit shall be issued for a specified period of time, not to exceed five years. The terms and conditions of the permit shall be subject to modification and change by the director of public works during the ~~life-term~~ of the permit for good cause, which includes but is not limited to, changes necessary to address the City's NPDES/SDS permit (as amended); changes necessary to address any applicable federal, state, or local statutes, regulations, rules, ordinances, orders or resolutions; and changes necessary to address any imminent threat or hazard to human health and the environment or the city's wastewater treatment facility and other critical infrastructure. ~~, if so required because of any ordinances, statutes, or rules and regulations of the approving authority or any applicable rules or regulations of a state or federal body.~~ The user shall be informed of any proposed changes in ~~his~~ their permit at least 60 days prior to the effective date of change. In a manner consistent with applicable law, ~~Any~~ changes or new conditions in the permit shall include a reasonable time schedule for compliance.

* * * *

- (g) *Revocation.* Any user who repeatedly violates any of the conditions of ~~his~~ their permit or this division, or of applicable state and federal regulations, is subject to having ~~his~~ their permit revoked. The director of public works may revoke a permit for good cause, including, but not limited to, the following reasons:
- (1) Failure to notify of significant changes to the wastewater prior to the changed discharge;
 - (2) Failure to provide prior notification to the director of public works of changed conditions;
 - (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - (4) Falsifying information;
 - (5) Tampering with monitoring equipment;
 - (6) Refusing to allow timely access to the facility premises and records;
 - (7) Failure to meet effluent limitations;
 - (8) Failure to pay fines;
 - (9) Failure to pay sewer charges;
 - (10) Failure to meet compliance schedules;
 - (11) Failure to complete a wastewater survey or the wastewater discharge permit application; or
 - (12) Failure to provide advance notice of the transfer of business ownership of a permitted facility;

* * * *

- (i) Right of Revision. The City reserves the right to establish, by ordinance or in any permit, more stringent standards or requirements on discharges to the City's sewer system consistent with the purpose of this ordinance.
- (j) Dilution. No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Superintendent may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.
- (k) Reissuance. A User with an expiring permit shall apply for permit reissuance by submitting a complete permit application, in accordance with this ordinance, a minimum of 180 days prior to the expiration of the User's existing permit.

Sec. 16-91. Prohibited discharges to collection system.

* * * *

- (b) All laterals from the building wall to the connection to the sewer main are the property of the owner of the connected building. All property owners whose properties are connected to a sewer main or are otherwise connected to the city's sewer system by sewer lateral shall at their own expense maintain the sewer lateral in a fully functioning condition and ensure the lateral is free of cracks, leaks, inflow or infiltration of extraneous water, root intrusion or open joints. Property owners shall ensure that laterals drain freely to the sewer main without excessive sags that collect grease and sediment.
 - (1) Upon notice that the discharge of clear water on a property is not in compliance with this ordinance, the owner or occupant of the property shall cease from discharging clear water in violation of this ordinance and shall make the necessary repairs and corrections to discharge the clear water in accordance with this ordinance. Corrections shall be completed within 120 days of the date of notice of noncompliance, or as determined by the director of public Works. A second inspection of the property will be completed after 120 days following the notice of noncompliance.
 - (2) Property owners shall, at their own expense, inspect, and provide to the city a report of the results of an inspection of, the laterals on their property prepared by a licensed plumber or qualified and licensed person using closed circuit television (CCTV) inspection or other inspection or test method approved by the director of public works upon the occurrence of any of the following:

- a. When building a new structure on property with an existing lateral, or when otherwise proposing to connect a previously unconnected structure to an existing lateral;
 - b. As a condition of approval of any major building remodel project. A major building remodel project is one that is estimated by the city to cost \$50,000 or more;
 - c. As a condition of approval of any building remodel project which involves any new plumbing system or parts of existing plumbing systems that will be altered, extended, or repaired;
 - d. Prior to the close of escrow when the property is transferred via sale or other transfer of ownership by deed, instrument or writing;
 - e. Whenever the city finds that a sewage overflow emanating from a lateral has reached public property, including but not limited to a city street or the city storm drain system, or has flowed onto private property owned by another property owner;
 - f. Whenever the city finds that a sewage overflow emanating from a lateral presents a threat to public health, even if it has not flowed across a property line.
- (3) In the absence of a specific deadline, all inspections and testing work shall be completed within 120 days of notification by the city that such an inspection is required.
- (4) As part of its periodic construction and maintenance of sewer mains, the city may discover defective laterals. The city may order the property owner to conduct an inspection, repair, or replacement of any lateral that the city knows or reasonably suspects to be defective.
- (5) The lateral shall be considered defective if it has any of the following conditions:
- a. displaced joints;
 - b. root intrusion;
 - c. substantial deterioration of the pipes;
 - d. damaged clean-out;
 - e. defective clean-out;
 - f. inflow or, infiltration of extraneous water;
 - g. if the lateral was constructed of materials deemed to be unacceptable by the director of public works, including;
 - i. Clay;
 - ii. Cast iron;
 - iii. Bituminous fiber (commonly called Orangeburg);

- iv. Other materials that do not conform to current State plumbing code;
 - h. any other conditions likely to substantially increase the chance for a lateral blockage, or if, within a period of one year;
 - i. the lateral suffers two or more blockages resulting in overflows; or
 - j. The lateral fails any other city-required tests.
- (6) Existing laterals determined to be defective shall not be used.
- (7) Whenever defective laterals are found, the property owner, at the sole expense of the property owner, shall repair or replace the lateral. The director of public works shall determine the extent of repair required, and more limited repair than complete replacement of the lateral may be permitted at the sole discretion of the director of public works. The following requirements shall be met:
- a. A replaced or repaired lateral shall not be covered or backfilled until it has been inspected by a representative of the city.
 - b. All new and repaired laterals must pass an air pressure test as specified by the director of public works.
 - c. All repaired or replaced laterals shall be brought into compliance with the requirements of City Code. Backflow valves may be required to be installed on laterals meeting the criteria of City Code.
- (8) In absence of a specific deadline established by the responsible authority of the city, all repair or replacement work shall be completed within 120 days, or by agreement with the city and property owner, of notification by the city that such repair or replacement is required. Repair or replacement shall consist of but not be limited to the sewer, sidewalk, curb, street, grading and seeding.
- (9) When a lateral is completely replaced, inspected and approved by the city, the property owner is not required to inspect the lateral upon sale of the property for ten (10) years following the date of complete replacement of the lateral.
- (10) Roots, grease or other materials which have been accumulated in a lateral cleaned or maintained shall be prevented from entering the sewer main during the maintenance or repair of the lateral. In the event that material is permitted to enter the main causing or contributing to the cause of a sewage spill, the property owner and/or contractor performing such maintenance work, in addition to any criminal penalties imposed, shall be held civilly liable to the city for any fines or other expenses incurred by the city resulting from the spill.
- (11) The city shall have the authority to recover from a property owner, the city's expenses incurred in responding to sewer overflows on private property. In addition to any actual expenses incurred by the city resulting from an overflow, the city may impose civil administrative penalties, consistent with sec. 16-87 of this Code, against a property owner who fails to perform any act required in this section, which failure results in an overflow reaching public or

private property other than the property owners' property, according to the city's fee schedule.

- (12) A monthly surcharge in an amount duly adopted by the City Council and set forth in the city's fee schedule shall be assessed against any property on which clear water is discharged in violation of this ordinance. The monthly surcharge will be charged on the property's municipal utility billing statement if one of more of the following conditions apply: (1) an inspection as required herein has not been obtained by the property owner or occupant or a certificate of compliance has not been issued by the city within 30 days after the city's notice of inspection; (2) the necessary corrections have not been made within the time specified; and (3) the property owner or occupant reconnects a clear water discharge line to the municipal sanitary sewer system after it has been previously disconnected at the city's or a court's direction. A surcharge will be assessed for every month during which the property is not in compliance.
- (13) The City Council shall have the authority to establish, waive, suspend or otherwise modify any civil administrative penalty imposed by this section that exceeds the direct costs of the city upon a showing by the property owner of severe financial hardship, or upon a showing that the property owner has satisfactorily repaired the lateral to a degree sufficient to ensure avoidance of further violations.
- (14) The provisions of this section shall not be construed to require or obligate the city to enter into a reimbursement agreement if, in the sole discretion of the City Council, to so enter into the agreement would not be in the best interest of the city or would be detrimental to the health, safety, or welfare of the city.
- ~~(b)(c)~~ No user shall discharge or cause to be discharged to the collection system, either directly or indirectly, any of the following described wastes or wastewater: No owner of any real property within the city, or their agents, employees or servants, shall run or discharge or cause to be run or discharged any stormwater, groundwater, roof water, yard drainage, yard fountain, foundation drainage, condensate, deionized water, noncontact cooling water, or pond overflow into any sanitary sewer, or have any property connected to a sanitary sewer by a pipe, connection or sewer which carries either stormwater, roof water or foundation drainage from such building or property into such sanitary sewer. Clear water must be excluded from the wastewater system. Unpolluted water or wastewater may be discharged to the sanitary sewer system upon written approval of the director of public works. The following discharges are prohibited;
- ~~(e)(d)~~ No person shall allow the discharge of a slug of waste or wastes to the collection system which may be harmful to the operation of the wastewater works. Where, in the opinion of the director of public works, slugging does occur, each person producing such a discharge into the collection system shall construct and maintain, at his their own expense, a storage reservoir of sufficient capacity with flow control equipment to ensure an equalized discharge over a 24-hour period.

* * * *

Sec. 16-97. Grease, oil and sand interceptors.

Grease, oil and sand interceptors shall be provided at repair garages, gasoline stations, carwashes and other industrial or commercial establishments for the proper handling of liquid wastes containing grease in excessive amounts, oil, flammable wastes, sand and other harmful ingredients. All interceptors shall be constructed in accordance with the state plumbing code and shall be located as to be readily and easily accessible for easy cleaning and inspection. All grease, oil and sand interceptors shall be maintained by the owner, at ~~his~~their expense, and kept in continuous, efficient operation at all times.

Sec. 16-100. Grease traps and interceptors.

* * * *

(g) *Entry and inspection.* If there is evidence discovered by the city that a sewer system user has improperly managed its FOG, the city will arrange for an inspection of the user's premises. The director of public works shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any permit or order issued hereunder. Sewer system users shall allow the duly authorized agents of the city bearing proper credentials and identifications access at all reasonable times to all parts of the premises for the purpose of inspection, observation, records examination, measurement, sampling and testing in accordance with the provisions of this division. The refusal of any user allows the city's authorized agents entry to or upon the facility's premises for purposes of inspection, sampling effluents or inspecting and copying records or performing such other duties as shall be required by this division shall constitute a violation of this division. The director of public works may seek a warrant or use such other legal procedures as may be advisable and reasonably necessary to discharge ~~his~~their duties pursuant to this division.

- (1) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, duly authorized City staff or agents shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- (2) The director of public works shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- (3) The director of public works may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the

User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy.

- (4) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of director of public works and shall not be replaced. The costs of clearing such access shall be born by the User.
- (5) Unreasonable delays in allowing the city access to the user's premises shall be a violation of this ordinance.

Sec. 16-102. Criminal Violations; Fines.

- (a) *Violations.* In addition to the civil fines pursuant to sec. 16-87, Any user who is found to have violated any provision of this article, except where state statute has been violated, shall be subject to criminal prosecution, and upon conviction, subject to a fine in an amount not to exceed \$1,000.00 or by imprisonment for not more than 90 days, or by both, for each offense as provided for in M.S.A. § 609.02, subd. 3. Each separate violation shall constitute a separate offense, and upon conviction of a specified ordinance violation, each day of violation shall constitute a separate violation. In addition to the penalties provided herein, the city may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the user found to have violated this division or the orders, rules, regulations and permits issued hereunder.

* * * *

Sec. 16-105. Hearing process.

- (a) ~~Request for hearing.~~ If any person is aggrieved by the decision of the authorized representative under this article, such person may request a hearing on the matter in writing. A hearing shall then be held before the city council or a hearing examiner as provided in this section and shall be open to the public.
- (b) ~~Hearing date.~~ Unless a written request for an extension of time is submitted to the city and is granted, the hearing shall be held no later than 30 calendar days after the date of service of the request for a hearing, exclusive of the date of such service. In any event, such hearing shall be held no later than 60 calendar days after the date of service of the request for a hearing, exclusive of the date of such service.
- (c) ~~Hearing notice.~~ The authorized representative shall mail notice of the hearing to the person requesting the hearing at least ten working days prior to the hearing. Such notice shall include the following:
 - (1) ~~A statement of the date, time, place and nature of the hearing.~~

- (2) — A reference to the particular section, ordinance or rule involved.
- (d) — *Hearing examiner.* The city council may, by resolution, appoint an individual, to be known as the hearing examiner, to conduct the hearing and to make findings of fact, conclusions and recommendations. After completion of the hearing, the hearing examiner shall submit the findings of fact, conclusions and recommendations to the city council in a written report, and the city council may either adopt, modify or reject the report.
- (e) — *Conduct and rules of hearing.* Conduct and rules of the hearing shall be as follows:
- (1) — The person requesting the hearing may be represented by legal counsel. The city, the applicant, the licensee or the permittee and any additional parties as determined by the city council or the hearing examiner shall present evidence. All testimony shall be sworn under oath. All parties shall have full opportunity to respond to and present evidence, cross examine witnesses, and present argument. The city council or the hearing examiner may also examine witnesses.
 - (2) — If the person requesting the hearing fails to appear at the hearing, the right to a public hearing before the city council or hearing examiner shall be forfeited.
 - (3) — The city shall have the burden of proving its position by a preponderance of the evidence, unless a different burden is provided by law, and all findings of fact, conclusions, and decisions by the city council or findings of fact, conclusions and recommendations by the hearing examiner shall be based on the evidence presented and matters officially noticed.
 - (4) — All evidence which has probative value, including hearsay, may be admitted if it is the type of evidence on which prudent persons are accustomed to relying in the conduct of their serious affairs. Evidence which is incompetent, irrelevant, immaterial or unduly repetitious may be excluded. The hearing shall be confined to matters raised in the written notice of the hearing or in the written request for a hearing.
 - (5) — At the request of any party or on the initiative of the city council or hearing examiner, a prehearing conference shall be held. The prehearing conference shall be conducted by the hearing examiner, if the city council has chosen to use one, or by a designated representative of the city council. The prehearing conference shall be held no later than five working days before the hearing. The purpose of the prehearing conference is to:
 - a. — Clarify the issues to be determined at the hearing;
 - b. — Provide an opportunity for discovery of all relevant documentary, photographic or other demonstrative evidence in the possession of each party. The hearing examiner or representative may require each party to supply a reasonable number of copies of relevant evidence capable of reproduction; and

- e. — ~~Provide an opportunity for discovery of the full names and addresses of all witnesses who will be called at the hearing and a brief description of the facts and opinions to which each is expected to testify. If the names and addresses are not known, the party shall describe them thoroughly by job duties and involvement with the facts at issue.~~
- (6) — ~~If a prehearing conference is held, evidence not divulged as provided in this subsection shall be excluded at the hearing unless the party advancing the evidence took all reasonable steps to divulge it to the adverse party prior to the hearing and:~~
 - a. — ~~The evidence was not known to the party at the time of the prehearing conference; or~~
 - b. — ~~The evidence is in rebuttal to matters raised for the first time at or subsequent to the prehearing conference.~~

* * * *

* * * *

Section 13. EFFECTIVE DATE. This ordinance shall take effect on January 1, 2026.

Passed by the City Council of the City of Willmar this ____ day of _____, 20__.

ATTEST:

Verna Larsen, City Clerk

Doug Reese, Mayor

VOTE: ____ SHULDES ____ GILBERTSON ____ DAVIS ____ GARDNER
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ____
AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 16, UTILITIES,
ARTICLE III, SANITARY SEWER SYSTEM

Summary: Ordinance No. ____ updates and amends Willmar City Code, Chapter 16 – Utilities, Article III, Sanitary Sewer System, by adding new regulations applicable to sanitary sewer service laterals intended to limit inflow and infiltration into the City’s sanitary sewer collection system, including a mandatory inspection requirement upon the following occurrences concerning properties connected to the City’s sanitary sewer system: construction of a new structure or major remodeling of or installation of a new plumbing system in an existing structure, transfer of property, or documented overflow of sewage emanating from an existing service lateral. The ordinance also makes amendments to permitting requirements and procedures for significant users of the sanitary sewer system, replaces the existing hearing process for persons aggrieved by the City’s enforcement of Chapter 16 in Section 16-105 with a “show cause” hearing procedure that the City must initiate prior to taking a significant enforcement action for a violation of the sanitary sewer system regulations, and makes additional language updates throughout Article III of Chapter 16.

The complete text of Ordinance No. ____ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City’s website at www.willmarmn.gov.



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.A.
Agenda Section:	Regular Business	Originating Department:	Recreation
Resolution:	Yes	Prepared By:	Rob Baumgarn, Recreation Director
Ordinance:	No	Presented By:	Rob Baumgarn, Recreation Director
Item:	Bike, Pedestrian, and Trail Plan		

RECOMMENDED ACTION:

To adopt a resolution accepting the Bike, Pedestrian, and Trail Plan

OVERVIEW:

In May 2024, the City Council approved Bolton & Menk and city staff to develop a Bike and Pedestrian Trail Plan for the City of Willmar. In July 2024, representatives from Bolton & Menk, city staff, Willmar Public Schools, Kandiyohi and Renville Counties, the Willmar Convention and Visitors Bureau, and members of the Willmar biking community began collaborating to develop the plan. After several months of community engagement and research, the plan is now complete.

As part of the plan, it identifies gaps in connectivity within the existing trail system, addresses safety aspects of crossings, and provides recommendations for implementation along with potential funding resources. Staff also collaborated closely with the Safe Streets Program to ensure both plans align. The final Bike and Pedestrian Trail Plan will be included as an appendix to the City of Willmar Comprehensive Plan.

BUDGETARY/FISCAL ISSUES:

Funding for the plan came from the City's 2024 Capital Improvement Plan, with \$50,000 allocated for the project. Bolton & Menk's professional services agreement totaled \$47,500.

ALTERNATIVES TO CONSIDER:

Suggest changes to the plan or don't approve the plan as presented

ATTACHMENTS:

1. Resolution for Bike, Pedestrian and Trail Plan
2. City of Willmar Bike Ped Trail Plan Presentation
3. Willmar Bike, Pedestrian, and Trail

RESOLUTION NO. ____

RESOLUTION APPROVING THE BIKE, PEDESTRIAN, AND TRAIL PLAN

Motion By:_____ Second By:_____

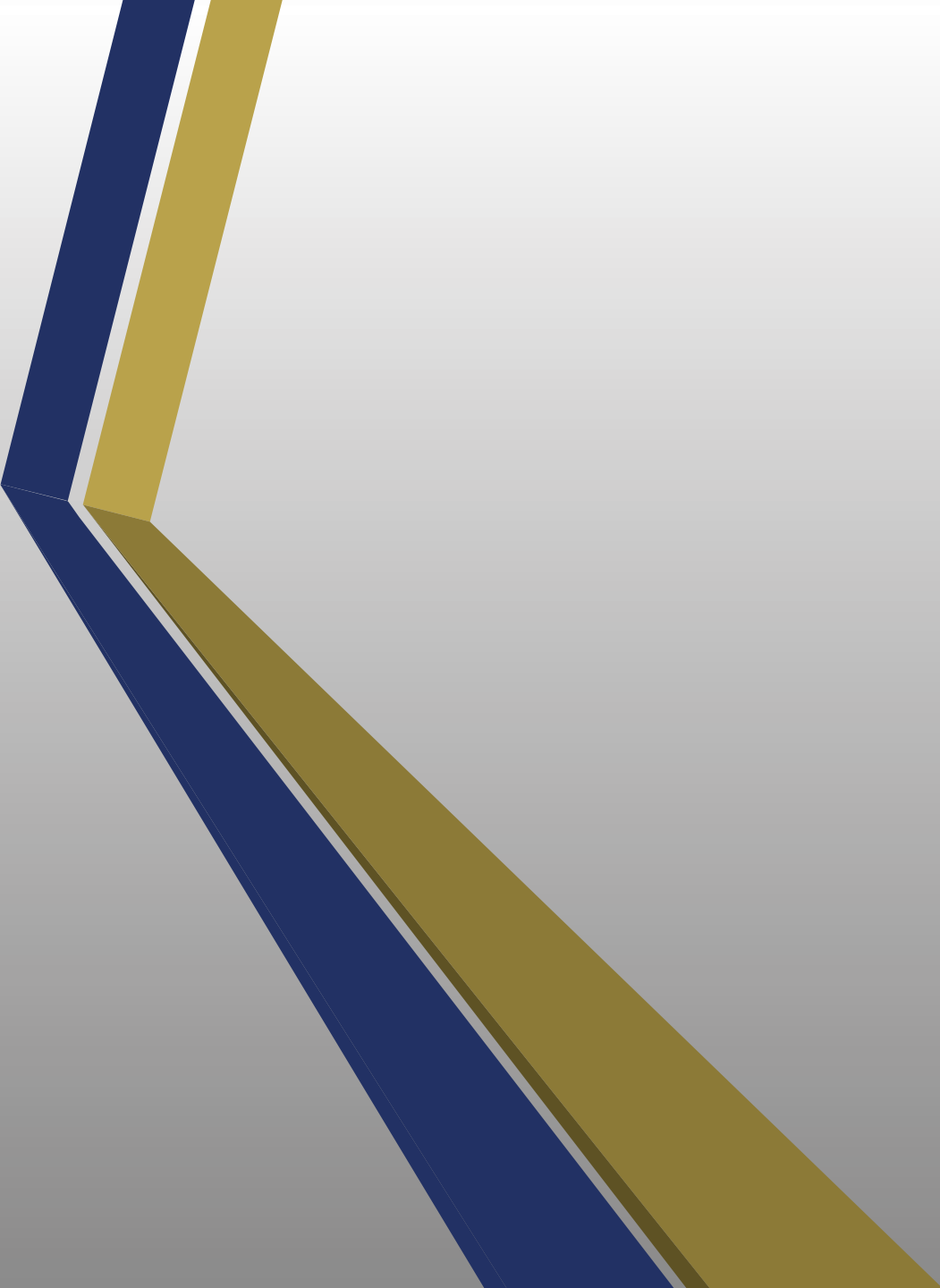
BE IT RESOLVED by the City Council of the City of Willmar to adopt a resolution accepting the Bike, Pedestrian, and Trail plan.

Dated this 3rd day of November 2025

Douglas E. Reese, Mayor

Attest:

CITY CLERK



City of Willmar

Bike, Pedestrian, and Trail Plan

Bike, Pedestrian, and Trail Plan



What is the purpose of having a Bike, Pedestrian, and Trail plan?

The purpose of this Bike, Pedestrian, and Trail Plan is to provide a framework for improvements that support and promote active transportation in Willmar. This includes walking, biking, and rolling. By identifying and making recommendations to improve key pedestrian and cycling routes across the city, as well as addressing gaps in the current system, this plan will identify pedestrian and cycling routes that have gaps or barriers to implementation and assist the city in prioritizing improvements that will have the greatest positive impact on city residents and visitors. This plan was developed in support of the Safe Streets for All Safety Action Plan and the Willmar Comprehensive Plan.

Bike, Pedestrian, and Trail Plan

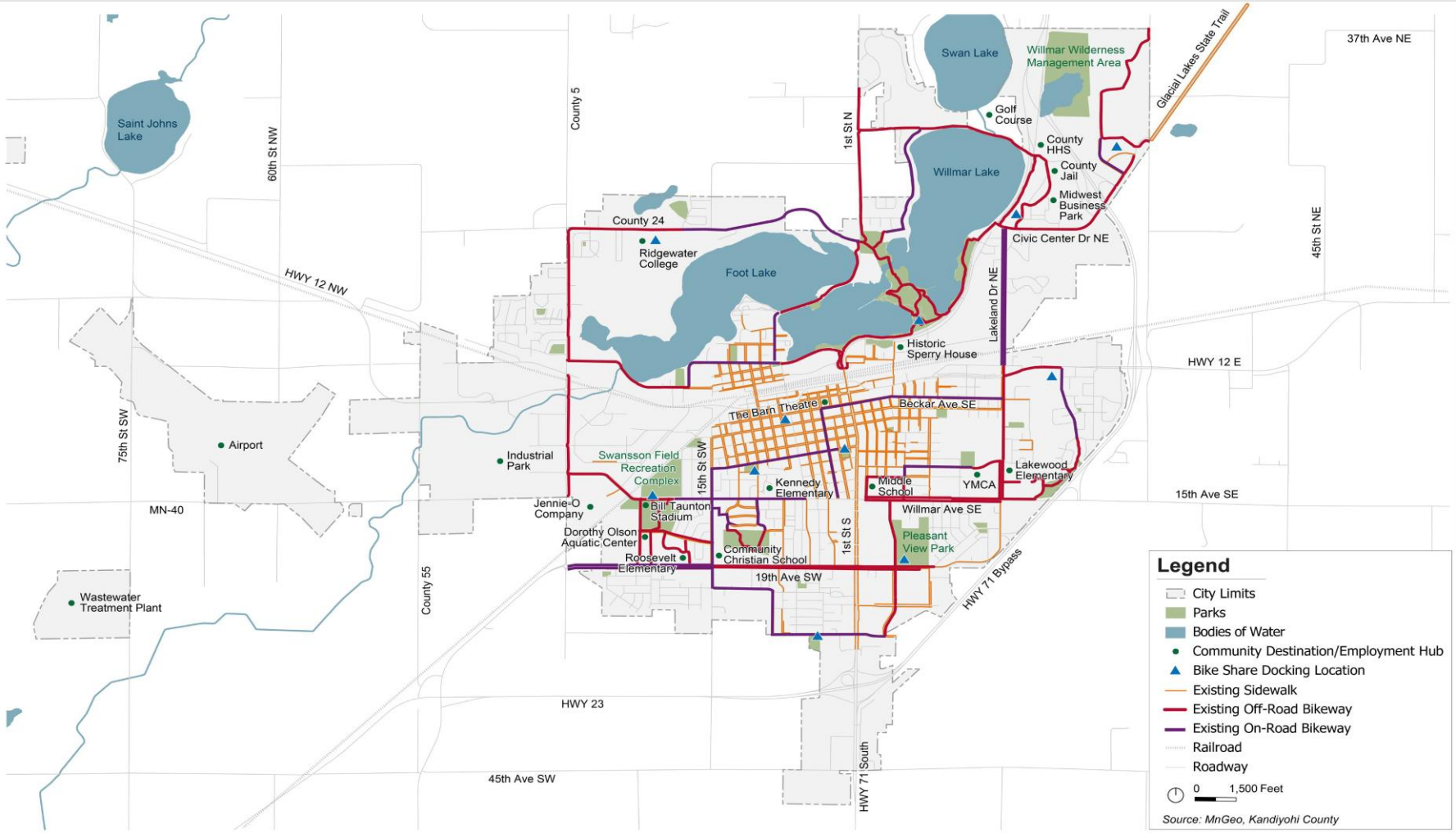


Goals and Objectives

- Provide safe and convenient bicycle and pedestrian facilities to community destinations.
- Build upon work that has already been done.
- Nurture partnerships with other agencies and community organizations to support and encourage biking and walking.
- Provide a system that supports people of all backgrounds and abilities.
- Provide an active transportation network that contributes to community resiliency and sustainability.
- Identify critical intersections for pedestrian and cyclist safety improvements.
- Evaluate conditions that support walking and biking on key corridors and prioritize recommended improvements.
- Identify missing gaps and links in the existing trail and sidewalk system and recommend priority improvements.
- Provide concept estimates, phasing suggestions, and potential funding sources for improvements.

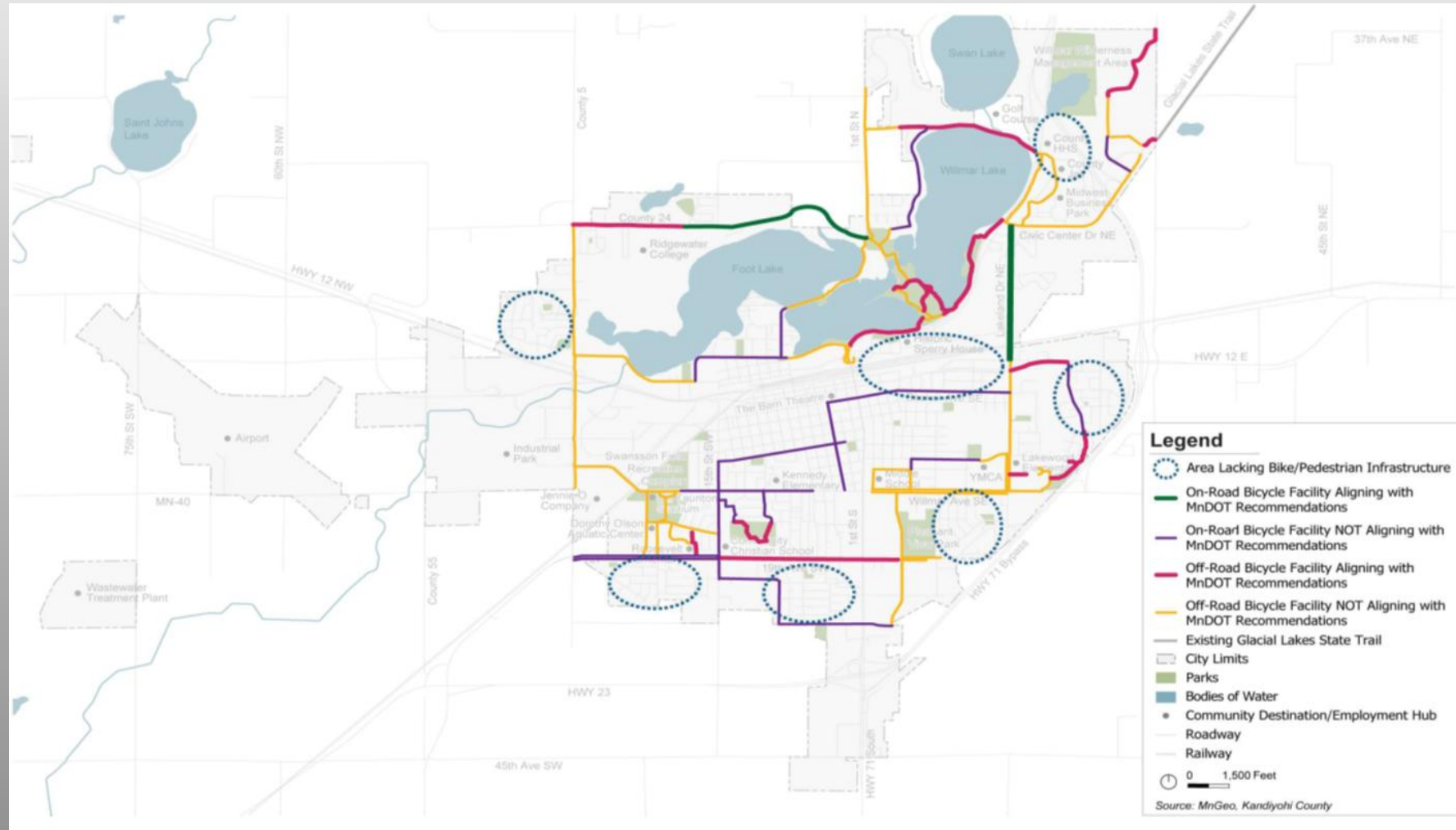
Bike, Pedestrian, and Trail Plan

Existing Bike, Pedestrian, and Trail System



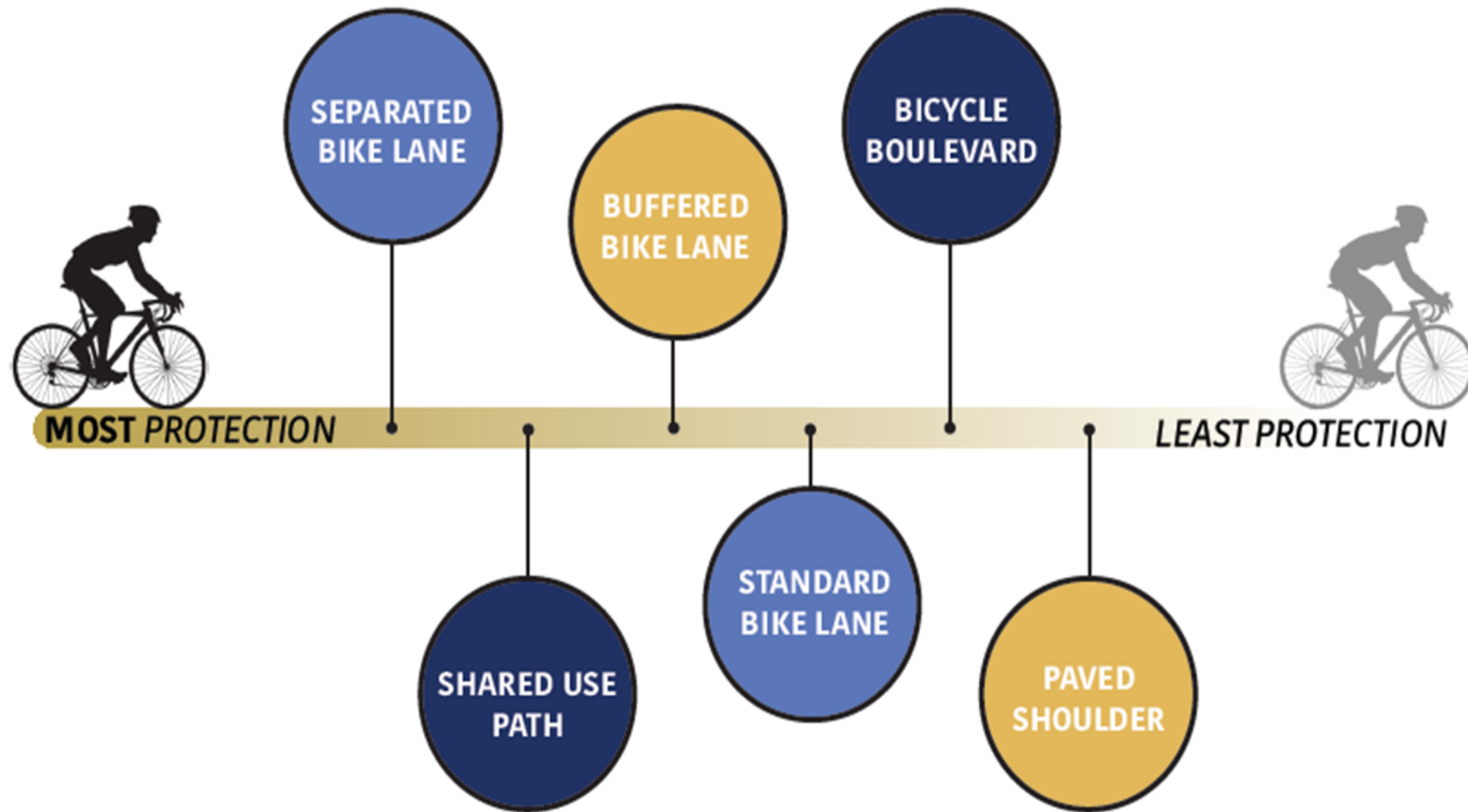
Bike, Pedestrian, and Trail Plan

Connecting Gaps and Safety Concerns



Bike, Pedestrian, and Trail Plan

MnDOT-Bike, Pedestrian, and Trail Guidelines



Bike, Pedestrian, and Trail Plan



Implementation and Funding

- The Bike, Pedestrian, and Trail Plan is organized into five priority levels, with *Priority 5* representing the highest-impact areas for improvement.
- A total of 39 areas have been identified for improvements throughout the city's trail system, including those associated with the Safe Streets for All program.
- Estimated project costs vary significantly, ranging from \$4,000 to \$26 million, depending on scope and scale. Establishing clear priorities and partnerships will be essential to moving projects forward effectively.
- Securing funding will be critical for implementing this plan. The City will explore various grant opportunities and funding programs—particularly those that align with upcoming street projects or development efforts. Potential funding sources include the American Walks Community Grant, American Trails Trail Fund, Safe Routes to School, and the Park and Trail Legacy Grants (DNR).

Bike, Pedestrian, and Trail Plan

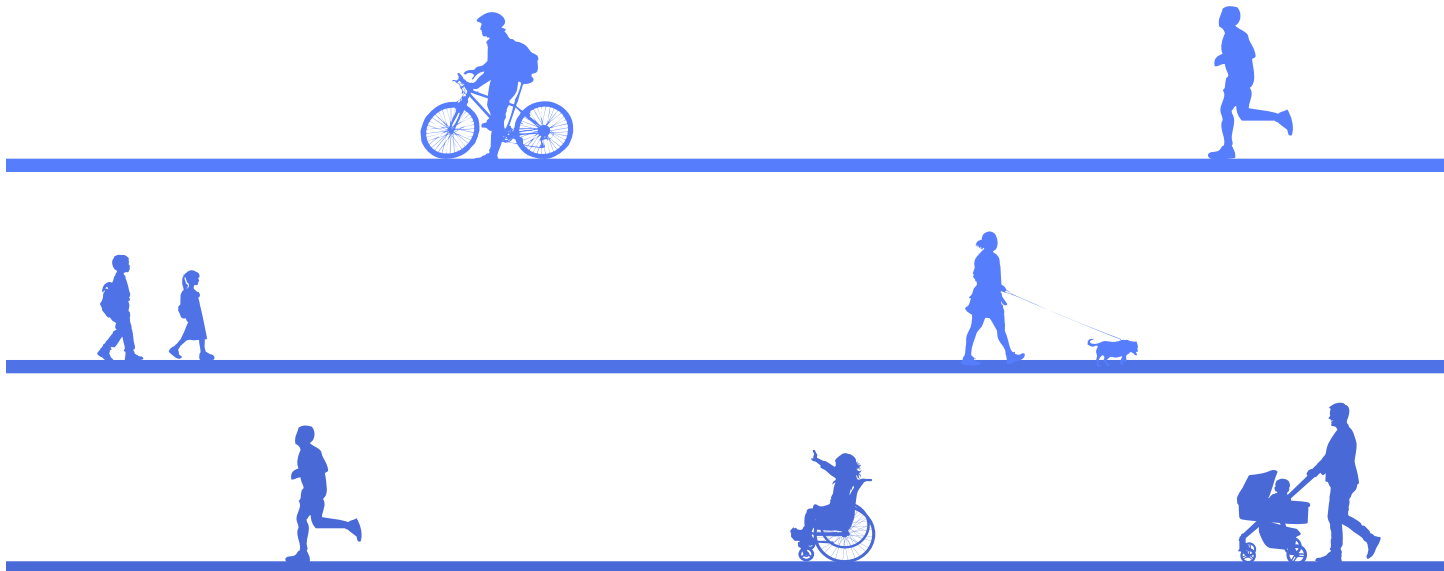


Thank you to:

- *City of Willmar – Public Works, Planning, and Parks and Rec Staff*
- *Willmar Lakes Area CVB*
- *Willmar Bikes*
- *Willmar Public Schools*
- *Kandiyohi and Renville County SHIP*
- *Bolton and Menk*
- *Willmar Community*

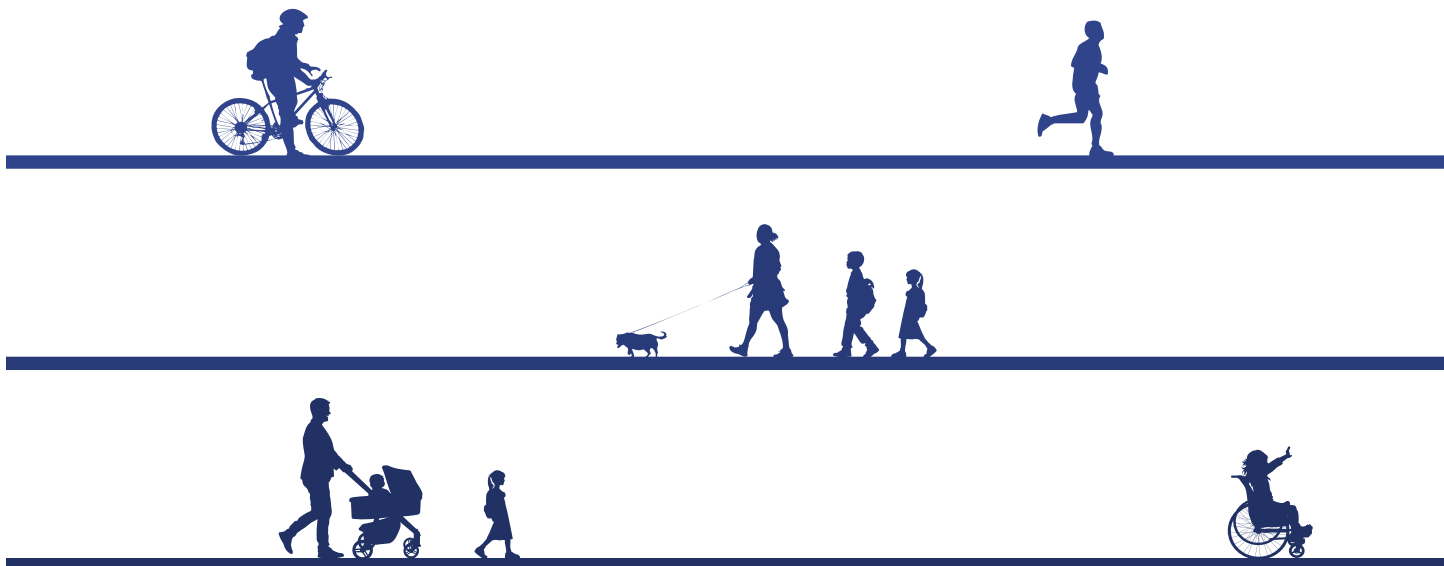


Questions?



CITY OF WILLMAR

*BIKE,
PEDESTRIAN,
AND TRAIL PLAN*



ACKNOWLEDGMENTS

CITY OF WILLMAR STAFF

Rob Baumgarn	Parks & Recreation Director
Paul Tinklenerg	Public Works Foreman
Christopher Corbett	Planning and Development Director
Christopher Frank	City Planner
Justin DeLeeuw	Public Works Director
Curt Hein	Public Works Project Manager

WILLMAR LAKES AREA CONVENTION & VISITOR BUREAU

Beth Fischer	Executive Director
--------------	--------------------

WILLMAR BIKES

Chris Radel	Member
-------------	--------

WILLMAR SCHOOL DISTRICT

Pam Vruwink	Community Education Coordinator
Alex Wolter	Community Education Director

KANDIYOHI COUNTY

Mel Odens	County Engineer / Public Works Director
Brittany Schmalz	SHIP Coordinator/Health Strategist

RENVILLE COUNTY

Jeff Filipek	SHIP Coordinator
--------------	------------------

CONSULTANT TEAM



Casey Byers, PLA	Principal-in-Charge
Anna Springer, PLA	Project Manager
Katherine Gould, PLA	Lead Landscape Architect
David Sandberg, GISP	GIS Specialist
Sarah Swedburg	Planner
Emily Holman	Project Communications Specialist
Jared Voge, PE	QA/QC Advisor

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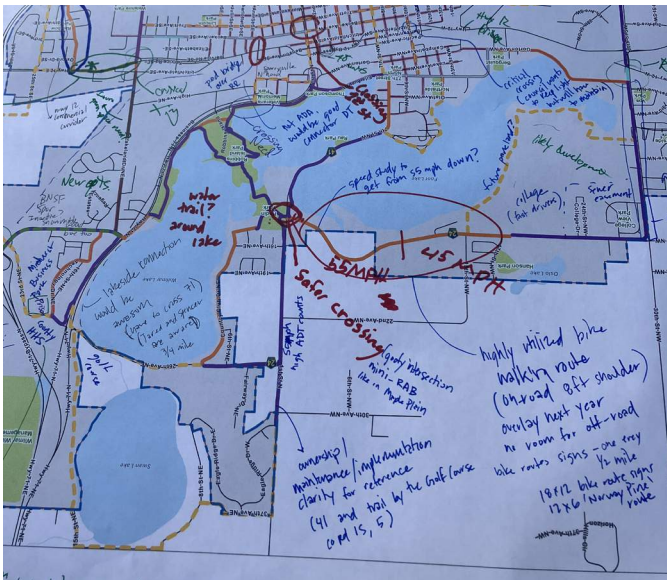
PLAN PURPOSE

The purpose of this Bike, Pedestrian, and Trail Plan is to provide a framework for improvements that support and promote active transportation in Willmar. This includes walking, biking, and rolling. By identifying and making recommendations to improve key pedestrian and cycling routes across the city, as well as addressing gaps in the current system, this plan will identify pedestrian and cycling routes that have gaps or barriers to implementation and assist the city in prioritizing improvements that will have the greatest positive impact on city residents and visitors. This plan was developed in support of the Safe Streets for All Safety Action Plan and the *With Willmar* Comprehensive Plan.

VISION FOR THE SYSTEM

Through public engagement, review of previous efforts, and in collaboration with city staff and stakeholders, an updated vision for Willmar’s bike, pedestrian, and trail system was formed. The vision for this bike, pedestrian, and trail system describes where the community is going and what it aspires to look like in the future. It identifies the ultimate goal for the system and describes the ideal outcome.

“The City of Willmar is highly connected by a safe and accessible system of sidewalks, trails, and routes that maximize the social, economic, physical, and environmental benefits of active transportation options for all residents and visitors.”



PROJECT GOALS

The following goals were developed to guide the direction of this plan and help achieve the vision for the city’s bike, pedestrian and trail system:

- Provide safe and convenient bicycle and pedestrian facilities to community destinations
- Build upon work that has already been done
- Nurture partnerships with other agencies and community organizations to support and encourage biking and walking
- Provide a system that supports people of all backgrounds and abilities
- Provide an active transportation network that contributes to community resiliency and sustainability

OBJECTIVES

The objectives of this plan are to:

- Identify critical intersections for safety improvements for pedestrians and cyclists
- Evaluate conditions that support walking and biking on key corridors and prioritize recommended improvements
- Identify missing gaps and links in the existing trail and sidewalk system and recommend priority improvements
- Provide concept estimates, phasing suggestions and potential funding sources for improvements

PROCESS OVERVIEW

This plan was developed over the course of six months, beginning in July of 2024. The process was lead by a collaborative effort of city staff and the consultant team. Major project tasks are listed below and shown on the schedule on the following page.

1. **Evaluate Existing Conditions** - Review of the built environment, community needs, crash data, previous planning efforts, and more to assess existing active transportation networks
2. **Vision** - Writing an updated bike, pedestrian, and trail network vision statement based on stakeholder feedback and community engagement data
3. **Recommendations**- Proposed improvements to active transportation networks
4. **Implementation Plan** - Project funding, prioritization, and cost estimates of proposed improvements
5. **Final Plan** - Completion of the final Bike, Pedestrian, and Trail Plan reviewed by project stakeholders and submitted to city staff

Project Schedule

	JUL 2024	AUG 2024	SEPT 2024	OCT 2024	NOV 2024	DEC 2024	JAN 2025
Task	1. Evaluate Existing Conditions						
			2. Vision				
				3. Recommendations			
					4. Implementation Plan		
						5. Final Plan	
Staff Check-In Meetings	Monthly Staff Check - In Meetings (five virtual, one in person)						
Community Engagement	Online Community Survey in Conjunction with the Safety Action Plan						
	7/8 Stakeholder Listening Session	8/12 'With Willmar' Open House					

Project schedule and tasks

Community Engagement

Bike, Pedestrian, and Trail Plan Kick Off and Listening Session

This meeting, hosted July 8, 2024 at the Willmar Fire Department, gathered stakeholders and community members to discuss the past, present, and future of active transportation in the city. This meeting was attended by the majority of the individuals listed in the Acknowledgment section of this plan. They represent a number of different departments within city and county government, the school district, the chamber of commerce, and bike advocacy group *Willmar Bikes*. Approximately 12 people participated in a discussion of current conditions for those biking, walking, and rolling in the city, and a brainstorm of opportunities and future improvements.



Participants provided comments on an existing conditions map at the July 8 listening session

With Willmar Comprehensive Plan Open House

On August 12 of 2024, the *With Willmar* comprehensive planning team hosted two open houses at the Public Library. The Bike, Pedestrian, and Trail planning team also participated in these events, sharing bikeway typology information and asking participants to provide information on their own experiences – the good and the bad – walking and biking in Willmar. Six community members, as well as representatives from Public Works, Parks and Recreation, and the city’s Planning department were present and participated in the discussion and activity. Key takeaways from these discussions include the need for pedestrian crossings of Business 71 to Robbins Island Regional Park, opportunities to extend the Glacial Lakes State Trail into downtown, desire for more community and green space downtown, and priority locations for trail signage and trail surface improvements.

The Willmar Safe Streets for All Safety Action Plan

In addition to the public input received at events for the Bike, Pedestrian, and Trail Plan and the *With Willmar* Comprehensive Plan, robust public engagement data from the Willmar Safe Streets for All Safety Action Plan was utilized in the development of this plan. The Safety Action Plan is a concurrent transportation planning effort the city undertook with grant funding from the U.S. Department of Transportation. The goal of the SS4A was to identify issues, trends, problematic infrastructure, and areas needing improvement so the City could design safety improvements and apply for implementation funding; similar to the goals of this plan.

The community provided feedback through the online survey, community pop-up events, and focus groups. Data related to bicycle and pedestrian transportation and infrastructure have been collected and analyzed, so this major public engagement effort also informs the Willmar Bike, Pedestrian, and Trail Plan. The Safety Action Plan Engagement Summary is available in the Appendix of this plan.

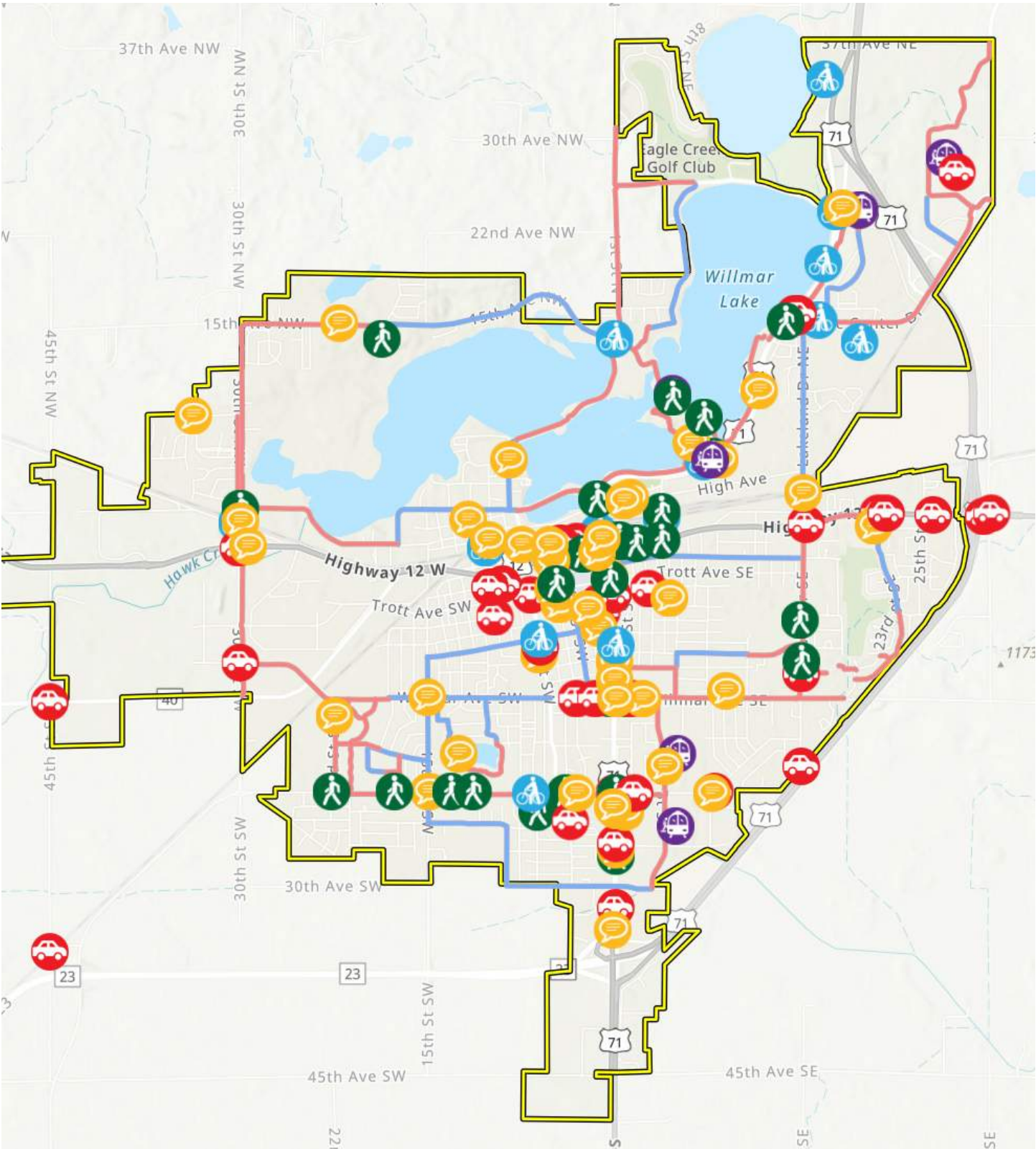
Online Survey, Focus Groups, and Pop-Up Events

Community input was collected online and in-person, at standalone engagement events and at pop-ups around the city at community destinations. Outreach and engagement efforts were guided by a focus on equity, and reaching marginalized populations that are often not engaged in transportation planning processes was a priority for the project. Demographic analysis and the Willmar Equity Focus Areas Map show areas of the city that were prioritized for engagement, and focus groups were scheduled with community groups to engage populations that may not have been reached by the online survey or pop-up events. For example, multiple focus groups were conducted with members of Advocacy and Inclusion Matters (AIM), a local Willmar non-profit organizations that supports adults with disabilities.



Advocacy and Inclusion Matters (AIM) Focus Group

Figure 1.1 Willmar Safe Streets for All Safety Action Plan Online Interactive Comment Map

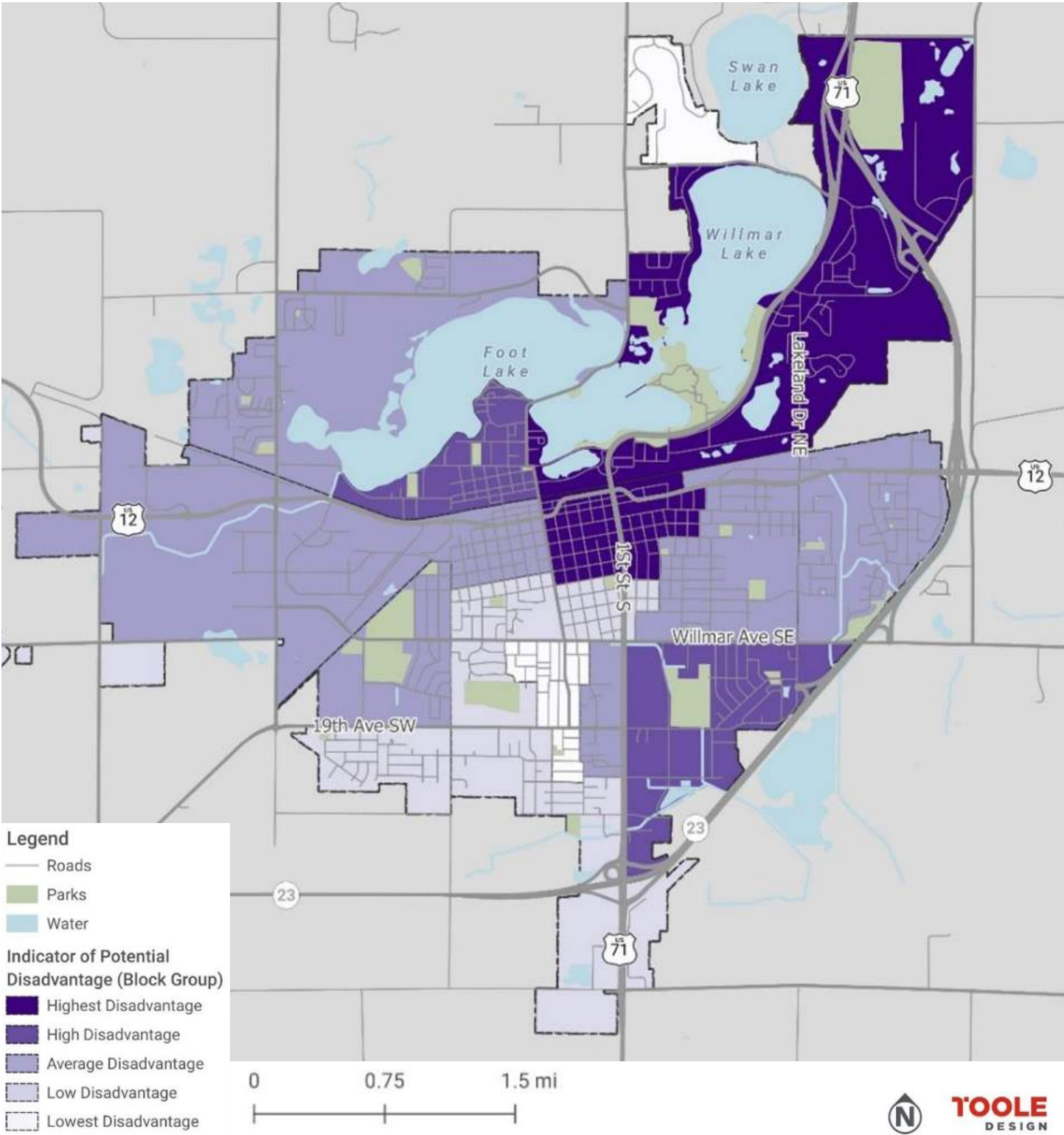


An online interactive comment map was used to gather location-specific input for this plan and the Safety Action Plan

Equity Focus Areas

The Safety Action Plan includes an equity analysis, recognizing that marginalized communities have been most harmed, and least helped, by transportation projects historically. Focusing engagement, interventions, and improvements to serve these communities advances equity. For this reason, the equity focus areas map guides plan analysis and the active transportation recommendations in the following chapters of this plan.

Figure 1.2 Willmar Equity Focus Areas Map



CHAPTER 2

EXISTING CONDITIONS & NEEDS ASSESSMENT



To evaluate the city bike, pedestrian, and trail systems, an understanding of existing conditions and the community’s active transportation needs is crucial. This chapter provides an overview of the community, demographics, past planning efforts, existing infrastructure, and input collected from the public. This information guides the needs assessment analysis at the end of the chapter, and ultimately the recommendations and implementation guidance that follows. It captures observations of Willmar’s evolving active transportation networks at the time of this plan’s completion.

COMMUNITY PROFILE

Location/Background

The City of Willmar is located in the heart of West Central Minnesota, approximately 110 miles west of St. Paul, Minnesota. Originally developed by white settlers as a main depot stop along the Burlington Northern Santa Fe Railway, it has long been a regional transportation hub. The city is the county seat of Kandiyohi County with a population of 21,015 in the 2020 Census. Since its inception, the city has experienced steady population growth every decennial census.

Age

The median age in Willmar is 35.1 years old, younger than both Kandiyohi County and the State of Minnesota (Source: ESRI, ACS, Esri forecasts for 2023, 2017-2021, 2028). Over 35% of the population is under the age of 25 (Source: ACS 2022).

While the city has a smaller percentage of population between the ages of 50 and 85 compared to Kandiyohi County, it has a higher percentage of population over the age of 85 (Source: Willmar ESRI Community Profile). This may be connected to the large number of senior living facilities and nursing homes in the city compared to its neighboring cities in the county.



Chief Kandiyohi statue and historical plaque

Race/Ethnicity and Language

Compared to many other cities in Greater Minnesota, Willmar’s racial diversity index is quite high at 71.7 (Source: ESRI, ACS, Esri forecasts for 2023, 2017-2021, 2028). The city’s strong presence in agribusiness and biotech businesses has attracted diverse workers and families for decades. As reported during the 2020 Census, 58.9 percent of the population is White alone and 23.7 percent of the population is Hispanic or Latino. Additionally, 12 percent of the population is Black or African American alone, 2.4 percent of the population is Asian alone, and 2.3 percent of the population is two or more races.

With the city’s racial diversity comes a diversity in the languages spoken by residents. Only 68.6 percent of people speak English alone. Spanish is the second most common language, and 1.1 percent of the populations only speaks Spanish while an additional 1.7 percent speak Spanish but don’t speak English well (Source: Esri (2023, 2028), ACS (2017-2021), Esri-Data Axle (2023)). According to the Willmar Public School, at least 26 languages are spoken by students in district and more than 39 percent of students have a home language other than English.



Robbins Island Regional Park trilingual welcome sign

Income

The median household income in Willmar is \$57,098 (Source: ESRI, ACS, Esri forecasts for 2023, 2017-2021, 2028). Approximately 15 percent of households live below the poverty level and 14 percent of households receive food stamps/SNAP (Source: ESRI, ACS, Esri forecasts for 2023, 2017-2021, 2028).

Compared to both Kandiyohi County and the State of Minnesota, the city’s median household income is much lower. This may, in part, be related to the city’s young population compared to these other two geographies.

Education

The city residents have a wide range of educational attainment:

- ◇ 11 percent do not have a high school diploma
- ◇ 29 percent have graduated high school only
- ◇ 37 percent have participated in some college
- ◇ 23 percent have a bachelor’s degree or higher from a post-secondary institution

(Source: ESRI Community Profile)

COMMUNITY PROFILE (CONTINUED)

Labor Force

In the city, 16.5 percent of employees work in the service industry, 28.9 percent work in a blue collar industry, and the remaining 54.5 percent work in a white collar position (Source: ESRI, ACS, Esri forecasts for 2023, 2017-2021, 2028). While not quite as low as the State or Kandiyohi County, the city unemployment rate was 3.6 percents, which is still low based on industry standards (Source: Minnesota Department of Employment and Economic Development).

While the resident population is 21,015, the daytime population rises to 26,853 due to the large number of employers in town. Approximately 19,945 people are employed in the City by 1,124 businesses (Source: Esri (2023, 2028), ACS (2017-2021), Esri-Data Axle (2023)).

Transportation

Commute times in the city are quite low, with most commuters traveling less than 15 minutes (Source: ESRI, ACS, Esri forecasts for 2023, 2017-2021, 2028). When traveling to work, residents over the age of 16 drive alone the most (77 percent), while 11 percent carpool, 2 percent take public transit, 2 percent walk, and 1 percent bikes (Source: ESRI Community Profile). It should be noted that about 3 percent of households do not have a vehicle.

Housing

The median home value in Willmar is \$178,023. Renters make up 37.7 percent of the population, while 62.3 percent of the population owns their home. While the majority of homes in the city were built before 2000, there was a relatively even distribution of housing development between 1950 and 1999. While most pay less than 30% of their salary towards their mortgage, over 5 percent of the population pays 50 percent or more of their salary towards their mortgage, creating a cost-burden for their households. (Source: Esri, ACS, Esri forecasts for 2023, 2017-2021, 2028)

A young population such as Willmar’s indicates that trails and connectivity to parks and activities for kids and young adults may be important for a large portion of the population. It should be noted that 29 percent of households in the city have one or more persons with a disability, which means accessible facilities are also important for a large portion of the community.



New 26th Ave NE off-road trail

DEMOGRAPHICS

Review of current demographic data through the lens of active transportation reveals the need for additional bike and pedestrian infrastructure to support the city’s transportation needs. Eight percent of households do not have a personal vehicle. Twenty-nine percent of households identify as having at least one person with a disability, many of which require alternate transportation methods. The summary graphics below are followed by a Willmar Community Profile that cites sources of data.

21,196

Population

7,969

Households

2.55

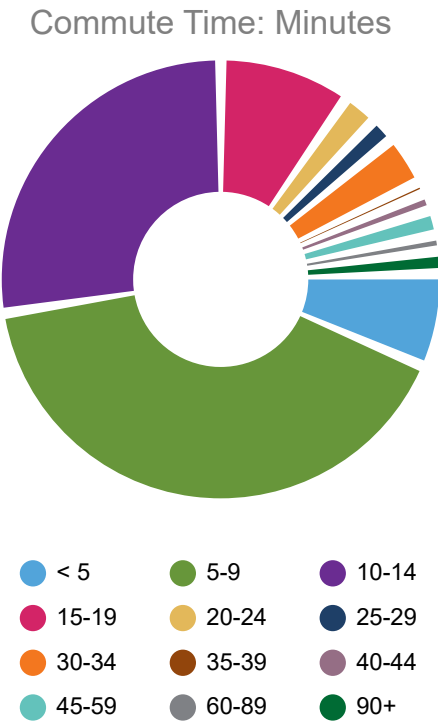
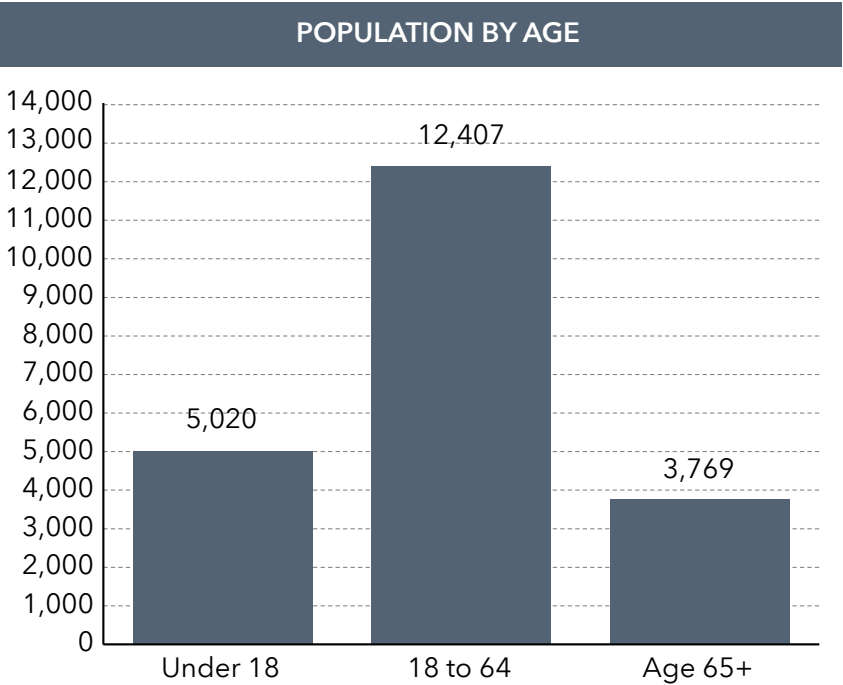
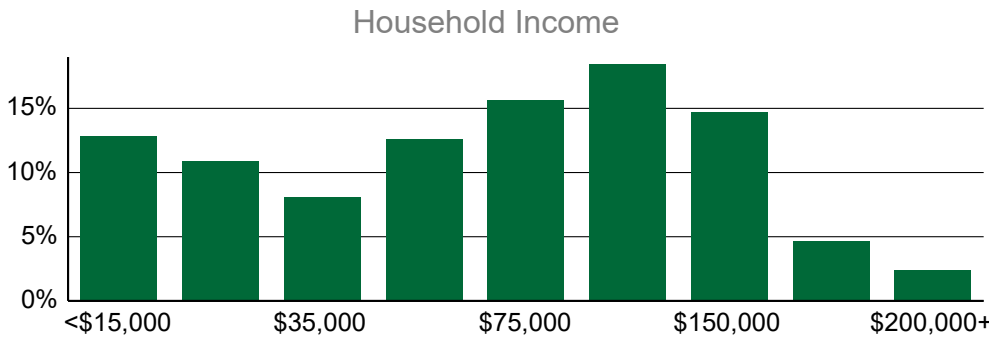
Avg Size Household

35.1

Median Age

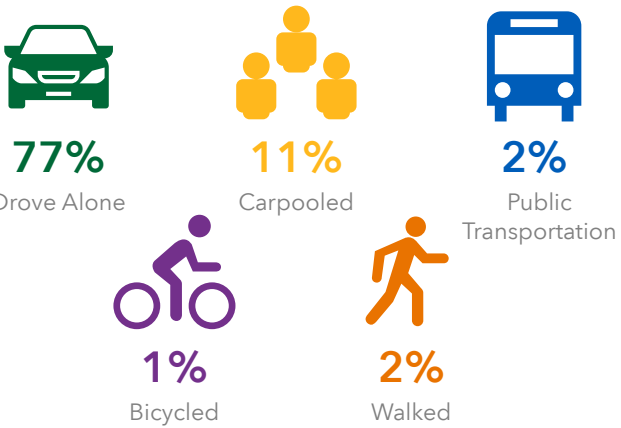
652

Households Without Vehicle

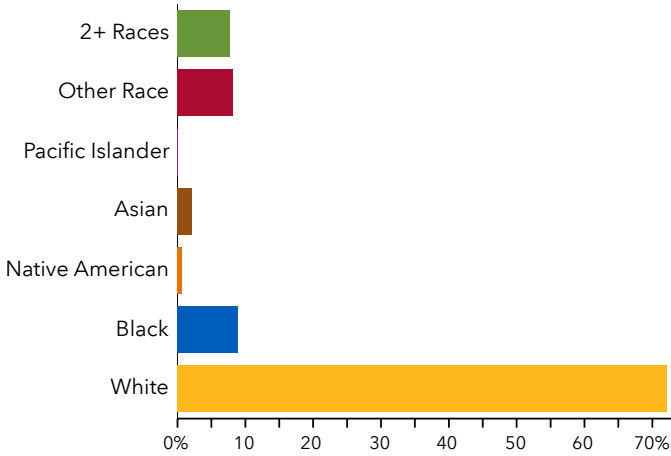


DEMOGRAPHICS (CONTINUED)

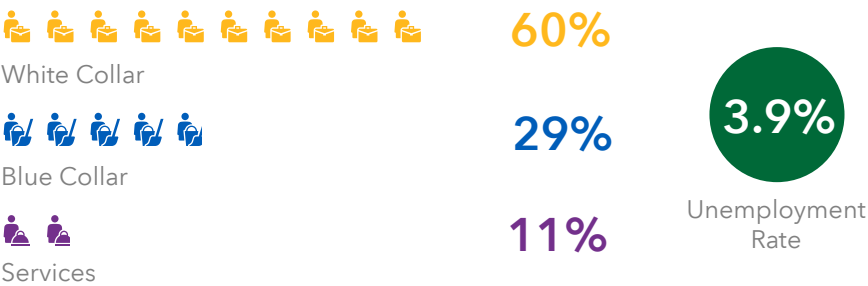
2017-2021 Transportation to Work, Age 16+



2021 Population 18+ Years by Race



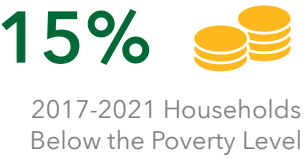
Employment (2023)



Local Interest



Poverty Status



Food Stamps



Persons with a Disability



Language Spoken at Home

2017-2021 Population by Language Spoken at Home (ACS 5-Yr)		2017-2021 Population by Language Spoken at Home (ACS 5-Yr)	
Ages 18-64 Speak only English	45%	Ages 65+ Speak only English	17%
Ages 18-64 Speak Spanish & No English	1%	Ages 65+ Speak Spanish & No English	0%
Ages 18-64 Speak Spanish & English Not Well	2%	Ages 65+ Speak Spanish & English Not Well	0%
Ages 18-64 Speak Asian-Pacific Isl & No English	0%	Ages 65+ Speak Asian-Pacific Isl & No English	0%
Ages 18-64 Speak Asian-PI & English Not Well	0%	Ages 65+ Speak Asian-PI & English Not Well	0%
Ages 18-64 Speak Indo-European & No English	0%	Ages 65+ Speak Indo-European & No English	0%
Ages 18-64 Speak Indo-Eur & English Not Well	0%	Ages 65+ Speak Indo-Eur & English Not Well	0%
Ages 18-64 Speak Other Language & No English	0%	Ages 65+ Speak Oth Language & No English	0%
Ages 18-64 Speak Oth Language & English Not Well	1%	Ages 65+ Speak Oth Language & English Not Well	0%

REVIEW OF PAST PLANS & EFFORTS

City Of Willmar Comprehensive Plan: Trails & Pedestrian Plan Addendum (2011)

A 2011 Addendum to the City of Willmar Comprehensive Plan identified many recommended improvements for the bike, pedestrian, and trail networks of the city. The recommendations were classified as short-term, mid-term, and long-term according to the improvement’s complexity and importance to the active transportation network. A majority of the ten short-term projects have been completed, as have over half of the mid-term proposed projects.

City of Willmar Comprehensive Plan: Trails & Pedestrian Plan Addendum



Draft Date: August 2011

Prepared by the City of Willmar and the Mid-Minnesota Development Commission

City Of Willmar Parks and Recreation Master Plan (2015)

The 2015 Willmar Parks and Recreation Master Plan also identified existing and proposed facilities for active transportation users. The plan emphasized the need for trails within parks, connections from parks to other major community destinations, and additional north-south active transportation routes. On-road and off-road connections were not distinguished when identifying needed active transportation connections between parks.

Parks and Recreation Master Plan City of Willmar, Minnesota

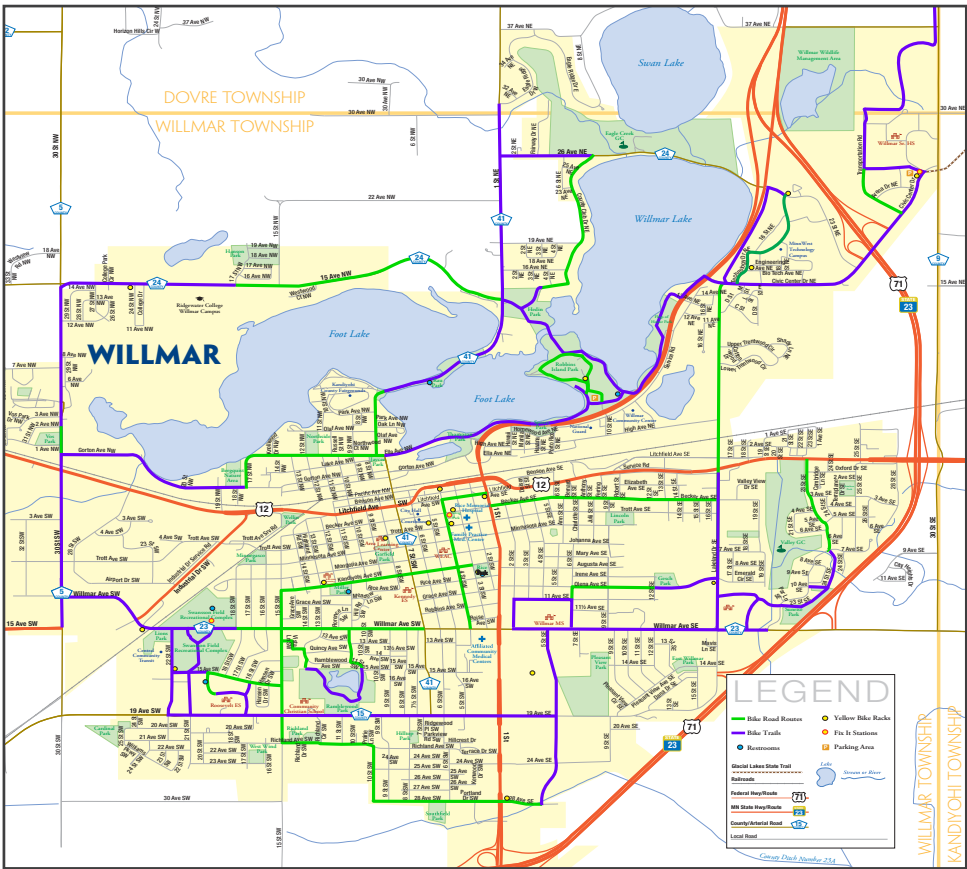
Draft February 2015



REVIEW OF PAST PLANS & EFFORTS (CONTINUED)

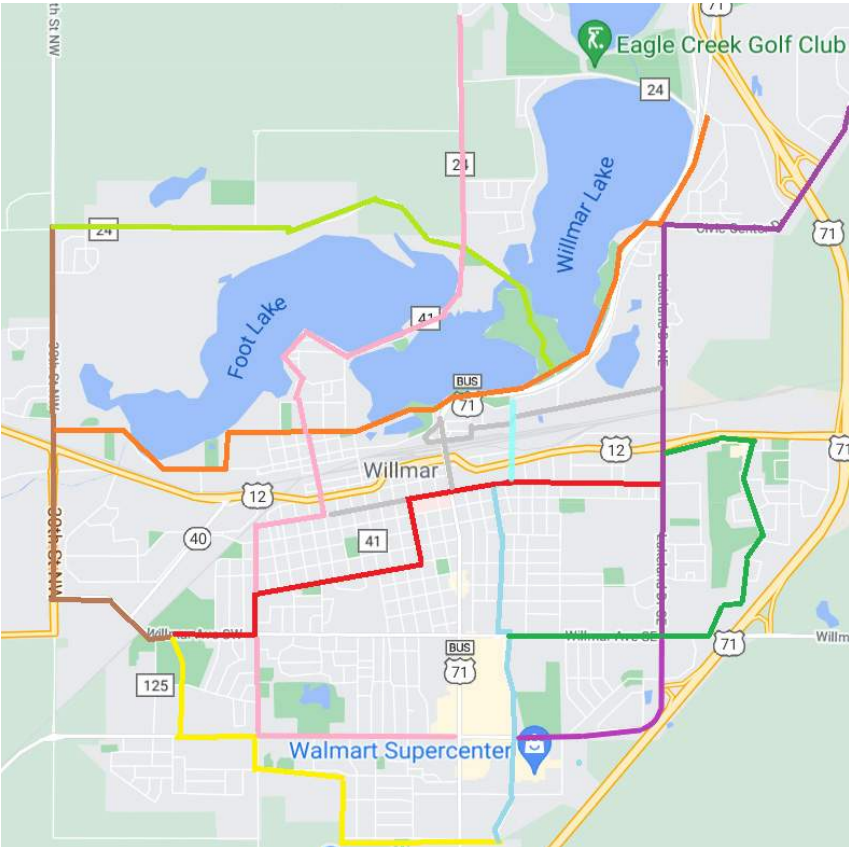
Current Bike Trails Map

The current city bike trails map is available on the city’s website and displayed at multiple sites throughout the community. The plan identifies bike racks and fix-it stations, and distinguishes between off-road Bike Trails and on-road Bike Road Routes. Trail designs and level of user protection are not uniform.



Willmar Bikes

Willmar Bikes is a bicycle and pedestrian education and advocacy group dedicated to improving biking and walking in the city, and are an official chapter of BikeMN. They host community events that promote biking, share information, and have developed wayfinding signage for a network of featured routes in the city. Their priorities for improvements to the city’s current network of bicycle facilities and infrastructure are listed below, and were provided to help inform this plan.



Willmar Bikes Featured Routes

Kandiyohi County Bicycle And Pedestrian Trails Plan (2024)

The 2024 Kandiyohi County Bicycle and Pedestrian Trails Plan identifies the benefits of quality active transportation and prioritizes improvements throughout the county. It maps existing county on-road, off-road, and water trails. The plan summarizes public engagement data and identifies funding opportunities to aid implementation.



Willmar Bikes Priority Projects:

- Willmar Ave bike route from 2nd St SE to 22nd St SW
- Create CR 24/15th Ave NW route to connect Ridgewater to Hedin Park
- Glacial Lakes Trailhead improvements, including a shelter
- Fix the pedestrian bridge over the railroad in Sperryville
- North Willmar Lake loop connection from Oaks to W Civic Center Dr, crossing N Hwy 23/71
- Implement a Complete Streets Ordinance
- Paint lines and bike symbols along all major bike routes
- Add Bike Map QR codes to city website
- Install Northwest Foot Lake Trail connecting Ridgewater to County Road 5
- Create policy to ensure bike path, trail, and route maintenance is reviewed by the city
- Implement a one-side street parking policy for on-street bike routes
- Price out Willmar Bike top ten infrastructure priorities
- Increase accessibility and response to reporting bike/ped issues on city website
- Develop a mountain bike course/park within the city of Willmar
- Ramblewood trail connection: east of Community Christian School
- Traffic regulations for large trucks along Ella Ave

REVIEW OF PAST PLANS & EFFORTS (CONTINUED)

BikeWillmar Bike Share

BikeWillmar is a city bike share program that was launched in May of 2019 in celebration of National Bike Month. The bike share includes 40 rentable bikes docking stations located throughout the community. Bikes can be rented for a low cost and returned to any docking station after use. Use of a smart phone and a credit card is required. The bike share program is to be used by adults at least 18 years old.



Bike docking station locations:

- Glacial Lakes State Trailhead
- Robbins Island Regional Park
- Miller Park
- Selvig Park
- Southfield Park
- MinnWest Technology Campus
- Willmar Lake Area CVB
- Archery Park on 19th Ave
- Willmar Ave at Swansson Field
- Rice Park
- Ridgewater Campus

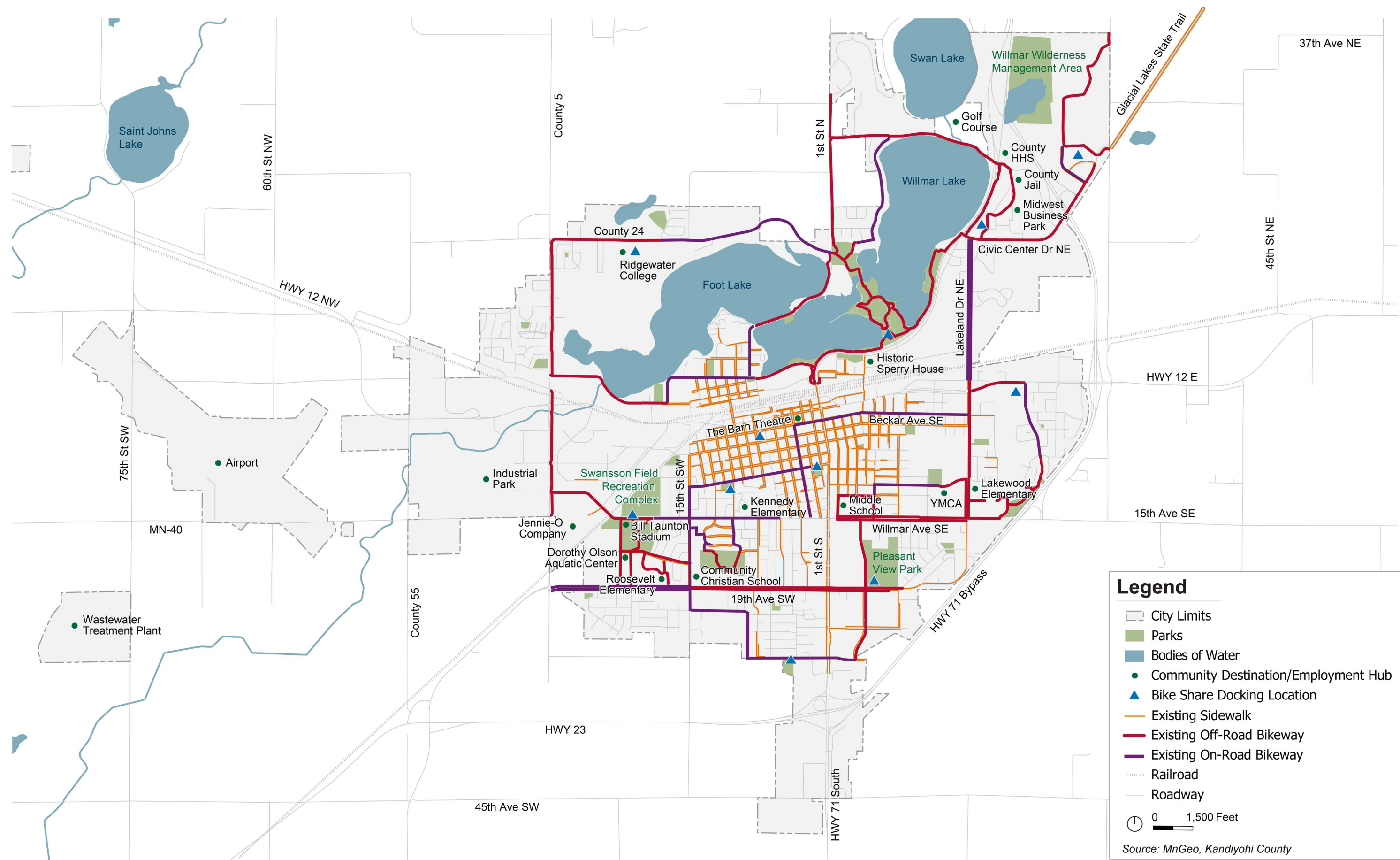


BikeWillmar docking station photo from city website



BikeWillmar community bike share program

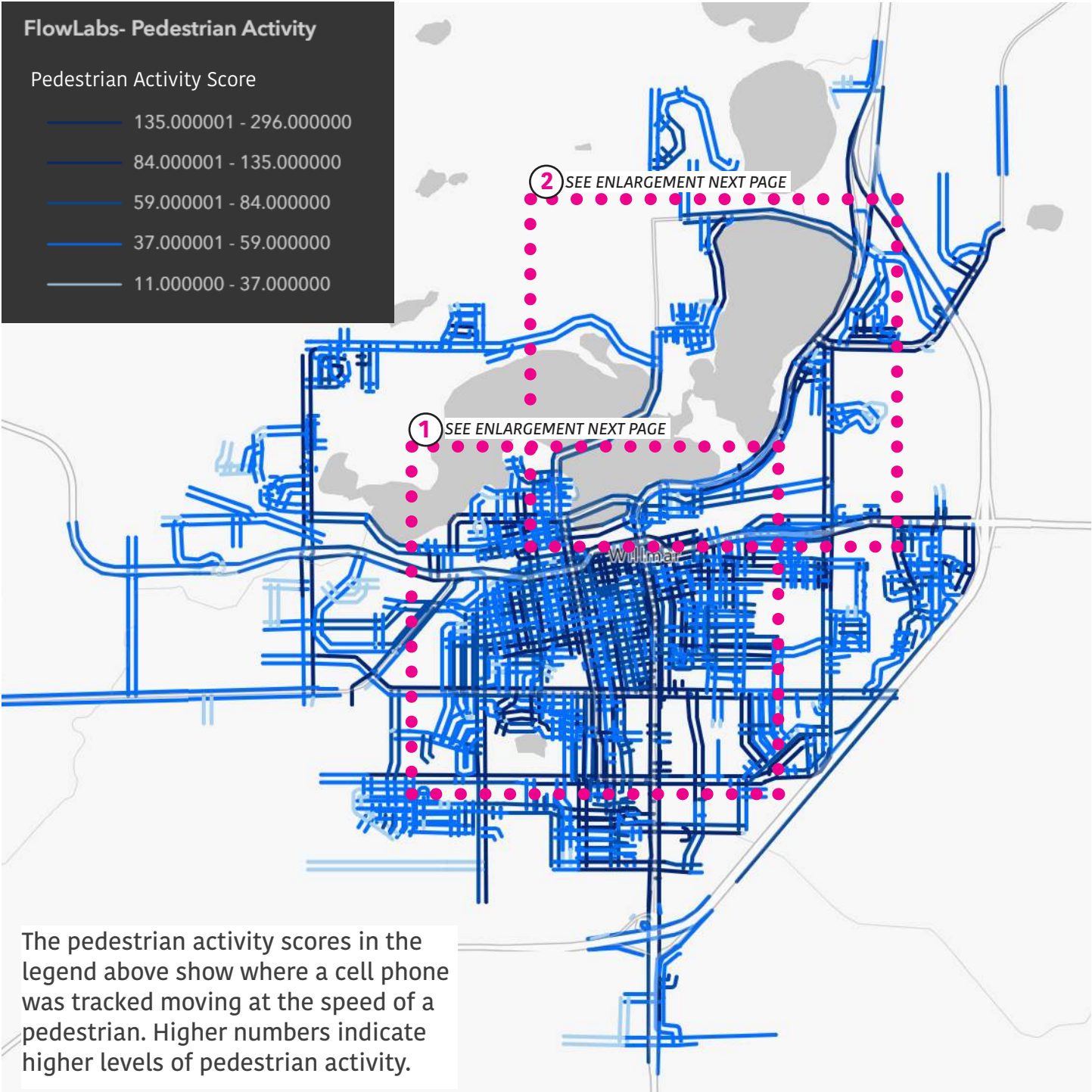
EXISTING BIKE, PEDESTRIAN, AND TRAIL SYSTEMS



EXISTING CONDITIONS ANALYSIS

Pedestrian Activity

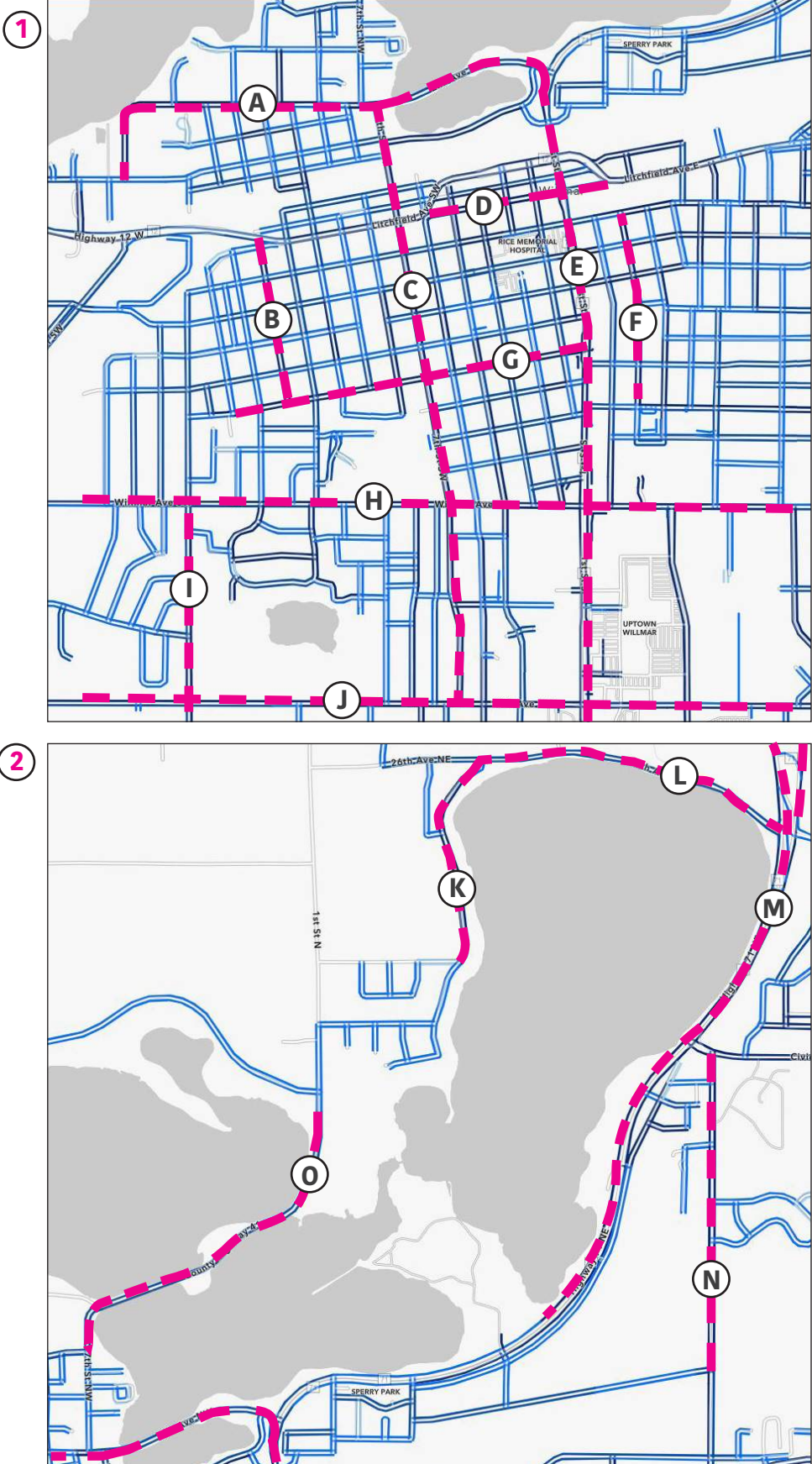
The following maps were created using FlowLabs data captured from September to November 2023. All data is based on cellphone telemetry data purchased from mobile carriers. Smartphone accelerometers are used to track where extreme acceleration/deceleration takes place to analyze braking and other driver behavior. Pedestrian activity is estimated by looking at cell phones that move at walking speeds for distances considered walking distance.



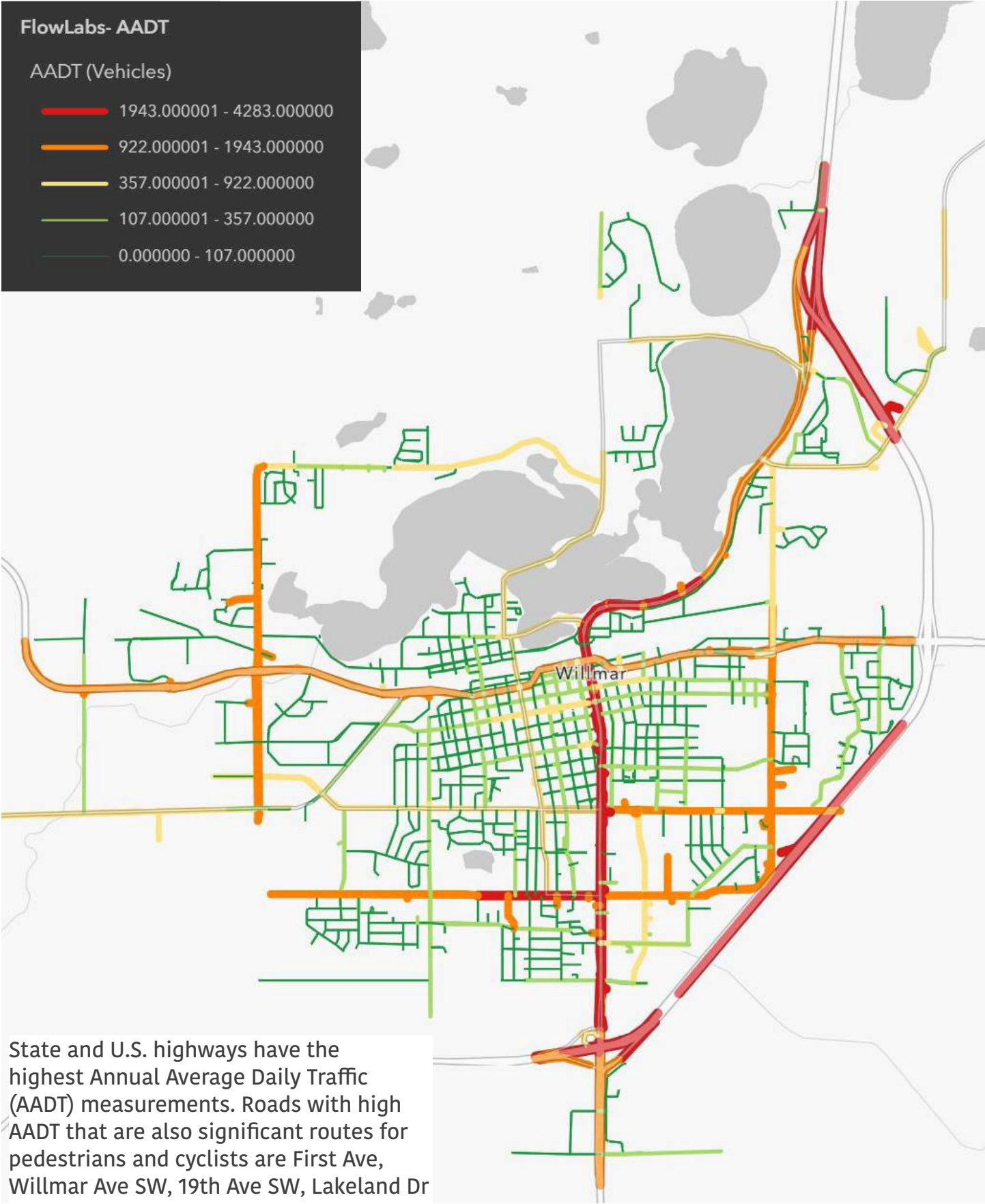
Highest Pedestrian Use Corridors

- Ⓐ Ella Ave NW
- Ⓑ 12th St SW
- Ⓒ 7th St NW
- Ⓓ Litchfield Ave SW
- Ⓔ 1st St S
- Ⓕ 3rd St SE
- Ⓖ Kandiyohi Ave SW
- Ⓗ Willmar Ave SW
- Ⓘ 15th St SW
- Ⓙ 19th Ave SW
- Ⓚ Country Club Dr NE
- Ⓛ 26th Ave NE
- Ⓜ Highway 71 NE
- Ⓝ Lakeland Dr NE
- Ⓞ County Highway 41

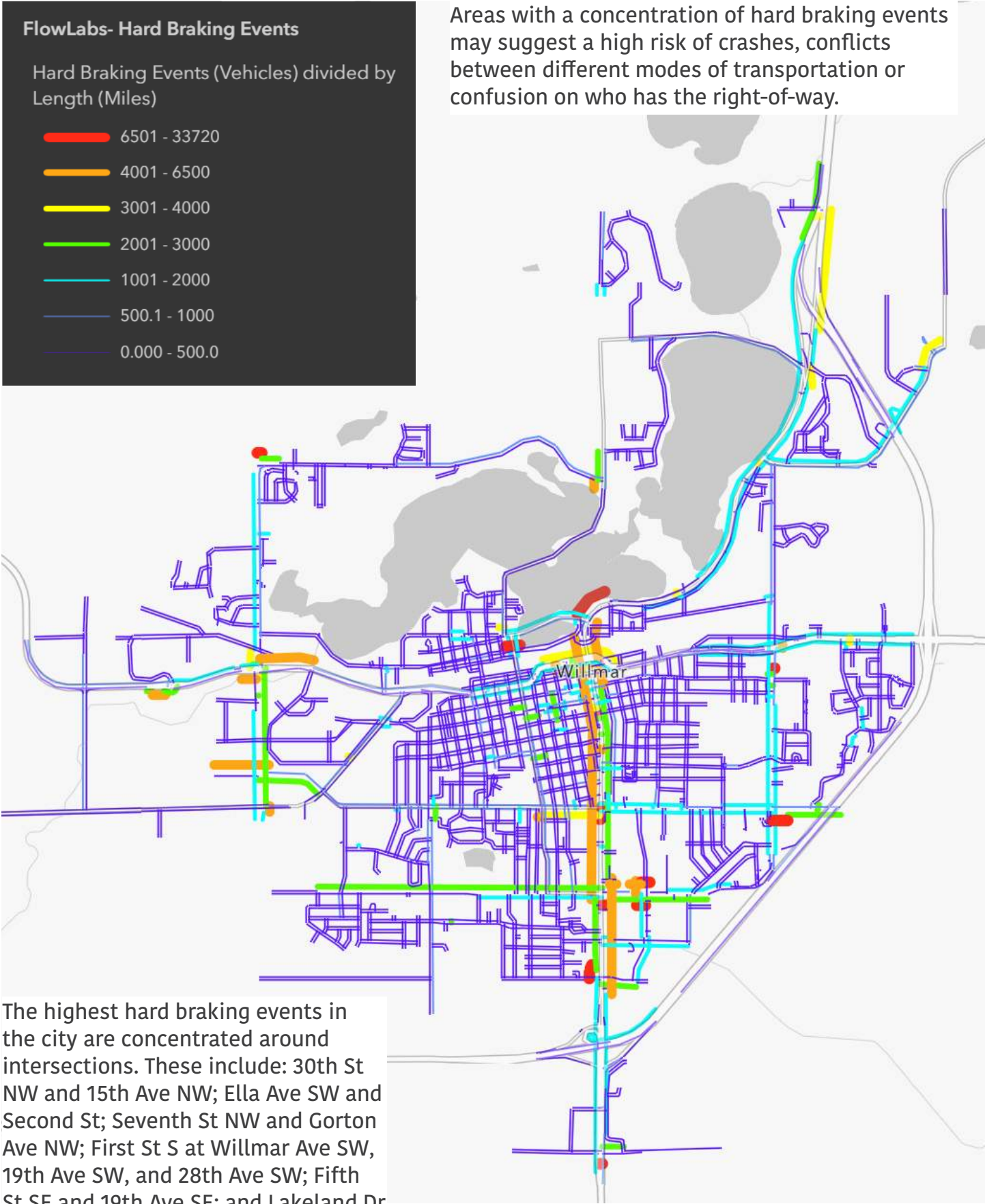
The corridors above, listed in no particular order, had the highest levels of pedestrian activity from September to November 2023. This includes people walking on the road, adjacent sidewalks, shoulders, or boulevards.



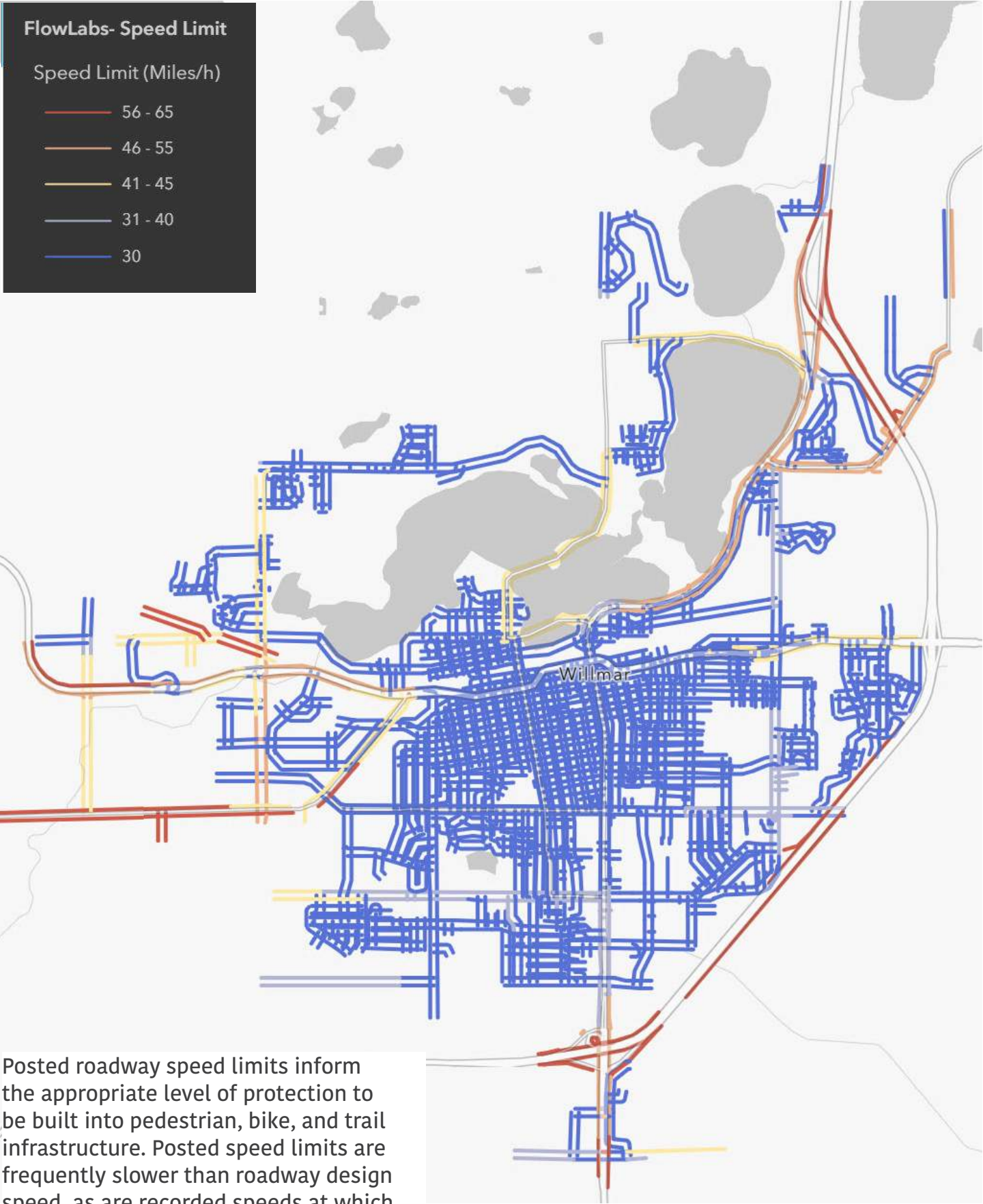
Annual Average Daily Traffic (AADT)



Hard Braking Events

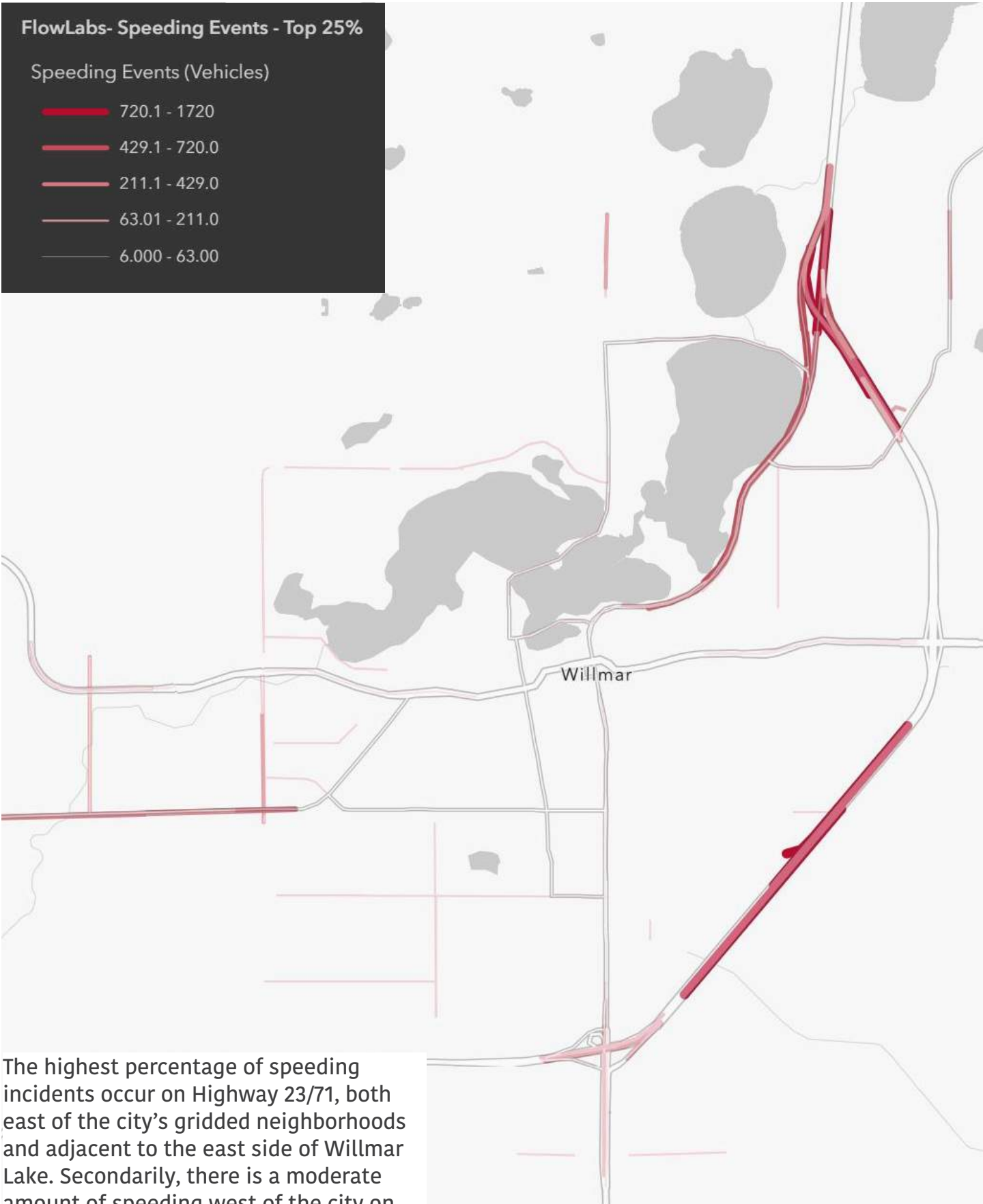


Roadway Speed Limits



Posted roadway speed limits inform the appropriate level of protection to be built into pedestrian, bike, and trail infrastructure. Posted speed limits are frequently slower than roadway design speed, as are recorded speeds at which motorized vehicles travel.

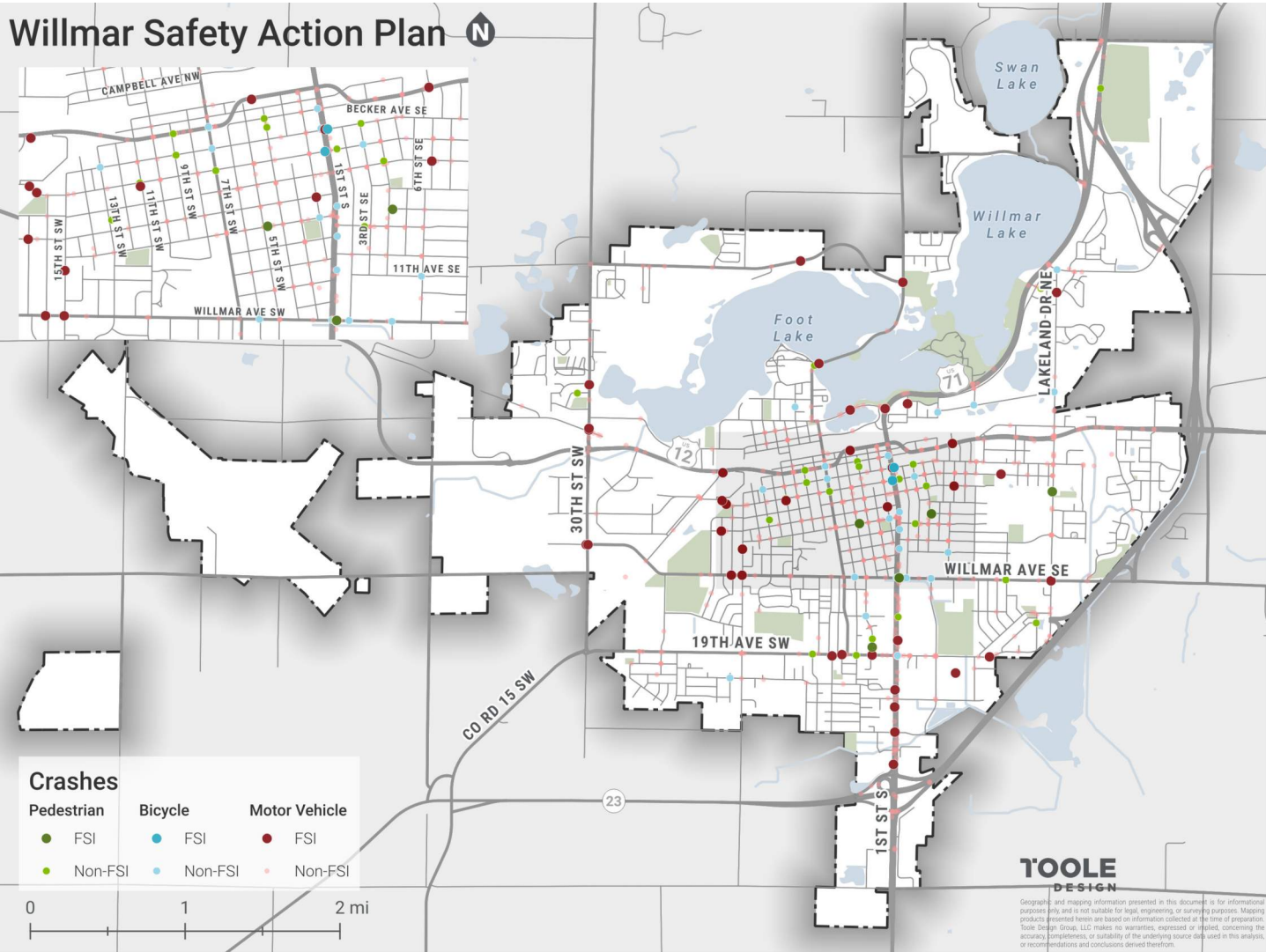
Vehicular Speeding



The highest percentage of speeding incidents occur on Highway 23/71, both east of the city’s gridded neighborhoods and adjacent to the east side of Willmar Lake. Secondly, there is a moderate amount of speeding west of the city on 15th Ave SW/Highway 40.

ACCIDENT/INCIDENT INVENTORY

Crash Data from Safety Action Plan



The map above was created for the Willmar Safety Action Plan in 2024. It shows crash data in the city from 2014 to 2023. The crashes are classified as involving pedestrians, cyclists, or solely motor vehicles. Furthermore, crashes that resulted in a fatality or serious injury (FSI) are distinguished from those that did not (non-FSI). The majority of the total number of crashes, and those that were most severe, were between motor vehicles. There are, however, areas of the city that have experienced a greater number of crashes involving pedestrians and cyclists than others.

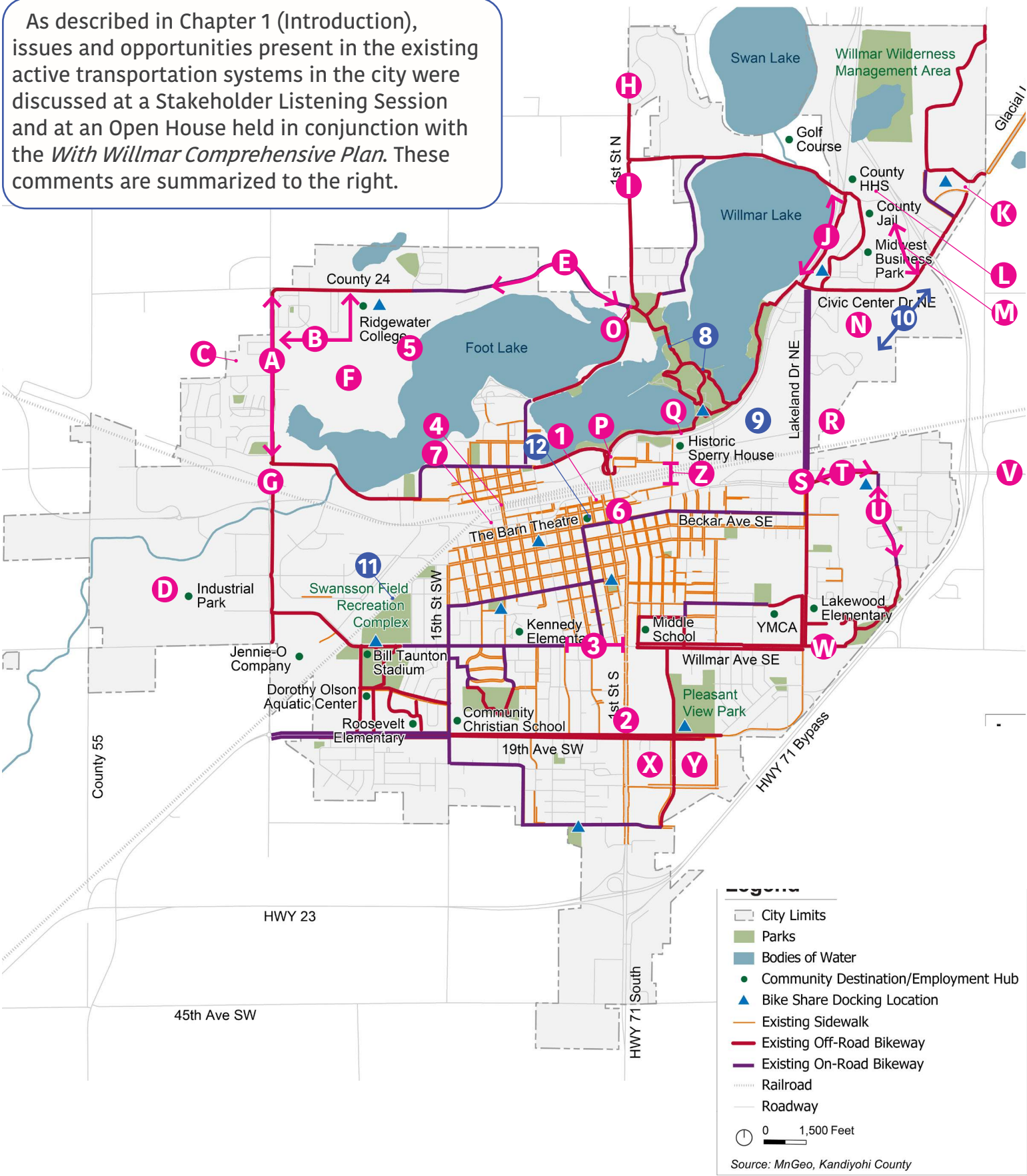


Corridors with Pedestrian-Involved and Cyclist-Involved Crashes

- **FIRST ST S**
 - ◇ Cyclist: 2 FSI & 5 non-FSI crashes
 - ◇ Pedestrian: 1 FSI & 1 non-FSI crash
- **5TH ST SW**
 - ◇ Cyclist: 1 non-FSI crash
 - ◇ Pedestrian: 2 FSI crashes & 1 non-FSI crash
- **WILLMAR AVE SE**
 - ◇ Cyclist: 4 non-FSI crashes
 - ◇ Pedestrian: 1 FSI & 1 non-FSI crash
- **LAKELAND DR NE**
 - ◇ Cyclist: 2 non-FSI crash
 - ◇ Pedestrian: 1 FSI crash
- **KANDIYOHI AVE SW**
 - ◇ Cyclist: 1 non-FSI crash
 - ◇ Pedestrian: 1 FSI crash
- **BECKER AVE SW**
 - ◇ Cyclist: 1 FSI & 3 non-FSI crashes
 - ◇ Pedestrian: 2 non-FSI crashes
- **TROTT AVE SW**
 - ◇ Cyclist: 1 FSI & 1 non-FSI crash
 - ◇ Pedestrian: 2 non-FSI crashes
- **MARY AVE SE**
 - ◇ Pedestrian: 1 FSI crash
- **15TH ST SE**
 - ◇ Pedestrian: 1 FSI crash
- **LITCHFIELD AVE SW**
 - ◇ Cyclist: 2 non-FSI crashes
 - ◇ Pedestrian: 2 non-FSI crashes
- **HIGH AVE NE**
 - ◇ Cyclist: 3 non-FSI crashes
- **7TH ST**
 - ◇ Cyclist: 2 non-FSI crashes
 - ◇ Pedestrian: 2 non-FSI crashes
- **19TH AVE SE**
 - ◇ Cyclist: 1 non-FSI crash
 - ◇ Pedestrian: 2 non-FSI crashes
- **THIRD ST SE**
 - ◇ Cyclist: 1 non-FSI crashes
 - ◇ Pedestrian: 2 non-FSI crashes
- **9TH ST SW**
 - ◇ Pedestrian: 3 non-FSI crashes
- **FOURTH ST SE**
 - ◇ Pedestrian: 2 non-FSI crashes
- **4TH ST SW**
 - ◇ Pedestrian: 2 non-FSI crashes
- **13TH ST SW**
 - ◇ Cyclist: 1 non-FSI crash
 - ◇ Pedestrian: 1 non-FSI crash
- **16TH ST SW**
 - ◇ Pedestrian: 1 non-FSI crash
- **11TH AVE SE**
 - ◇ Cyclist: 1 non-FSI crash
- **6TH ST SE**
 - ◇ Cyclist: 1 non-FSI crash
- **11TH AVE SE**
 - ◇ Cyclist: 1 non-FSI crash
- **RICHLAND AVE SW**
 - ◇ Pedestrian: 1 non-FSI crash
- **2ND AVE NW**
 - ◇ Pedestrian: 1 non-FSI crash
- **MINNESOTA AVE SE**
 - ◇ Pedestrian: 1 non-FSI crash
- **SECOND ST**
 - ◇ Pedestrian: 1 non-FSI crash
- **12TH ST SE**
 - ◇ Pedestrian: 1 non-FSI crash

EXISTING CONDITIONS COMMUNITY COMMENTS

As described in Chapter 1 (Introduction), issues and opportunities present in the existing active transportation systems in the city were discussed at a Stakeholder Listening Session and at an Open House held in conjunction with the *With Willmar Comprehensive Plan*. These comments are summarized to the right.



Stakeholder Listening Session: 7/8/24

- A** Off-road trail conditions are poor due to snowmobile use
- B** Sewer easement
- C** 350-700 new apartment units
- D** Industrial park is a major bike destination for employees that do not drive
- E** Highly utilized biking and walking route on a 8' paved shoulder. No bike route signs. Drivers frequently speed here
- F** Likely future development here
- G** Railroad crossing difficult to cross
- H** Ownership and maintenance responsibilities between city and county are unclear
- I** 55 MPH and high AADT
- J** Lakeside trail connection desired. This will require a safe crossing of Hwy 71
- K** 2025 DNR-funded trail extension and shelter. Opportunity to connect the Glacial Lakes Trail to downtown destinations
- L** Poor access from County HHS to trails to the south. HHS has over 200 employees
- M** Many pedestrians walk on the road on 23rd St NE
- N** New apartment units
- O** Safer crossing needed here at this irregular intersection. The mini-RAB in Maple Plain was referenced.
- P** Stairs here to connect walks on bridge and trails underneath
- Q** Crossing needed here between parks
- R** Future green space desired here
- S** Critical crossing
- T** Off-road trail on south side of the street
- U** Need for safer walking infrastructure here
- V** Highway 12 is a commercial corridor

- W** Off-road trail south of Willmar Ave connects 2 schools and 2 churches
- X** Future apartments
- Y** Future senior housing
- Z** Pedestrian bridge over railroad closed
- 1** 48 future units
- 2** Main street corridor
- 3** Gap in bike network
- 4** Critical crossing of the railroad
- 5** Likely future park land
- 6** Major 1st Ave crossings
- 7** 11th is a good north-south route but requires one to use 10th to cross over the railroad

General comments:

- Signage consistency across the city and county is desired
- There are currently 10 bike share locations in the city
- Better bike and pedestrian connections are needed in the Sperryville neighborhood. This is an EJ40-designated area
- Residents have concerns about single-sided street parking and crossing over to their own cars

'With Willmar' Open House: 8/12/24

- 8** Trails on the north and west side of Robbins Island Park are rough and difficult to use
- 9** Dog park desired here
- 10** Old railroad corridor is very occasionally used, and would be a good trail corridor
- 11** Railroad is a barrier to transportation
- 12** Public green space downtown, on Barn Theater Block, is desired

ONLINE COMMUNITY ENGAGEMENT

The following questions and answers are from the Safe Streets for All Safety Action Plan Survey. Responses most relevant to bike, pedestrian, and trail systems have been excerpted for inclusion in this plan.

Do you have any additional comments you would like to make about transportation safety in the City of Willmar, such as particular locations (segments of roads, intersections, etc.) of concern?

- **1st St**
 - ◇ “Some streets don’t feel safe to walk on since the sidewalk is right next to the road, with no buffer from traffic. 1st Street is a prime example. Walking along 1st St and having cars drive within 2 ft of you doesn’t make for a safe walk.”
 - ◇ “County Rd 5 (30th St) and Gorton Ave has a cross walk that NO ONE stops for. Is there a way to make this area stand out better to drivers?”
 - ◇ “Sidewalks in the neighborhoods would be beneficial for families with young kids. I don’t feel safe letting my kids ride bikes in the streets, having to go around cars parked in the streets.”
 - ◇ “1st Street traffic is crazy. It is hard for pedestrians to cross the road.”
 - ◇ “We need more connected bike paths. There needs to be a pedestrian bridge over 1st St. It’s dangerous crossing even at the crosswalk at Willmar [Ave] and 1st [St]. And there should be a pedestrian bridge crossing from downtown to the lakes. The 1st [St] bridge has no physical barrier so it’s dangerous riding over it next to all the cars.”
- **Lakeland Dr**
 - ◇ “Lakeland Dr road in front of Lakeland School and the YMCA does not feel safe. I have noticed cars don’t like to stop during school hours for the children [crossing].”
 - ◇ “Lakeland [DR] is a tough place to walk or bike.”
- **19th Ave**
 - ◇ “[For] walkability across 19th Ave SW, a pedestrian bridge near 7th SW or 5th St SW would be awesome. During the 4-5 PM business hours I’ve seen young kids and people in wheelchairs struggling to cross.”
 - ◇ “I live south of 19th Ave SW. Nearly everyday I try to cross 19th Ave either by biking or walking. It is a 5 lane street and traffic is fast. The posted speed [limit] is 40mph, but many cars travel faster. Besides the 1st St and 15th St intersections, there are no other safe places to cross. I’ve nearly been hit many times by drivers inattentive or purposely speeding up . . . There need to be safe crossing areas along the road. Good possible locations [would be] 6th St SW, 9th St SW by Casey’s and the United Methodist Church, and 21st St SW by the bike path to the pool/recreation area. A setup like the one by Rice Hospital on Trott Ave SW possibly at each location? Cars would only need to stop when the lights are activated.”
 - ◇ “Additional crosswalk safety measures are needed by the Community Christian School on 19th Avenue.”
- **Closed Pedestrian Bridge**
 - ◇ “The walking bridge being fixed and reopened would be a great thing.”

- **Intersections and Crossings**
 - ◇ “Unmarked intersections never feel safe to me. Also, the number of railroad crossings within city limits makes transportation less safe and more cumbersome.”
 - ◇ “How about the pedestrian crossing in the middle of 19th between CCS and Living Hope? There’s an opportunity for some lights there like by Rice Memorial Hospital.”
- **Sidewalks**
 - ◇ “There are developments in the city that don’t have sidewalks and because of that people are forced to walk in the streets. People are pushed out further due to parking allowed on those streets. I know it is an expense to developers and to the City when a new development is planned but it is a larger expense after the fact.”
 - ◇ “Ramblewood Park and its path should be wheelchair accessible. . . [T]he trail should be paved.”
- **Bike Facilities**
 - ◇ “I would love to see more bike paths or bike safe areas.”
 - ◇ “Designated bike lanes are needed, [I] don’t feel safe riding on some roads due to traffic concerns.”
 - ◇ “I would like to see more bicycle/walking areas that are safer and not intertwined with the motor vehicles. Traffic seems to be going much faster; drivers aren’t slowing down at intersections and don’t seem to want to yield to others anymore.”
 - ◇ “7th St SW and Kandiyohi [Ave] bike lanes need to be painted and ideally [have] some kind of barrier.”
 - ◇ “Really the biggest thing would be finishing a full bike path through town east-west that connects to the north-south path by Walmart.”
- **Other**
 - ◇ “Extra benches or bus stops in case of added transportation options”

Are there places in Willmar you wish you could get to without using a car but aren’t able to? If YES, where would you like to go and what would be your preferred method of travel?

- **Desired Active Transportation Destinations**
 - ◇ “The Community Center by walking or biking”
 - ◇ “Bike around the lakes”
 - ◇ “Robbins Island from the SE neighborhood. Having the pedestrian bridge open again would be great.”
 - ◇ “Health and Human Services Building. So many need access [for a] quick in and out to sign or drop off papers. Because it’s out of town, [this is] so difficult for citizens without a vehicle.”
 - ◇ “Along the college road (County Rd 24) on bike. It’s very curvy and dangerous for people to walk or bike on to get to the trail on the radio station road or to Robbin’s Island.
 - ◇ “The high school and county buildings are difficult to access without a vehicle.”
 - ◇ “Lakeland [Dr] to Robbins Island path walking or biking. Intersection from Lakeland [Dr] to highway is difficult and crossing the highway is very poor for walkers.”
 - ◇ “Walkability across 19th Ave SW; a pedestrian bridge near 7th St SW or 5th St SW would be awesome. From 4-5 PM I’ve seen young kids and people in wheelchairs struggling to cross.”

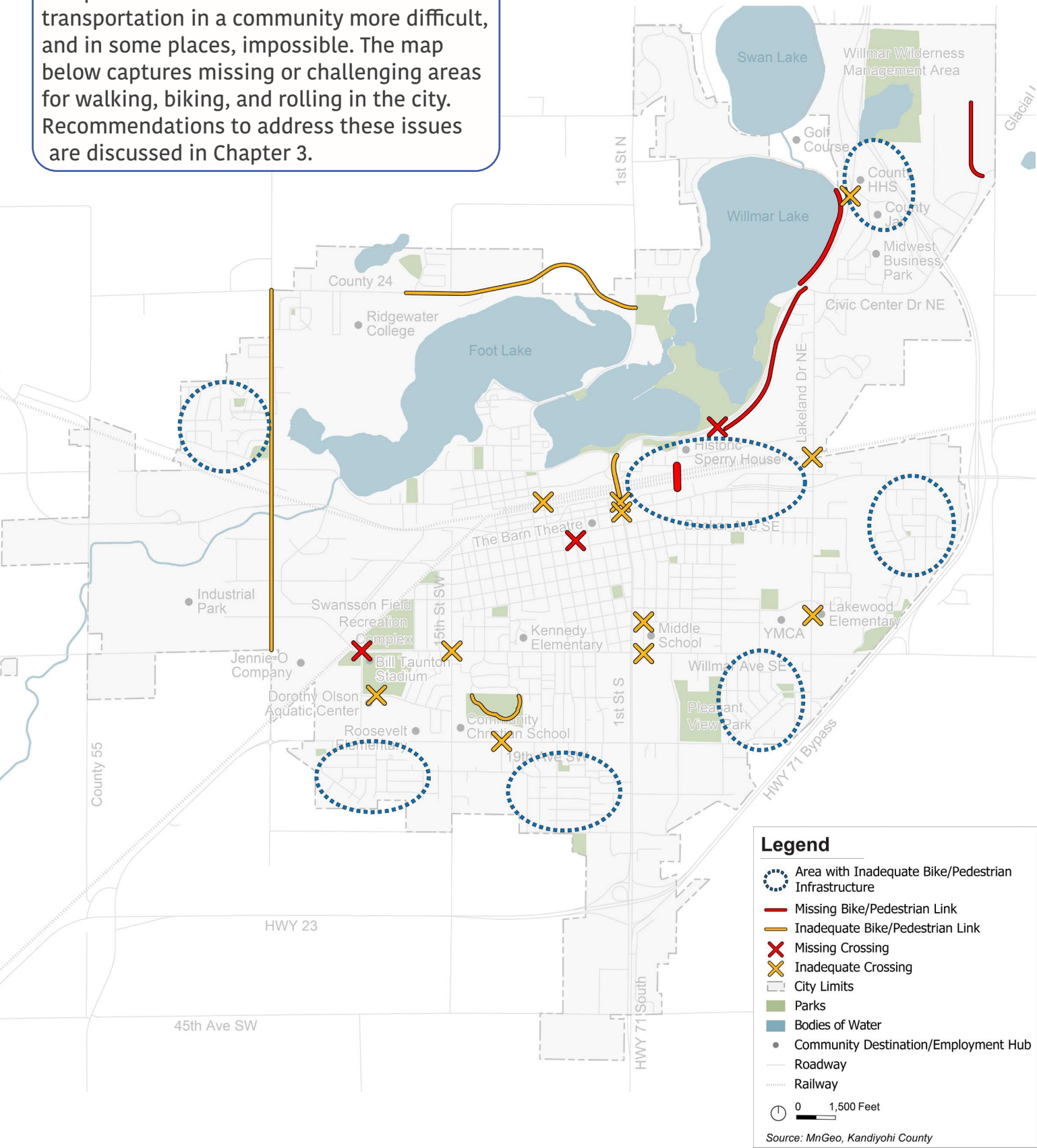
- **Desired Active Transportation Destinations (Continued)**
 - ◇ “There is no bike path to connect from the Ridgewater College neighborhood to Robbins Island. The road does not have a bike lane or bike path.”
 - ◇ “Robbins Island— need to lower speeds and place traffic lights at that entrance.”
 - ◇ “Walking bridge over the train tracks. Would be cool to have neat light features at night for safety and be a fun town feature, and look iconic during the day. Kind of like the lift bridge is iconic in Duluth. Celebrates the past and present of our town.”
 - ◇ “It would be nice to be able to cross 19th Ave, on the southwest side, [and make it] safer for bikers and walkers. Something like a bridge walking path crossing.”
 - ◇ “Northeast part of Willmar above the railroad tracks”
 - ◇ “To a grocery store”
- **Preferred Method of Travel**
 - ◇ “I would like [to] be able to walk to accessible walking trails. I don’t use any accessibility aids currently, but I am at high risk of tripping and need level, flat walking surfaces.”
 - ◇ “More sidewalks [are needed] in areas where there are no sidewalks. Many drivers are inattentive and it doesn’t feel safe walking in the street as a result.”
 - ◇ “I wish I could get to the Glacial Lakes bike trailhead near the high school from my house by using a dedicated bike trail rather than a mix of streets/roads.”
 - ◇ “Biking is my preferred method. I would like to be able to bike downtown, to the clinic for appointments, and [to] different restaurants.”
 - ◇ “I would like [a] better trail system thru town. There are a few, but not all are connected. So [I] either ride on [the] sidewalk or in the street.”
 - ◇ “Walking trail with green features around the city to go to parks and playgrounds with the kids”
- **Barriers to Active Transportation**
 - ◇ “Lack of sidewalk access to some businesses and no bicycle racks makes non-motorized travel within the town difficult.”
 - ◇ “There are a lack of options to lock up a bike except in the downtown area”
 - ◇ “I would like to feel safe walking around the lake or at Robbins Island in the evening. Right now, there are areas that are not well lit, and I wouldn’t walk around the lake alone at twilight/sundown. Installing emergency stations/phones (like you see on college campuses) at regular intervals would be nice. It would also be amazing if all of the walking/bike paths that we have would connect to the [Glacial Lakes] state trail.”
 - ◇ “I feel like the city isn’t walkable. You pretty much have to use a car to get to any business or restaurant.”
 - ◇ “I often think how difficult it would be to depend on city sidewalks during winter/snow season, especially with limited mobility. It’s hard enough for school children, let alone adults!”

GENERAL COMMENTS MADE AT ENGAGEMENT EVENTS

- **Ideas for Improvements**
 - ◇ “Stop signs needed at neighborhood parks to get people to slow down for kids.”
 - ◇ “I’d like to see more features for ease of biking by Lakeland Elementary. There’s a good trail, but getting to the school from Lakeland Drive wasn’t well thought [out].”
 - ◇ “I need longer stoplights for walking. Some lights don’t give me enough time to cross the road— especially roads like 1st Street.”
 - ◇ “I’d like more connectivity of trails and transportation networks.”
 - ◇ “I’d like to see a trail extension from CSAH 24 to Civic Center Dr on the west side of Business 71 so [it’s] safe crossing at traffic lights.”
 - ◇ “I’d like to see mid-block crosswalk markings from the parking lot to the library.”
 - ◇ The bike trail on [County Road] 5 needs physical improvement so we can actually ride bikes along the trail.”
 - ◇ “I would like to see a mid-block crosswalk at the library to get to the parking lot in a designated path.”
 - ◇ “A curb cut is needed on the north side of Lakeland Elementary property for ADA accessibility to get to the school.”
- **Barriers to Biking, Walking, and Rolling in Willmar**
 - ◇ “Closing the pedestrian bridge over the rail changed my life for the worse. It’s how I got to the north side from central Willmar. With Robbins Island and other park improvements on the north end, I have to drive there, which I don’t like.”
 - ◇ “The 1st St corridor is a problem for walking and crossing. People don’t bike [there] because [it is] unsafe to bike in the road.”
 - ◇ “Old trails are bumpy and difficult to ride, especially in areas that flood.”
 - ◇ “It feels unsafe to bike. People don’t seem to know that bicyclists are allowed/supposed to share the road with motorists. I would love to feel that our city is more bike-friendly.”
 - ◇ [I have] concern about middle school students who are crossing Willmar Avenue to walk along 5th Street. Many don’t go to the crosswalk at the stoplights.”
 - ◇ “I don’t feel safe walking to work. I have almost been hit in the crosswalk on Lakeland Drive several times.”
 - ◇ “There’s no good east-west connection in town when we’re riding our bikes. Crossing 1st St is difficult.”
- **Other Feedback**
 - ◇ “I anticipate the city will continue to grow, but I’m concerned about the safety of multimodal travel with the increased traffic that growth brings.”
 - ◇ “I’d like to see the City adopt a Complete Streets policy.”
 - ◇ “I’d like to see Safe Routes to School revisited and updated.”
 - ◇ “Safer roads will mean more peace of mind and independence for my kids and grandkids. They will also mean better quality of life, more gathering opportunities, and overall wellness for the community.”
 - ◇ “I’m concerned about my ability to access public transportation as I age.”
 - ◇ “I’d like to feel safe using a mode of transportation other than my car.”
 - ◇ “I love the bike trail improvement efforts!”

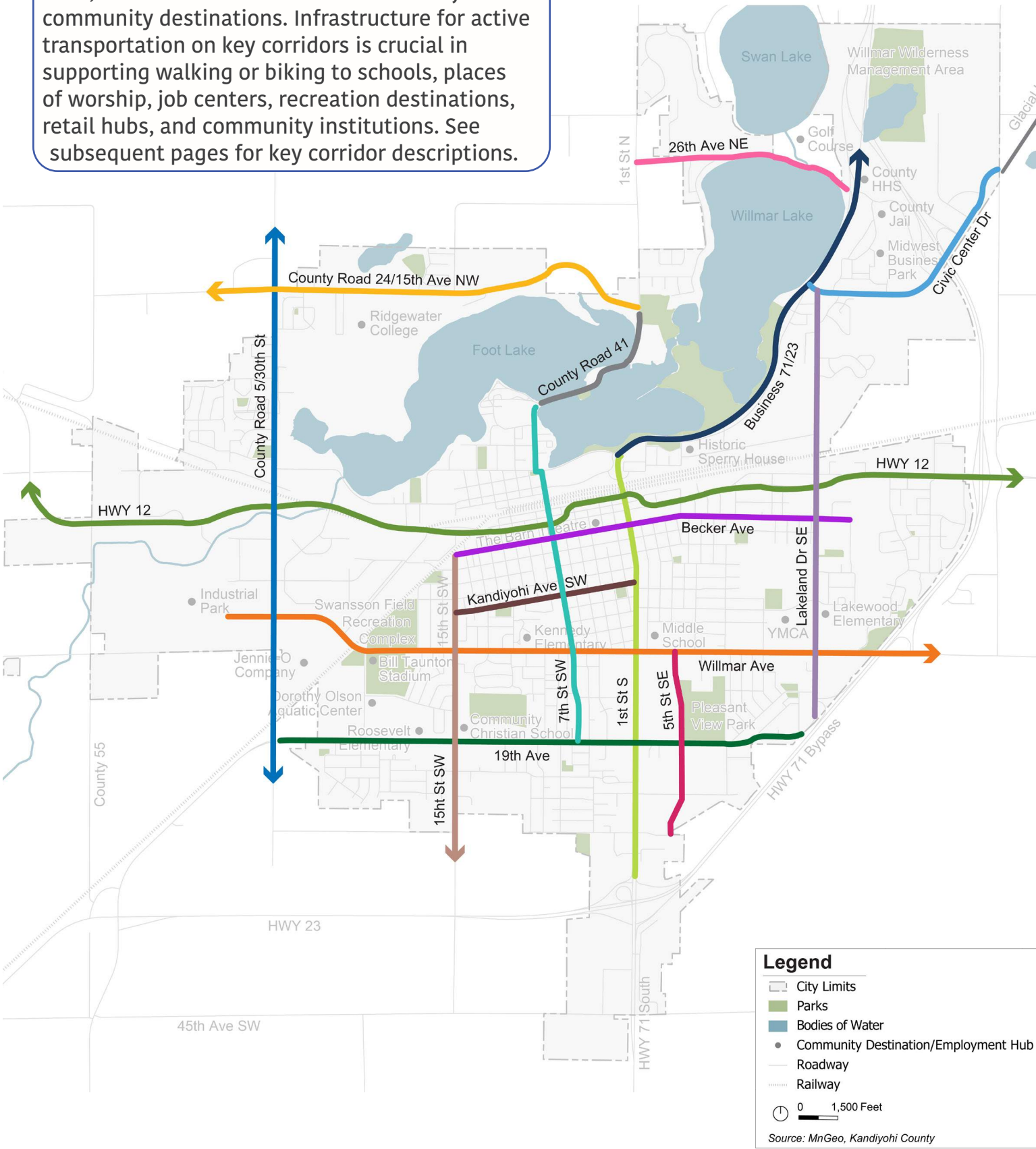
IDENTIFIED MISSING LINKS & GAPS

Missing links and gaps in the bicycle and pedestrian infrastructure make active transportation in a community more difficult, and in some places, impossible. The map below captures missing or challenging areas for walking, biking, and rolling in the city. Recommendations to address these issues are discussed in Chapter 3.



EVALUATION OF KEY CORRIDORS

Key corridors are the routes most frequently used, and which allow users to access major community destinations. Infrastructure for active transportation on key corridors is crucial in supporting walking or biking to schools, places of worship, job centers, recreation destinations, retail hubs, and community institutions. See subsequent pages for key corridor descriptions.



EVALUATION OF KEY CORRIDORS (CONTINUED)

1st St S

1st St S, also called Business 71, is the major north-south thoroughfare and commercial corridor in Willmar. Residents are concerned about inadequate bike/pedestrian infrastructure on the bridge and further south. Many have difficulty crossing this street, due to infrequently marked crosswalks and short crossing times at signalized intersections.



Highway 12

Highway 12 is the major east-west thoroughfare through the city. This corridor includes parts of Litchfield Ave and Pacific Ave. The majority of the south side of the corridor has a standard sidewalk. Signalized or marked crossings of the street are infrequent. MnDOT has plans to resurface or reconstruct this road in 2029 or later.



19th Ave

19th Ave is the most heavily traveled road in the city outside of the highways described above. It connects many schools and recreation destinations. It also passes near Jennie-O Turkey, a major employer in the city. A 2024 project converted many of the standard sidewalks into 10' wide asphalt trails. Many residents report difficulty in crossing this road as a pedestrian or as a cyclist.



Willmar Ave

Willmar Ave is a significant east-west street running parallel to 19th Ave, described above. Similarly, it also connects many schools, parks, and Jennie-O. A notable number of crashes have occurred at intersections with Willmar Ave, considering the street's AADT. Sidewalks paralleling both sides of the street are fairly consistent. Crossings are infrequently marked.



County Road 5 / 30th St SW

County Road 5, or 30th St SW, is a north-south road west of the lakes in Willmar. Much of this road is flanked by a bike trail. Many residents report that the bike trail is in poor condition, and that it is used by snowmobilers in the winter. There is a crosswalk at the intersection with Gorton Ave that some residents report isn't visible enough for drivers.



15th St SW

15th St SW is a predominantly residential street with bike route signage the majority of its length. There is no specific infrastructure to support cyclist use. Sidewalks are more consistent and on both sides of the street in the northernmost part of this corridor, are on one side of the street in the center, and are not present on the southernmost end.



7th St SW

7th St is residential in nature and connects to Ella Ave NW and its off-road asphalt trail. 7th St crosses the railroad in two places, due to the divergence of tracks. Like other residential streets west of 1st St, sidewalks are more consistent towards the north end of the corridor and become sparse towards the south end of the street.



Kandiyohi Ave SW

Kandiyohi Ave SW, west of 1st St S in downtown Willmar, joins multiple parks, Kennedy Elementary School, and the community center. It is also residential in nature, and has signage for school crossings and the presence of bike traffic. There are sidewalks on both sides of the street but there is no dedicated bicycle infrastructure.



EVALUATION OF KEY CORRIDORS (CONTINUED)

5th St SE (south of Willmar Ave)

5th St SE, south of Willmar Ave, is a north-south road abutting the commercial corridor off 1st St. Its east side has a an off-road asphalt trail, and much of its west side has a concrete sidewalk. Boulevard trees near some segments of the pedestrian/ bicycle infrastructure provide shade to active transportation users.



County Road 24 / 15th Ave NW

Country Road 24/15th Ave NW, north of Foot Lake, is frequently used by those traveling to Ridgewater College to the west and Hedin Park to the east. The road has speed limits of 45-55 mph, but residents report vehicles often travel faster in this area. The paved shoulders are used by pedestrians and cyclists.



Business 71/23 (east of Willmar Lake to 1st St)

Business Highway 71/County Highway 23 is one of the major thoroughfares in and out of the city. East of Willmar Lake, there is an off-road trail east of the road, but not on the west side between the road and the lake. Many residents are interested in a complete trail around Willmar Lake and in a safe crossing of Business 71/23 to Robbins Island Regional Park.



Lakeland Dr SE

Lakeland Dr towards the east side of town connects many important destinations, like a school and the YMCA, to other major transportation routes. The majority of the street has a bike lane or an off-road trail on the west side. Residents have voiced concerns over the lack of highly visible crossings of Lakeland Dr, and of driver behavior at the railroad crossing during long wait times.



County Road 41

County Road 41 is on the east side of Foot Lake, and connects Hedin Park to the Kandiyohi County Fairgrounds. The west side of the road is paralleled by an off-road trail that offers views of the lake. A short segment of off-road trail on the east side connects Rau Park and a nearby fishing pier.



Civic Center Dr

Civic Center Dr is a moderately utilized road in northeast Willmar connecting County Road 9, Highway 71, and Business 71. It connects to many places of employment in this party of this city, as well as Willmar Senior High School and Willmar Civic Center. There is a sidewalk on the north side of the road that connects to the Glacial Lake State Trailhead. This road has one crosswalk where it is crossed once by the state trail.



26th Ave NE

26th Ave NE, north of Willmar Lake, was recently improved with enhanced active transportation infrastructure. The new off-road trail on the north side of the street is asphalt and 8-10' in width. This new link provides active transportation connections to the employment hub in northeast Willmar, and allows residents to bike or walk around more of Willmar Lake.

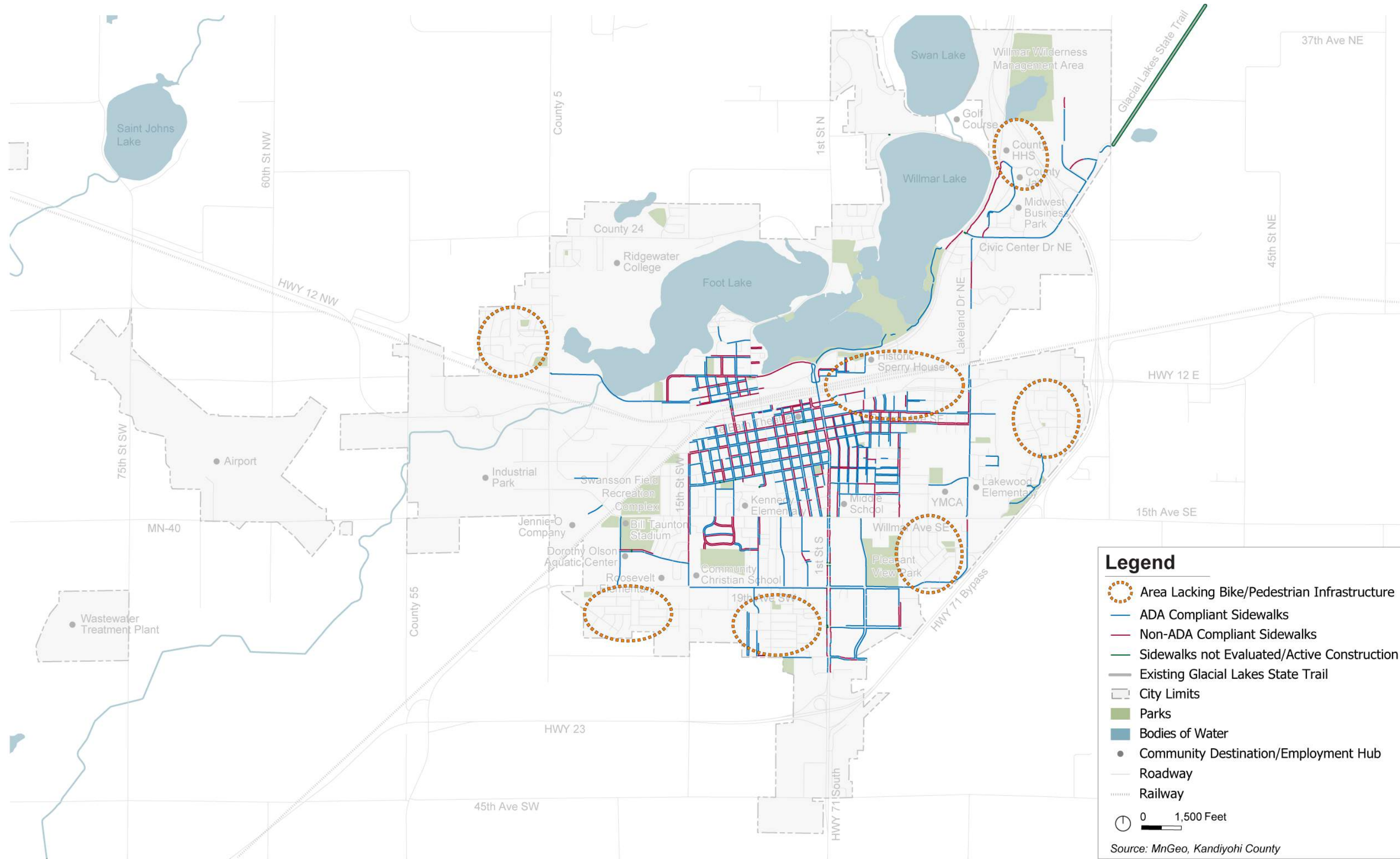


Becker Ave

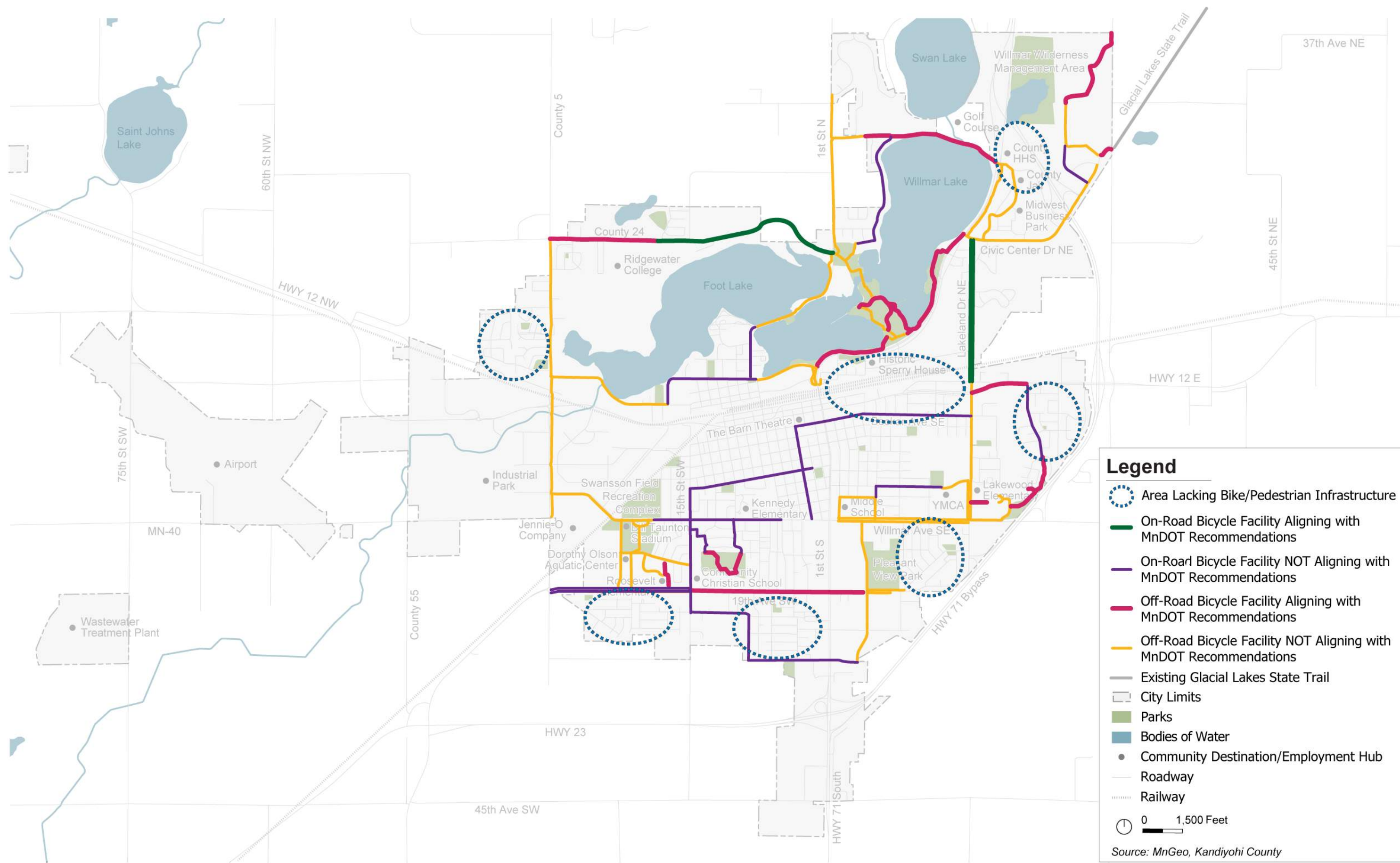
Becker Ave is an east-west street that is part of downtown Willmar west of 1st St, and takes on a more residential character east of 1st St. Most of the street has sidewalks on both sides and crosswalks at major intersections, except for its intersection with 1st St. Local bike advocacy group Willmar Bikes proposes Becker Ave be incorporated into the named bike routes around the community.



EXISTING SIDEWALK SYSTEM ANALYSIS



EXISTING BIKE AND TRAIL SYSTEM ANALYSIS



Based on public engagement, conversations with city officials and stakeholders, inventory and analysis of existing bike and pedestrian systems, and review of design standards, this chapter presents recommendations for active transportation system improvements in the city. This planning-level document is intended to guide bike, pedestrian, and trail improvement priorities and approaches, however, additional design will be needed to accurately price and construct each intervention. Improvements should, when possible, be incorporated into transportation and roadway improvement projects to ensure consideration for all transportation systems. Recommendations are organized as follows:

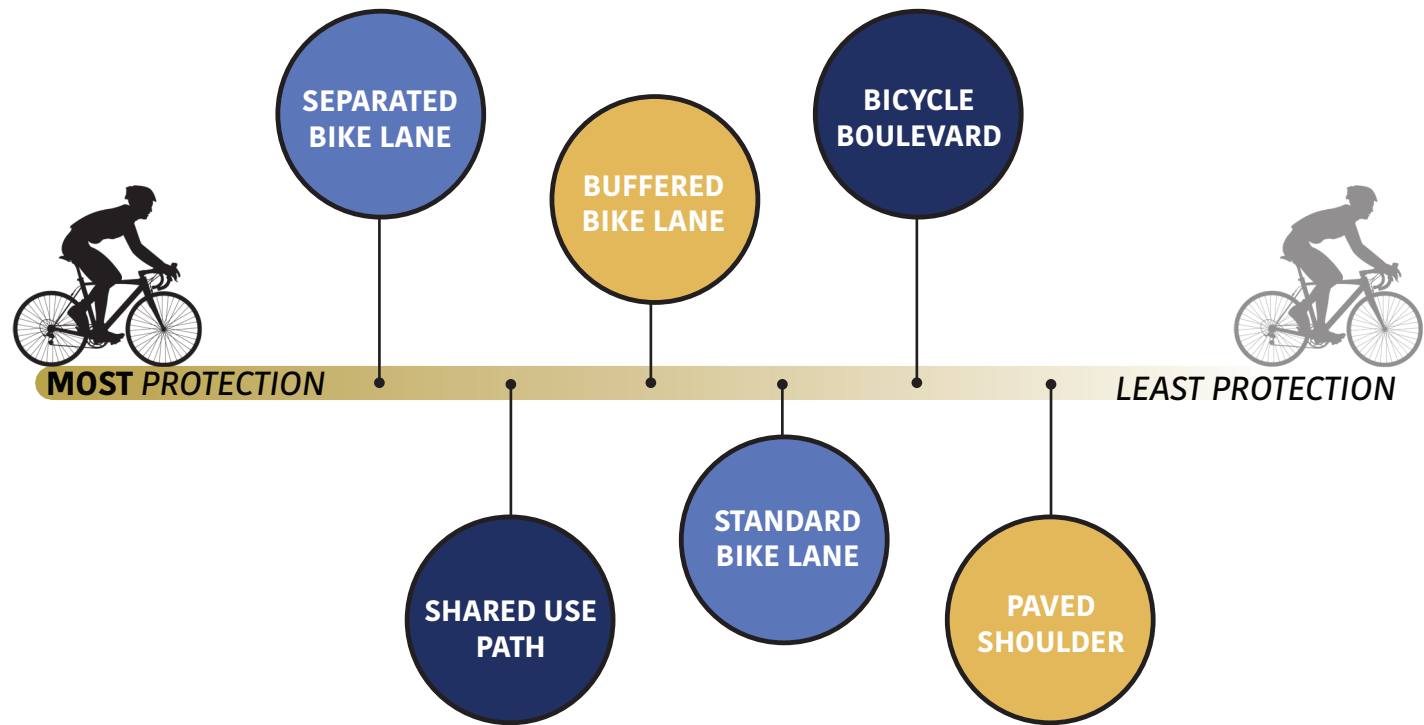


1. MnDOT Bicycle Facility Design Manual summary as the recommended standard for design
2. Additional recommended studies
3. Sidewalk system recommendations
4. Bike and trail system recommendations

‘MINNESOTA DEPARTMENT OF TRANSPORTATION (MNDOT) BICYCLE FACILITY DESIGN MANUAL’

The success of a pedestrian and bike route is measured not solely by the destinations it connects, but by the infrastructure’s appropriateness to its context and the degree of safety and protection provided to its users. The MNDOT Bicycle Facility Design Manual provides guidance on the most appropriate use for a variety of bicycle infrastructure typologies. Additionally, it details context-specific design guidance for bicycle facilities and explains alternatives available when space or budget is constrained. There are six main bicycle facilities explored in this manual. They are shown below along a gradient of those facilities providing the most protection to cyclists to those that provide the least. The summaries of each facility that follow are not intended to be all-encompassing; the MnDOT Bicycle Facility Design Manual and industry best practices should be consulted for the relevant information when designing a specific bicycle facility.

MnDOT Bicycle Facility Design Manual Bicycle Facility Types



Separated Bike Lane

Separated bike lanes provide the highest degree of protection to cyclists. These are facilities built exclusively for cyclists, between the roadway and the sidewalk. A vertical element, like a curb and/or bollard, separates the bike lane from the adjacent road. A separated bike lane can be at the grade of the road, the sidewalk, or somewhere in between.



EXHIBIT 5-31: One-Way Separated Bike Lane Widths Based on Existing or Anticipated Volumes*

PEAK HOUR DIRECTIONAL BICYCLIST VOLUME	PREFERABLE BIKE LANE WIDTH (FT)	MINIMUM BIKE LANE WIDTH (FT)**
<150	6.5	5
150-750	8	6.5
>750	10	8

*Operating widths do not include horizontal clearance distances from obstructions.
**Constrained width may be as low as 4 feet for short distances.
Note: One-way bike lane widths of 7 feet or more allow for side-by-side riding.

EXHIBIT 5-32: Two-Way Separated Bike Lane Widths Based on Existing or Anticipated Volumes*

PEAK HOUR BIDIRECTIONAL BICYCLIST VOLUME	PREFERABLE BIKE LANE WIDTH (FT)	MINIMUM BIKE LANE WIDTH (FT)**
<150	11	10
150-350	12	11
>350	16	14

*Operating widths do not include horizontal clearance distances from obstructions.
**Constrained width may be as low as 8 feet for short distances.
Note: Two-way bike lane widths of 12 feet or more allow for side-by-side riding in one direction.

Shared Use Path

Shared use paths, often identified as trails, are designed in anticipation of cyclists and pedestrians traveling side-by-side. They are frequently bidirectional in nature. Shared use paths are horizontally separated from roadways, but may not be vertically separated like separated bike lanes.

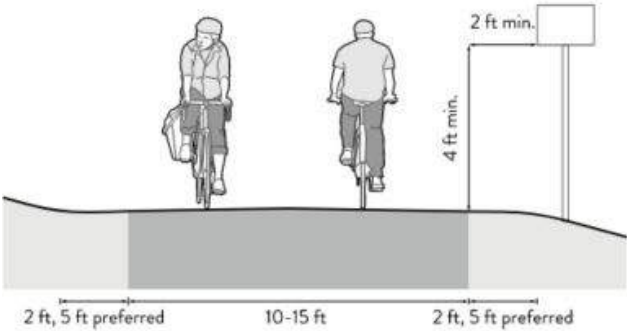


EXHIBIT 5-1: Two Way Shared Use Path Dimensions

EXHIBIT 5-2: Shared Use Path Widths

	TYPICAL TWO-WAY SHARED USE PATH	HIGH-VOLUME SHARED USE PATH**
Preferred width	10-12	12-15
Minimum	10	12
Constrained minimum*	8	11

*Constrained minimum should only be applied for short distances with physical constraints

**Either a high volume of bicycle traffic or a high percentage of pedestrian traffic

Standard Bike Lane

A standard bike lane is separated from the adjacent vehicle lane by a single white line. The direction of travel mirrors that of the adjacent roadway. If there is only adequate space for a bike lane on one side of a two-way street, the bike lane should be located on the uphill side of the street; shared lane markings should be used on the downhill side of the street.



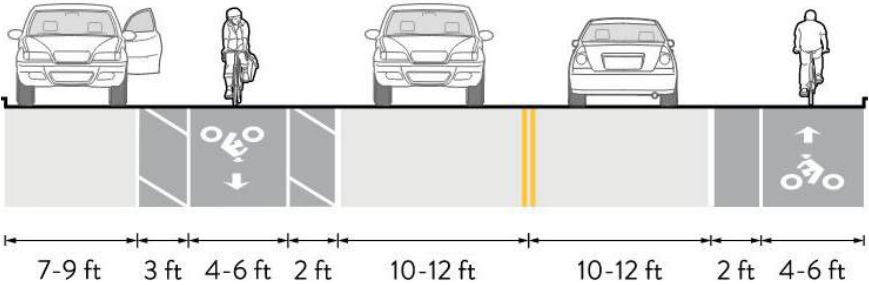
EXHIBIT 5-36: Bike Lane Dimensions

BIKE LANE	PREFERRED WIDTH (FT)	MINIMUM WIDTH (FT)
Adjacent to edge of pavement or gutter pan	5-7*	4
Between travel lanes or buffers	5-7	4
Adjacent to parking (without buffer)	6-7*	5

* if more than 7 feet are available, consider a buffered bike lane. Drivers may confuse overly wide bike lanes without a buffer or separation as a parking or travel lane.

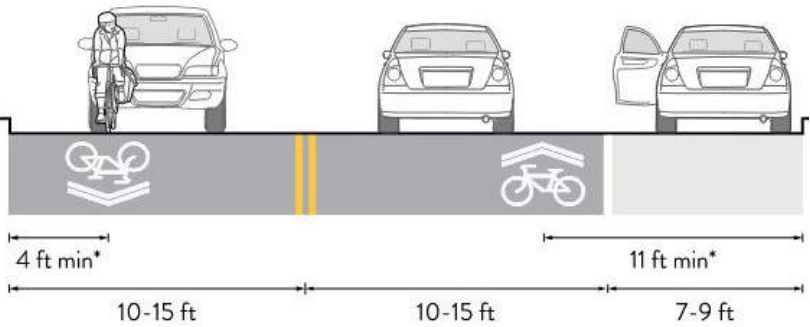
Buffered Bike Lane

Buffered bike lanes provide horizontal separation of bike lanes from car parking or travel lanes. They are at the same grade as adjacent or surrounding roadways, and do not include vertical elements. Buffered bike lanes are one directional in nature.



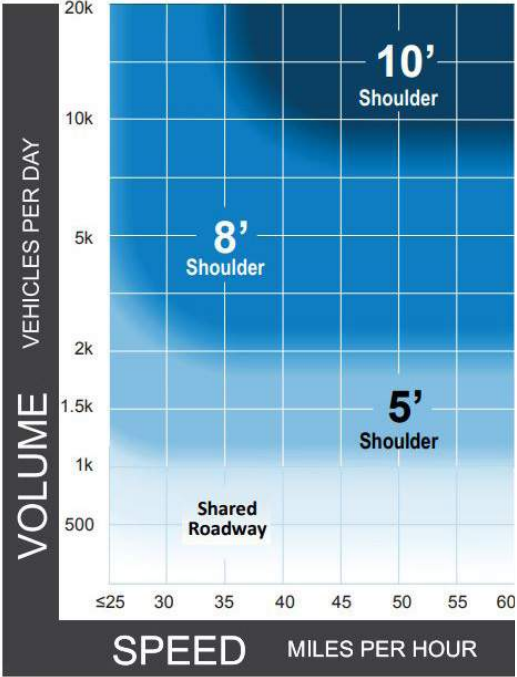
Bicycle Boulevard

Bicycle boulevards are low volume, low speed streets with signage, pavement markings, and other enhancements to help cyclists safely share a traffic lane with vehicles. Even in low speed environments, this bikeway typology is only comfortable for more experienced cyclists. Bicycle boulevards may be used in combination in with facilities. For example, a bicycle boulevard may link together a series of shared used paths, or contain mini roundabouts or traffic diverters to slow vehicle speeds.



Paved Shoulder

Of the six bikeway typologies discussed in the *MnDOT Bicycle Facility Design Manual*, the paved shoulder offers the least protection for the cyclist. Paved shoulders require a minimum 4’ width of bikeable surface. They are distinctly different from bike lanes in that a paved shoulder can also be used for parking or walking. Rumble strips can be used to distinguish travel lanes from a paved shoulder.



Notes

- 1 A separated shared use pathway is a suitable alternative to providing paved shoulders.
- 2 Chart assumes operating speeds are similar to posted speeds. If they differ, use operating speed rather than posted speed.
- 3 If the percentage of heavy motor vehicles is greater than 5%, consider providing a wider shoulder or a separated pathway.
- 4 Shoulder widths shown are total width of paved shoulder, rumble strip placement will impact the usable width of the shoulder.

Source: FHWA Bikeway Selection Guide

EXHIBIT 3-4: Preferred Bikeable Shoulder Widths for Rural Roadways

ADDITIONAL STUDIES

Detailed Corridor Studies for Pedestrian, Bike, and Vehicular Transportation Systems



As advised by the ‘Safe Streets for All (SS4A) Action Plan’, it is recommended that the city submit applications for additional SS4A Planning Grant funding to perform detailed corridor studies of 1st Street South/TH 23 and U.S. Highway 12.

As the two most frequently discussed corridors in the public engagement process for the Bike, Pedestrian, and Trail Plan, it is essential that these studies and subsequent design solutions are multi-modal in nature.

Safe Routes to School Studies

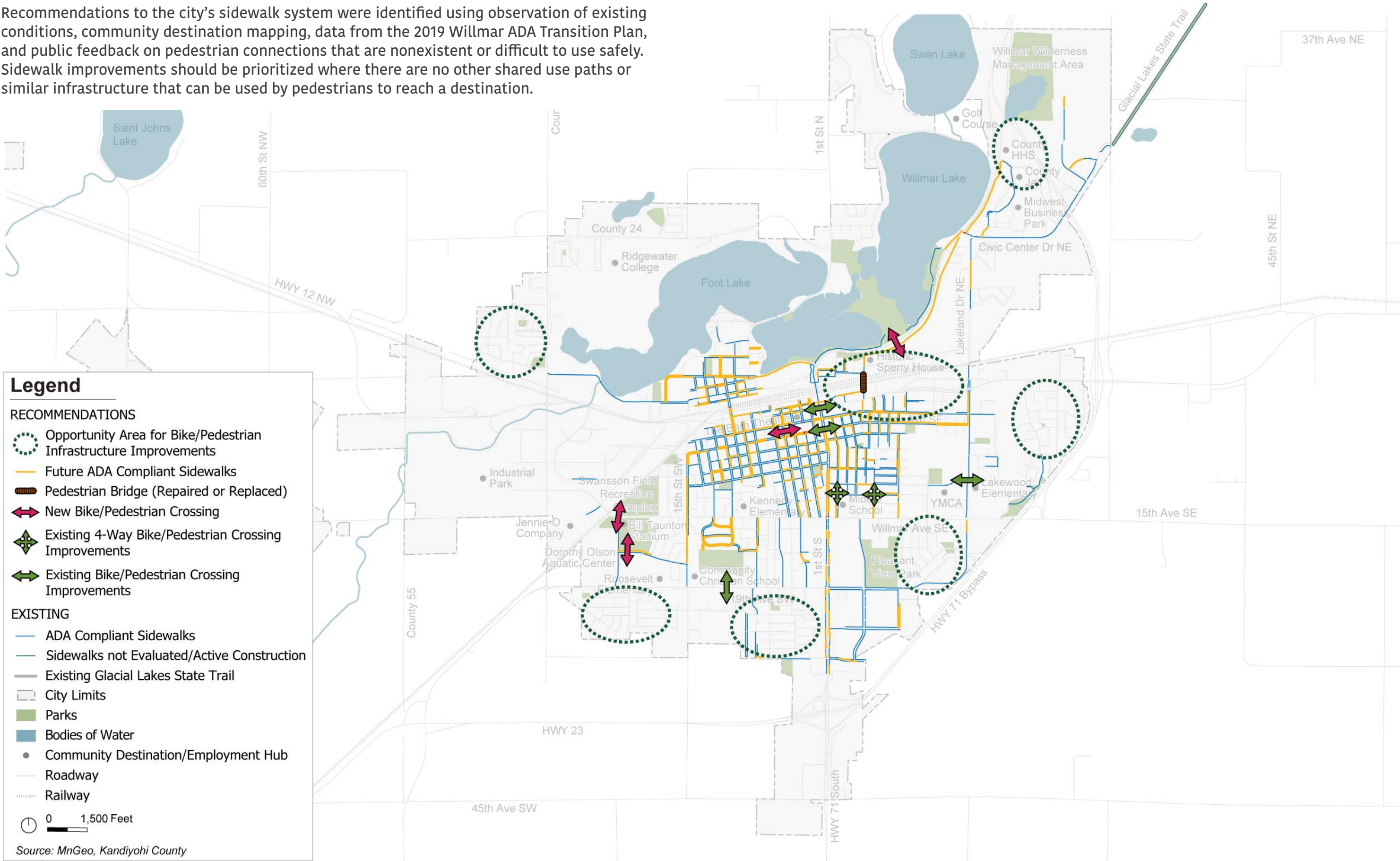
As advised by the ‘Safe Streets for All Action Plan’, it is recommended that the city perform a Citywide Safe Routes to School (SRTS) study in coordination with local public and private schools. SRTS plans were developed in 2013 for Roosevelt Elementary School, Kennedy Elementary School, and Willmar Middle School. SRTS plans focus on creating safe access to schools from nearby neighborhoods via active transportation methods.



Photo from Willmar Bikes Facebook page of community bike ride

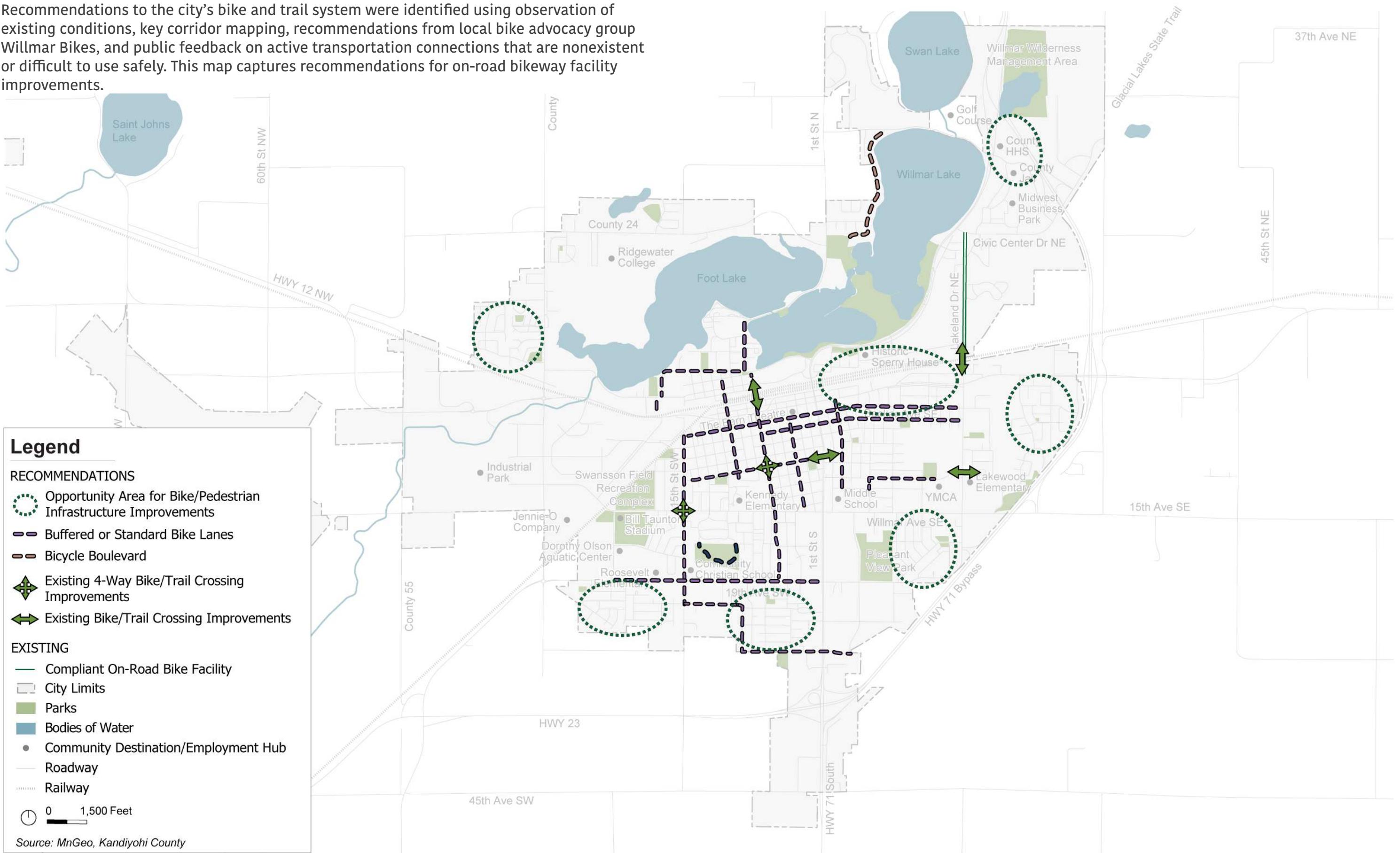
SIDEWALK SYSTEM RECOMMENDATIONS

Recommendations to the city’s sidewalk system were identified using observation of existing conditions, community destination mapping, data from the 2019 Willmar ADA Transition Plan, and public feedback on pedestrian connections that are nonexistent or difficult to use safely. Sidewalk improvements should be prioritized where there are no other shared use paths or similar infrastructure that can be used by pedestrians to reach a destination.



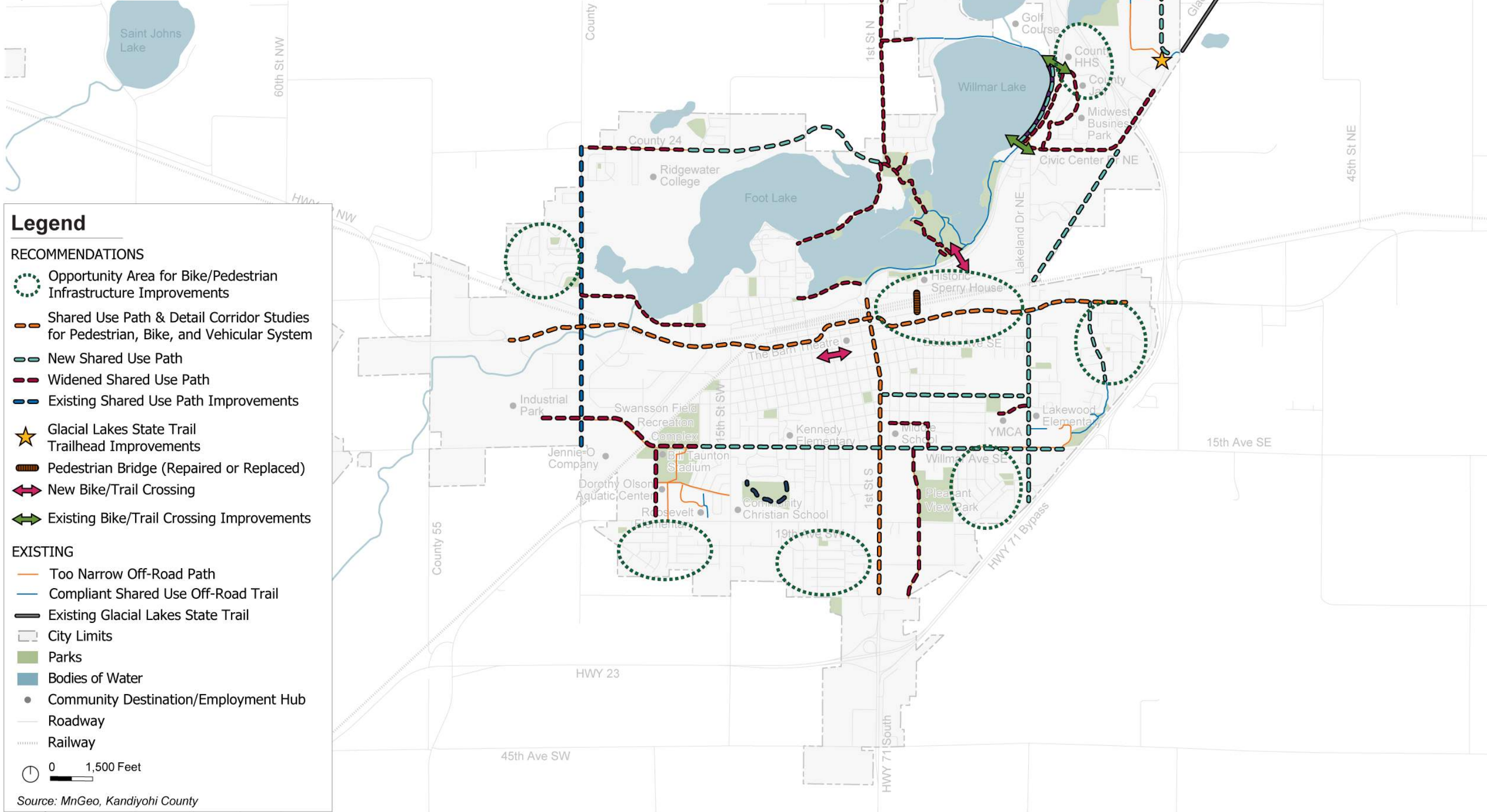
BIKE AND TRAIL SYSTEM RECOMMENDATIONS: ON-ROAD

Recommendations to the city’s bike and trail system were identified using observation of existing conditions, key corridor mapping, recommendations from local bike advocacy group Willmar Bikes, and public feedback on active transportation connections that are nonexistent or difficult to use safely. This map captures recommendations for on-road bikeway facility improvements.



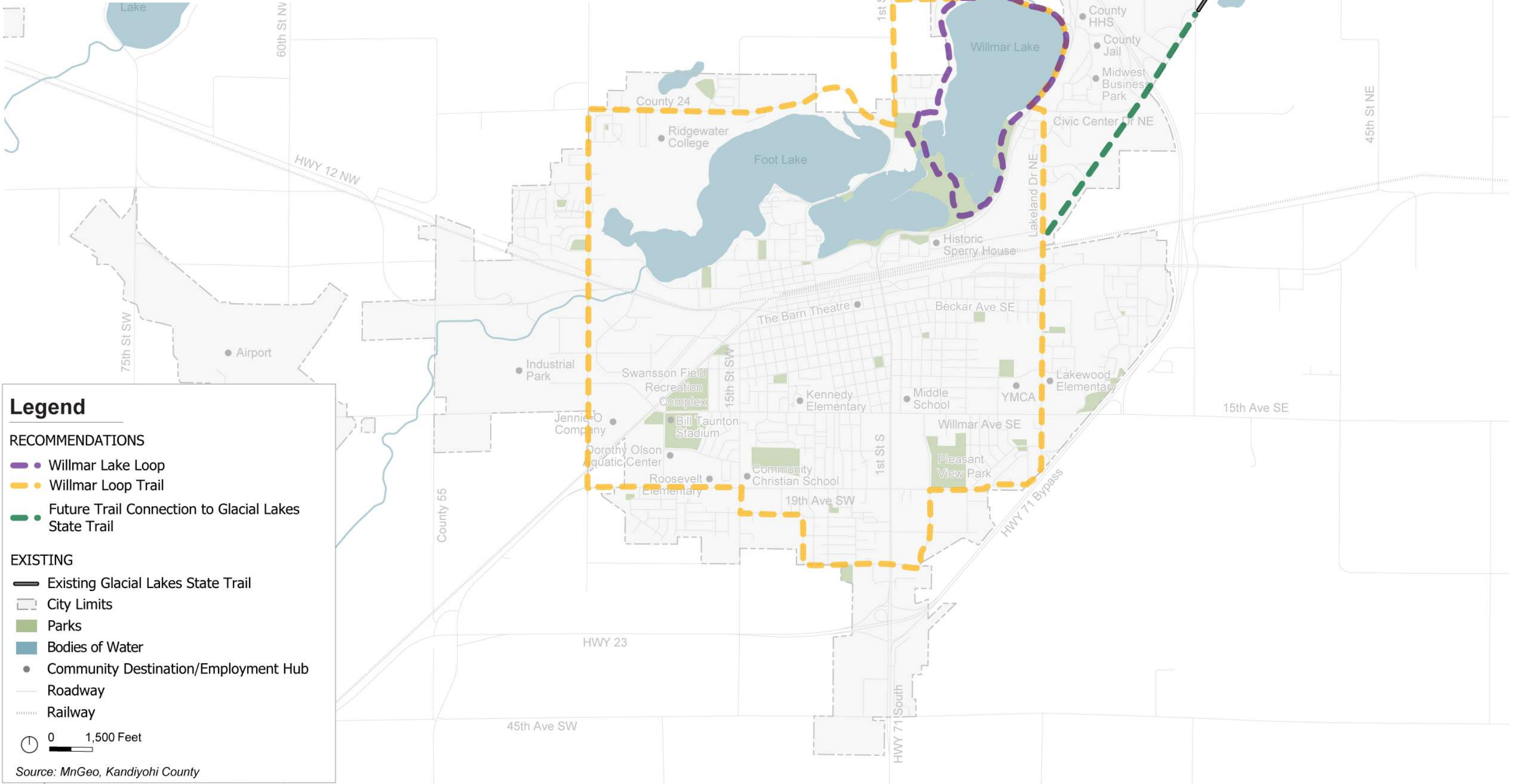
BIKE AND TRAIL SYSTEM RECOMMENDATIONS: OFF-ROAD

Recommendations to the city’s bike and trail system were identified using observation of existing conditions, key corridor mapping, recommendations from local bike advocacy group Willmar Bikes, and public feedback on active transportation connections that are nonexistent or difficult to use safely. This map captures recommendations for off-road bikeway facility improvements.



BIKE AND TRAIL SYSTEM RECOMMENDATIONS: LOOPS

Conversations with stakeholders and city community members indicated the desire for bike trail loops within the city, and connections to other regional trail facilities. The map below shows proposed future routes for a Willmar Lake Loop, that includes trails in Robbins Island Regional Park and Hedin Park; a Willmar Loop Trail that encircles most of the city boundary; and a future trail connection from the Glacial Lakes State Trail to downtown Willmar. In all instances, routes may need to be revised per field conditions, acquirable public land, and other implementation considerations.



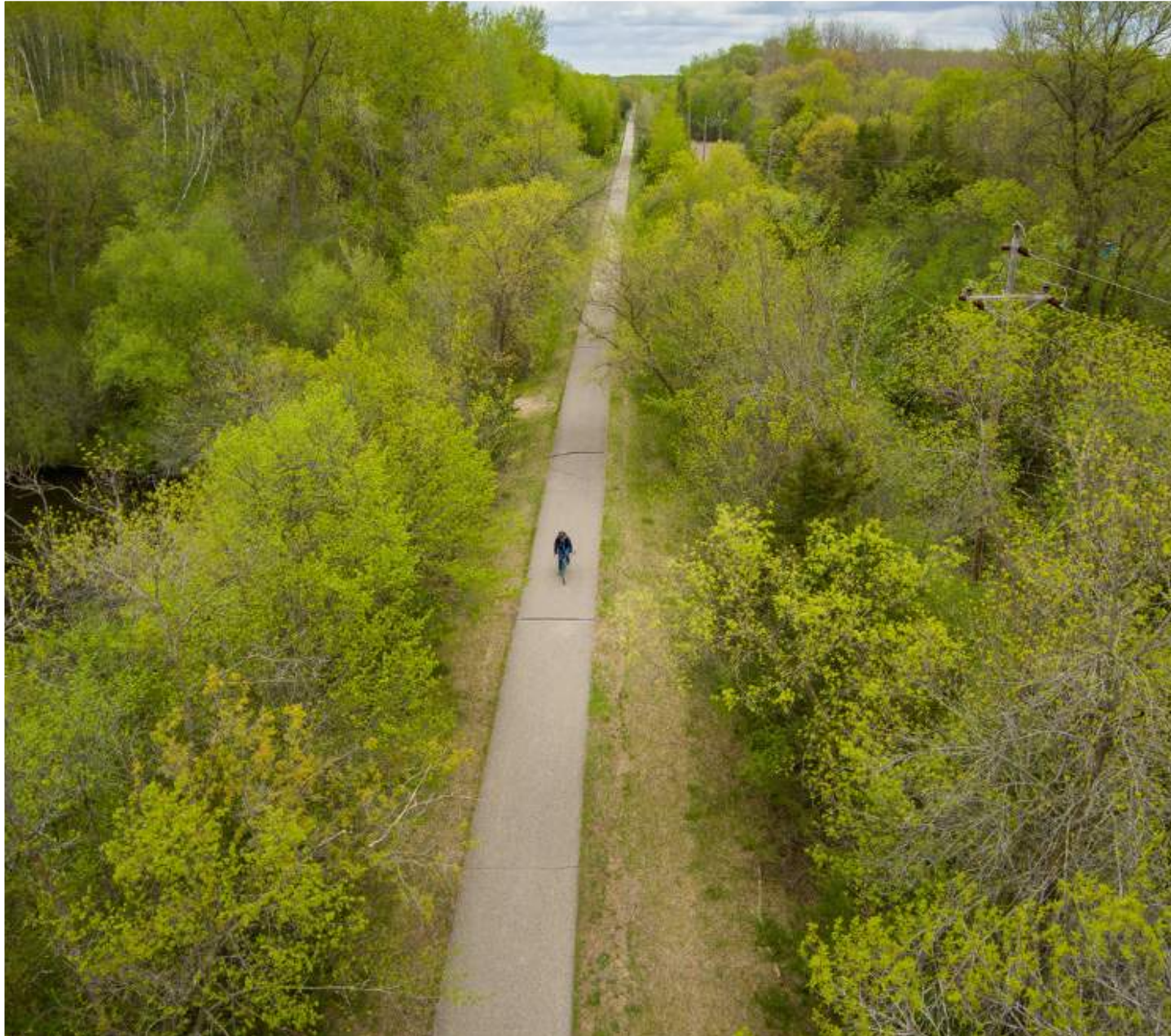
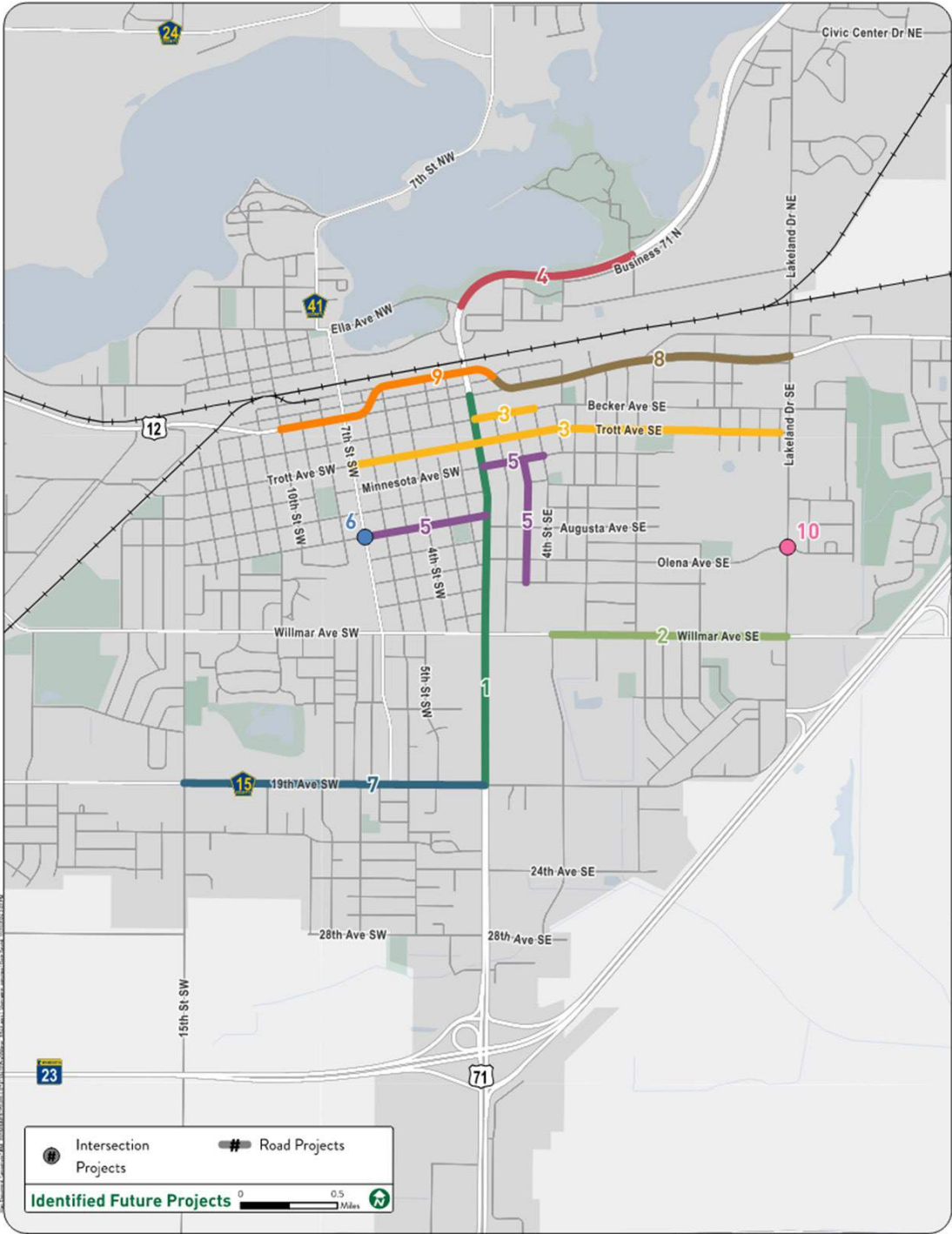


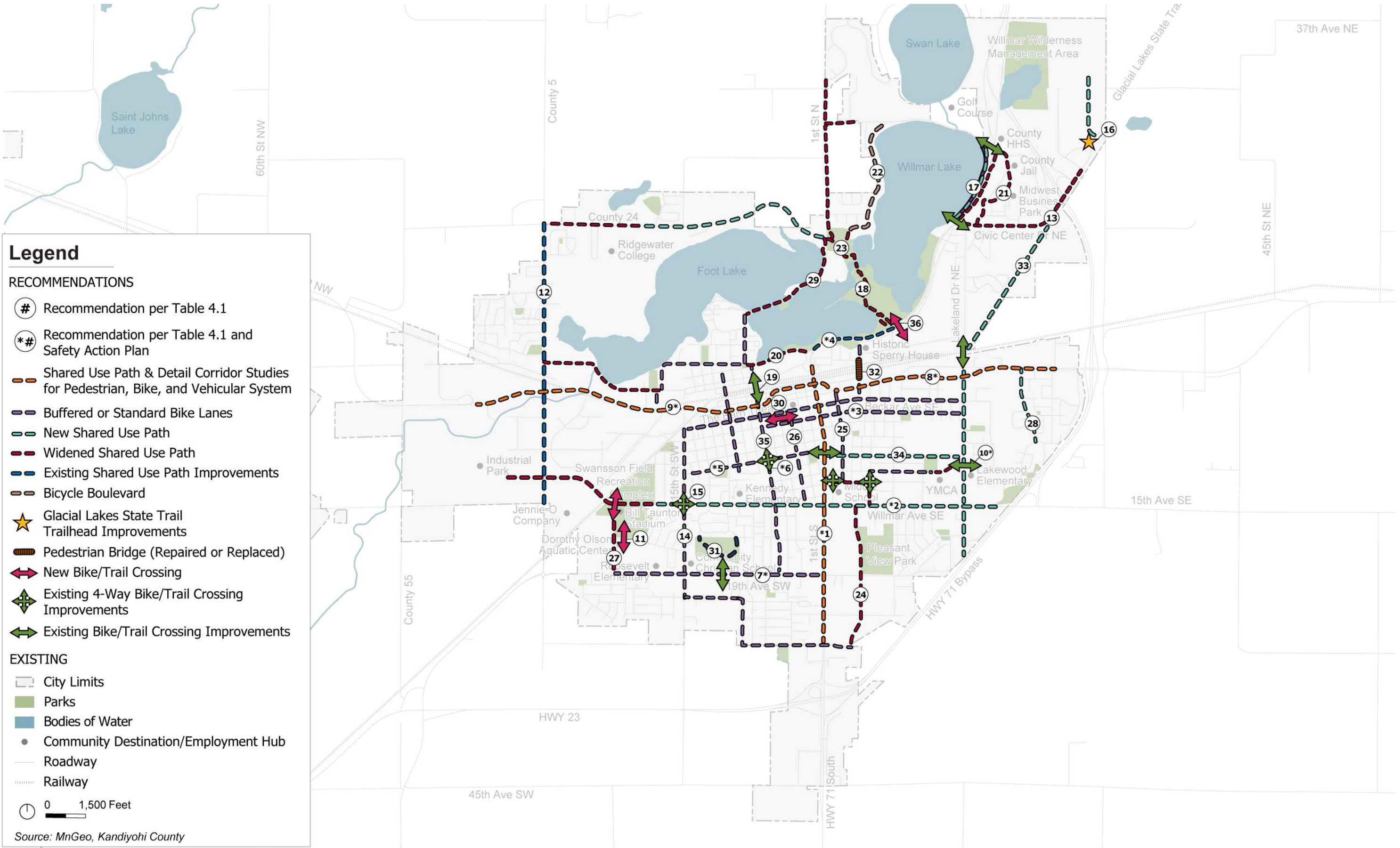
Photo from Explore Willmar Lakes Area website

IMPLEMENTATION

Project implementation takes proposed improvements from planning and vision to built reality. Demands on city and outside funding are numerous; therefore it is important for the most impactful projects that improve conditions for multiple modes of transportation to be priorities for design and construction. The figure below shows ten Identified Future Projects from Willmar’s Safe Streets for All Safety Action Plan. These same corridors and intersections identified below were all strongly prioritized in Chapter 3, Recommendations. The locations and costs of projects are listed on the following pages.



BIKE AND TRAIL SYSTEM RECOMMENDATION & IMPLEMENTATION SUMMARY



The Recommended Future Projects Table summarizes project costs, extents, recommended improvements, and priority level. Projects overlapping with the Willmar Safe Streets for All Safety Action Plan, and those unique to the Bike, Pedestrian, and Trail Plan are listed. Projects with an asterisk are Safety Action Plan recommendations.

The table includes a prioritization ranking of 1 through 5, with 5 being the highest priority for implementation and 1 being the lowest priority.

High priority projects (5) should be implemented in 1 - 3 years. Prioritization is based on several factors, including:

- Level of need and desire for the improvement expressed by the community during the public engagement phase of the project
- Anticipated impact of the project on connectivity and safety based on crash data and existing conditions analysis
- Complexity of the project/design and construction feasibility - more complex projects will require a longer time-frame to implement

The chart below describes the five priority levels, implementation time-frame, and a summary of the criteria for their prioritization. Priority levels and costs will change over time, with changes in inflation and as various funding opportunities arise or are no longer available. All costs provided are planning level estimates and serve as a guide to understanding the rough order of magnitude for improvements. Additional study and engineering is required for each project listed below.

PRIORITY	IMPLEMENTATION TIMEFRAME	CRITERIA
5	1 to 3 years	High impact and high need
4	1 to 5 years	High impact and need, moderate effort/timeline to implement
3	3 to 7 years	Moderate impact and need, moderate effort/timeline to implement
2	4 to 8 years	Lower impact/need and moderate effort to implement
1	8 to 10 years	Lower impact/need and high effort to implement

TABLE 4.1 | RECOMMENDED FUTURE PROJECTS

MAP #	PROJECT	PROJECT DESCRIPTION		ESTIMATED COST	PRIORITY
*1	*1st Street South / TH 23 Corridor Study and Improvements from Litchfield Avenue to 19th Avenue	-Includes 1.3 mile segment and 16 intersections -Additional Study -Sidewalk Improvements -Bike & Trail Improvements -Roundabouts -Signal Safety Package	-Access Management -High Visibility Crosswalks -Median Refuge Islands -Road Diet -Shared Use Paths -RRFB's	\$22M - \$26M	5
*2	*Willmar Ave SE from Lakeland Drive to 5th Street SE	-Includes 1 mile segment and 9 intersections -Roundabouts -Access Management -High Visibility Crosswalks	-Median Refuge Islands -Road Diet -Curb Extensions -Bike Lanes -Shared Use Paths -RRFB's	\$250k - \$12.5M	5
*3	*Trott Avenue / Becker Avenue from Lakeland Drive to 7th Street SW, and Becker Avenue from 1st Street S to 5th Street SE	-22 intersections -High Visibility Crosswalks -Median Refuge Islands -Curb Extensions -Intersection Daylighting -Lighting		\$500k - \$2M	5
*4	*Business 71 from Ella Avenue to 10th Street NE (at the entrance to Robbins Island Regional Park)	-Roundabout -Access Management -High Visibility Crosswalks -Median Refuge Islands	-Road Diet -Shared Use Paths -RRFB's	\$7.5M- \$10M	5
*5	*Minnesota Avenue from 1st Street S to 4th Street; SE Kandiyohi Avenue SW from 7th Street SW to 1st Street S; 3rd Street SE from Minnesota Avenue SE to 11th Avenue SE	-Includes 13 Intersections -Curb Extensions -High Visibility Crosswalks -Median Refuge Islands -Intersection Daylighting -Lighting		\$250k - \$1.5M	5

TABLE 4.1 | RECOMMENDED FUTURE PROJECTS (CONTINUED)

MAP #	PROJECT	PROJECT DESCRIPTION		ESTIMATED COST	PRIORITY
*6	*Kandiyohi Avenue SW at 7th Street SW	-Intersection near Kennedy Elementary School -Roundabout -High Visibility Crosswalks	-Median Refuge Islands -RRFB's -Lighting	\$1M - \$2M	5
*7	*19th Ave SW from 1st Street S to 15th Street SW	-1 mile segment that includes 11 intersections -Turn Lanes -High Visibility Crosswalks -Median Refuge Islands	-Road Diet -Curb Extensions -Bike Lanes -Shared Use Paths -RRFB's -Lighting	\$1M - \$10M	5
*8	*U.S. 12 (EAST segment) from Lakeland Drive to Benson Avenue SW	-1 mile of roadway and 10 intersections -Roundabout -Signal Safety Package -Access Management -Turn Lanes -High Visibility Crosswalks	-Median Refuge Islands -Road Diet -Bike Lanes -Shared Use Paths -Lighting	\$1M- \$15M	5
*9	*U.S. 12 (WEST segment) from Benson Avenue SW to 10th Street NW	-0.75 miles of roadway and 8 intersections -Roundabout -Signal Safety Package -Access Management -Turn Lanes -High Visibility Crosswalks	-Median Refuge Islands -Road Diet -Bike Lanes -Shared Use Paths -Lighting	\$1M- \$12.5M	5
*10	*Lakeland Drive at Lakeland Elementary School / YMCA	-Single intersection project located at the entrances of the Kandiyohi County YMCA and Lakeland Elementary School -Roundabout -Access Management	-High Visibility Crosswalks -Median Refuge Islands -RRFB's -Lighting	\$1M- \$2M	5

MAP #	PROJECT	PROJECT DESCRIPTION	ESTIMATED COST	PRIORITY
11	15th Ave SW crossing near Baker Diamond and Dorothy Olson Aquatic Center	- 1 striped and enhanced crosswalk	\$800 - \$1k (assumes high visibility crossing with thermoplastic pavement marking)	2
12	30th St SW/County Rd 5 from Hwy 12 to County Rd 40 north of Jennie O	-Resurfaced trail -Signage/bollards to deter snowmobile use	\$125k - \$210k (assumes 4,150 linear feet of 10' wide trail resurfacing and two ordinance indication signs)	3
13	Civic Center Drive from Business 71 to Transportation Road	-Widen the existing shared use trail	\$250k - \$350k (assumes 5,350 linear feet trail resurfacing and expansion to 8')	3
14	15th St SW from Becker Ave SW to Richland Ave SW	-Buffered or standard bike lane	\$13k - \$15k (assumes 6,300 LF linear feet of thermoplastic lane striping and 40 thermoplastic bike symbols)	2
15	Intersection / crossing improvements at Willmar Avenue and 15th St SW	-High visibility crosswalk of Willmar Ave S	\$2.5k - \$6k (assumes ladder or continental crossings, advance stop and yield signs)	4
16	Glacial Lakes State Trailhead	-Shelter -Signage -Bike parking -Restrooms	\$315k Cost from 2024 design plans	4

TABLE 4.1 | RECOMMENDED FUTURE PROJECTS (CONTINUED)

MAP #	PROJECT	PROJECT DESCRIPTION	ESTIMATED COST	PRIORITY
17	Willmar Lake Trail Loop Segment	-New shared use trail segment to complete Willmar Lake Loop	\$1.9M Cost from 2024 design estimate. Assumes 10' wide bituminous trail	4
18	Robbins Island Regional Park	-Resurface existing shared use trails	\$165k - \$275k (assumes 5,500 linear feet trail resurfacing of 10' width)	3
19	10th Street SW from Ella Ave NW to Rice Ave SW	-Buffered or standard bike lanes -At-grade railroad crossing improvements	\$55k - \$120k (assumes 4,100 linear feet of buffered or standard bike lanes) \$2.5k - \$3.5k (assumes the addition of a passive 'Yield' or 'Stop' sign, stop lines/ detectable warnings)	3
20	Ella Avenue from Business 71 to 17th St NW	-Widen existing shared use trail	\$555k - \$666k (assumes 5,550 linear feet trail resurfacing and expansion to 10')	3
21	Technology Drive from Civic Center Drive to Transportation Rd	-Widen existing shared use trail	\$335k - \$402k (assumes 3,350 linear feet trail resurfacing and expansion to 10')	1

MAP #	PROJECT	PROJECT DESCRIPTION	ESTIMATED COST	PRIORITY
22	Country Club Drive from Hedin Park to 26th Ave NE	-Signage and sharrow symbols for a bicycle boulevard	\$10k - \$14k (assumes a 5,000 foot segment with 24 pavement markings and 24 signs)	2
23	Connection between Hedin Park entrance and Robbins Island Park north entrance and Country Club Dr NE	-Widen existing shared use trail	\$235k - \$282k (assumes 2,350 linear feet trail resurfacing and expansion to 10')	3
24	5th Street SE from Willmar Ave NE to 28th Ave NE	-Widen existing shared use trail	\$540k - \$648k (assumes 5,400 linear feet trail resurfacing and expansion to 10')	1
25	3rd Street SE from Becker Ave SE to 11th Ave SE	-Add buffered or standard bike lanes	\$40k - \$88k (assumes 3,000 linear feet of buffered or standard bike lanes)	3
26	4th Street SW from Benson Ave SW to Willmar Ave SW	-Buffered or standard bike lanes	\$60k - \$130k (assumes 4,400 linear feet of buffered or standard bike lanes)	3
27	22nd St SW from Willmar Ave SW to 19th Ave SW	-Widen existing shared use path	\$240k - \$288k (assumes 2,400 linear feet trail resurfacing and expansion to 10')	2

TABLE 4.1 | RECOMMENDED FUTURE PROJECTS (CONTINUED)

MAP #	PROJECT	PROJECT DESCRIPTION	ESTIMATED COST	PRIORITY
28	23rd St SE from Hwy 12 to Seventh Ave SE	-New shared use trail	\$600k - \$720k (assumes 6,000 linear feet trail of a 10' width)	3
29	County Road 41 across Foot Lake near Rau Park from 15th Ave NW to 7th St NW	-Widen existing shared use path	\$460k - \$550k (assumes 4,600 linear feet trail resurfacing and expansion to 10')	2
30	Willmar Public Library Crossing	-Mid-block crossing to Willmar Public Library connecting the library parking lot to the existing curb cut at the library entrance on 5th Street SW	\$4k - \$6k (assumes 1,800 square feet of high visibility, thermoplastic pavement markings for crosswalk with ladder or continental striping, signage, etc.)	1
31	Ramblewood Park Path	-Pave existing gravel shared use trail	\$290k - \$350k (assumes 2,900 linear feet trail of a 10' width)	2
32	Sperryville bridge railroad crossing	-Repair or replace the existing pedestrian bridge	\$300k - \$12M, depending on level of finish/ final design, regulatory requirements, etc.	4
33	Glacial Lakes State Trail Extension from Civic Center Drive to Lakeland Dr following (current, but rarely used) BNSF ROW	-Extend shared use trail into downtown Willmar	\$685k - \$800k (assumes 5,700 linear feet of 12' wide trail, excludes cost of land acquisition)	3

MAP #	PROJECT	PROJECT DESCRIPTION	ESTIMATED COST	PRIORITY
34	Augusta Avenue	-New shared use trail to Lakeland Avenue	\$220k - \$264k (assumes 2,200 linear feet trail of a 10' width)	1
35	7th St from 19th Ave SW to Ella Ave	-Buffered or standard bike lane	\$25k - \$108k (assumes 8,000 linear foot segment)	3
36	Business 71 Crossing to Robbins Island Park Entrance	-Grade separated crossing - additional study required to determine feasibility of bridging or tunnel condition	\$2.5M - \$3.5M additional study required	4
**37	Complete Streets Ordinance	- **Adopt a Willmar Complete Streets Policy to meet the needs of all people walking, rolling, biking, and using transit, as well as those driving, when planning, designing and maintaining roads.	Varies; policy change	3
**38	Add amenities to existing and proposed trails	- **Identify opportunities for trail amenities to be included in new and reconstructed trail projects. Amenities include, but are not limited to: benches, drinking fountains, garbage receptacles, bike fix-it stations, shade trees, wayfinding signage and maps, restrooms, and bike racks.	Varies; to be added to existing trails or new bike and pedestrian facilities	3
39	Bike safety education efforts	-Bike safety education and multi-lingual outreach to people of all ages and abilities on laws and best practices concerning cycling, driving, and how multiple modes can all safely use transportation infrastructure.	Unknown; community education and outreach	3

* Recommendation also included in *Safe Streets for All Safety Action Plan*

** Recommendation not included on Implementation Summary Map

Securing the funds to invest in Willmar’s active transportation system will be critical to implementing the recommendations in this plan. The following sources, mechanisms, grants, and partners described below can help defray costs.

TABLE 4.2 | FUNDING OPTIONS

FUNDING OPTIONS		
MECHANISM	DESCRIPTION	SOURCE
GENERAL FUNDS	A city’s general fund is the main operating account that covers basic operating costs such as planning, police and fire services, and street and park maintenance	Money collected by the city in taxes, fines, fees, and revenues
DEDICATED TAX LEVY	City’s can hold a referendum to levy a dedicated tax for a specific purpose. In the case of parks and recreation, the tax can fund operations,maintenance,andcapital improvement projects	Property taxes
BONDING	Borrowing obligations that incur interest and require repayment at a specific date. These are typically issued to pay for larger capital projects	Annual appropriation bonds, tax abatement bonds, and revenue bonds
LOCAL OPTION SALES TAX	Minnesota Statute gives cities the authority to levy a local sales tax through an election process for specific capital improvements	Sales tax addition
STATE AID	Funds available for pedestrian and bicycle improvements on state aid roadways (key county highways), most beneficial during construction or reconstruction projects	State of Minnesota
PARK AND TRAIL DEDICATION	Land or cash in-lieu of land from new subdivision developments that must be used for new equipment or park facilities	Developers
PARTNERSHIPS	Partnerships with private and/ or other public entities can be in many forms, including funding, design, operations and maintenance agreements, etc.	Public or private organizations, clubs, agencies, governments, etc.
DONATIONS	Gifts of cash, equipment, labor, or others from private individuals or groups	Individuals, businesses, groups, etc.

TABLE 4.2 | FUNDING OPTIONS (CONTINUED)

FUNDING OPTIONS		
GRANT	DESCRIPTION	AGENCY
AARP Community Challenge Grant	Small grants to fund quick-action projects that can help communities become more livable for people of all ages	AARP
America Walks Community Change Grants	Awards stipends to communities for projects related to creating healthy, active, and engaged places to live, work, and play	Foundation
American Trails Trail Fund	Assists the trails community with funding to support maintenance, research, and stewardship training needs	Foundation
Bridge Investment Program	Provides funding for communities to replace, rehabilitate, and preserve bridge infrastructure	U.S. Department of Transportation
Community Facilities Direct Loan and Grant	Provides affordable funding to develop essential community facilities in rural areas	U.S. Department of Agriculture (USDA)
Federal Recreation Trail Program	Provides funding to encourage the maintenance and development of motorized, non-motorized, and diversified trails	Minnesota Department of Natural Resources (MNDNR)
Local Trail Connections Program	Provides funding to promote short trail connections between where people live and significant public resources	Minnesota Department of Natural Resources (MNDNR)
Our Town Grant Program	Supports projects that integrate arts, culture, and design activities into efforts that strengthen communities by advancing local economic, physical, and/or social outcomes	National Endowment for the Arts
Outdoor Recreation Grant Program	Provides funding to increase and enhance outdoor recreation facilities in local and community parks throughout the state	Minnesota Department of Natural Resources (MNDNR)
Parks and Trail Legacy Grant Program	Provides funding for parks and trails of regional significance outside of the seven-county metropolitan area	Minnesota Department of Natural Resources (MNDNR)

TABLE 4.2 | FUNDING OPTIONS (CONTINUED)

FUNDING OPTIONS		
GRANT	DESCRIPTION	AGENCY
PeopleForBikes Community Grant Program	Provides funding that supports bicycle infrastructure projects and targeted advocacy initiatives that make it easier and safer for people of all ages and abilities to ride	Other - Minnesota
Rivers, Trails, and Conservation Assistance Program	Supports community-led natural resource conservation and outdoor recreation projects across the nation	National Park Service
Rural Initiative Grant Fund Program	Provides funding to encourage collective and involved endeavors among citizens in rural communities	Foundation
Safe Routes to School Infrastructure Grants/Safe Routes to School Planning Assistance Grants	Provides funding for the development and implementation of infrastructure projects which enable students to walk and bicycle to and from schools	Minnesota Department of Transportation (MNDOT)
State Park Road Account Program	Provides funding to assist local governments in improving access to public recreation facilities	Minnesota Department of Transportation (MNDOT)
The Rapid Response Fund	Provides financial resources to assess and support response actions for quick containment or eradication of newly detected species	National Park Service
Transportation Alternatives Program	Provides grants to local communities and regional agencies to fund projects for pedestrian and bicycle facilities, historic preservation, Safe Routes to School and more	Minnesota Department of Transportation (MNDOT)



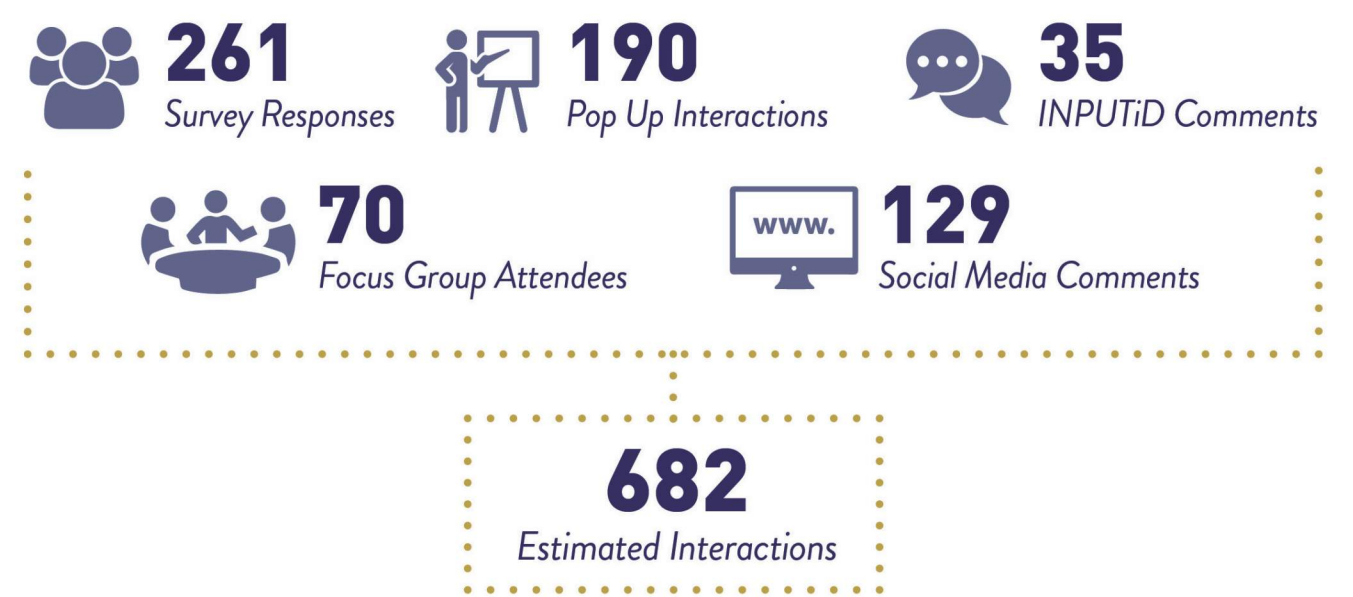
Photo from Explore Willmar Lakes Area website



REFERENCED IN INTRODUCTION

ENGAGEMENT SUMMARY
City of Willmar - Safe Streets for All

ENGAGEMENT OVERVIEW:



PUBLIC SURVEY RESULTS



MOST COMMON FORMS OF TRANSPORTATION:



THEMES FROM COMMENTS ABOUT
TRANSPORTATION SAFETY IN WILLMAR:



TOP LOCATIONS PEOPLE WISH TO TRAVEL WITHOUT A CAR:

- Robbins Island
- Ridgewater College & Nearby Trails
- Retail & Restaurant Areas
- Schools (Especially High Schools)
- Downtown Willmar
- Parks & Outdoor Spaces
- Community Center
- Health & Human Services Buildings
- Kandi Mall & Nearby Stores

KEY AREAS FOR IMPROVEMENT:

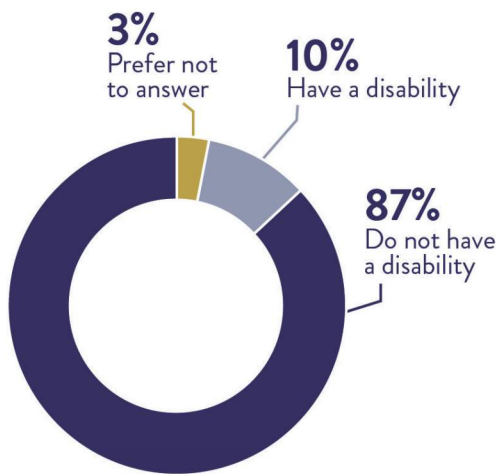


SURVEY DEMOGRAPHICS

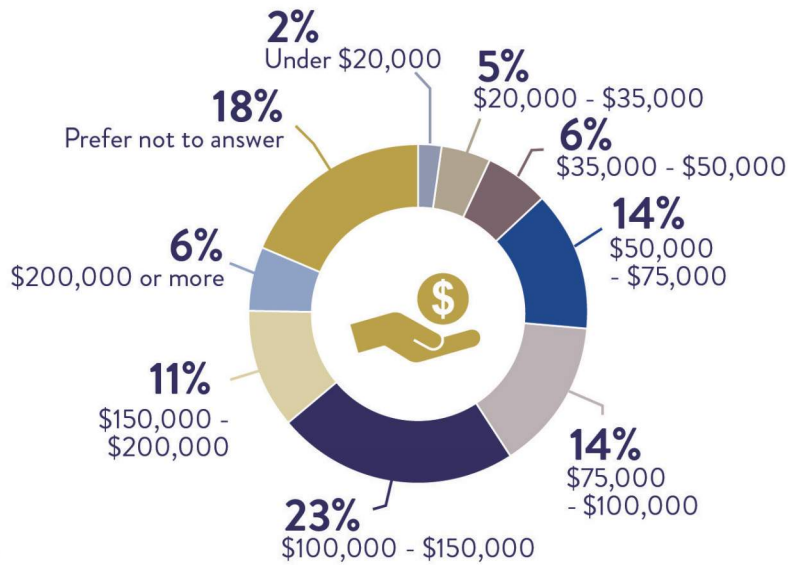
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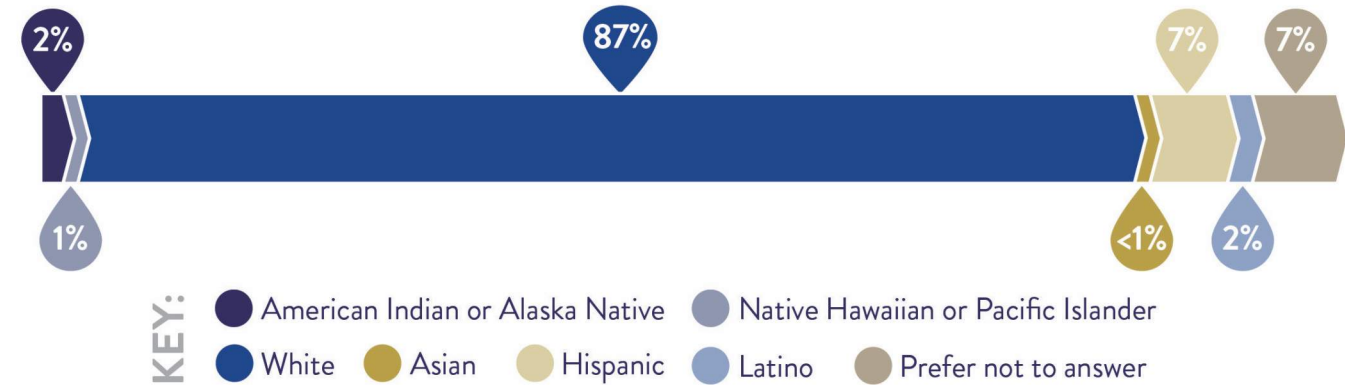
DISABILITY STATUS:



HOUSEHOLD INCOME:



RACIAL & ETHNIC BACKGROUND:

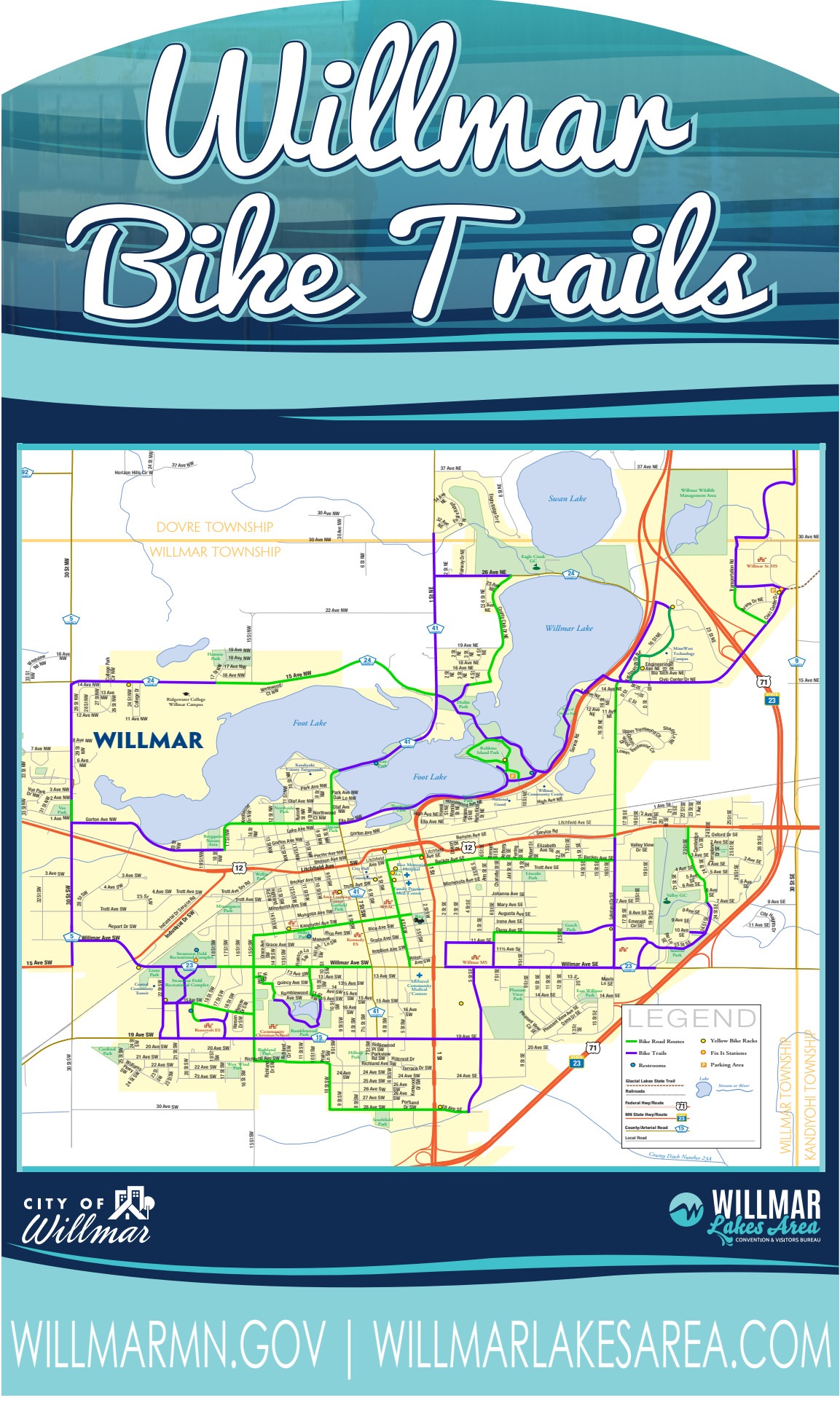
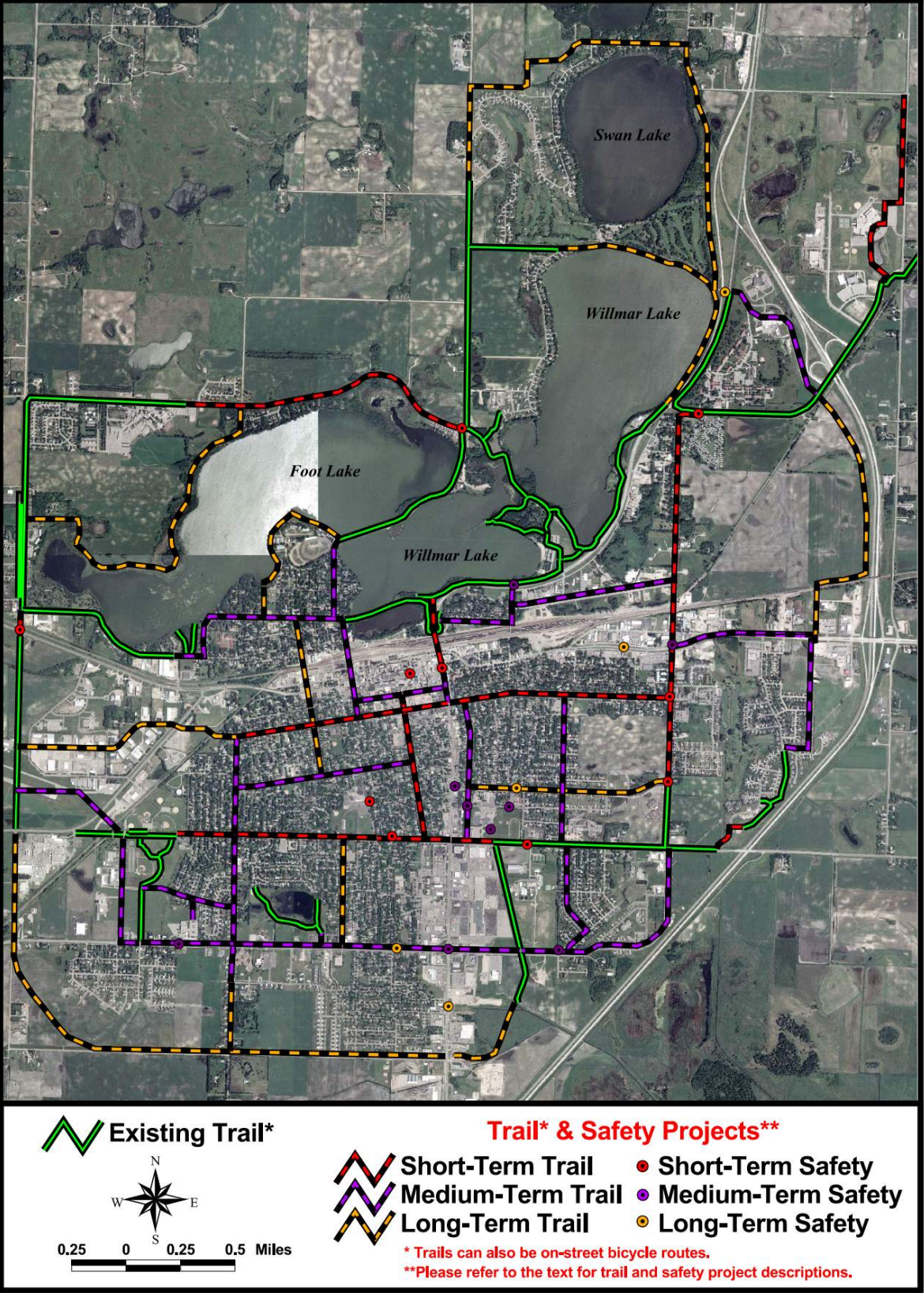


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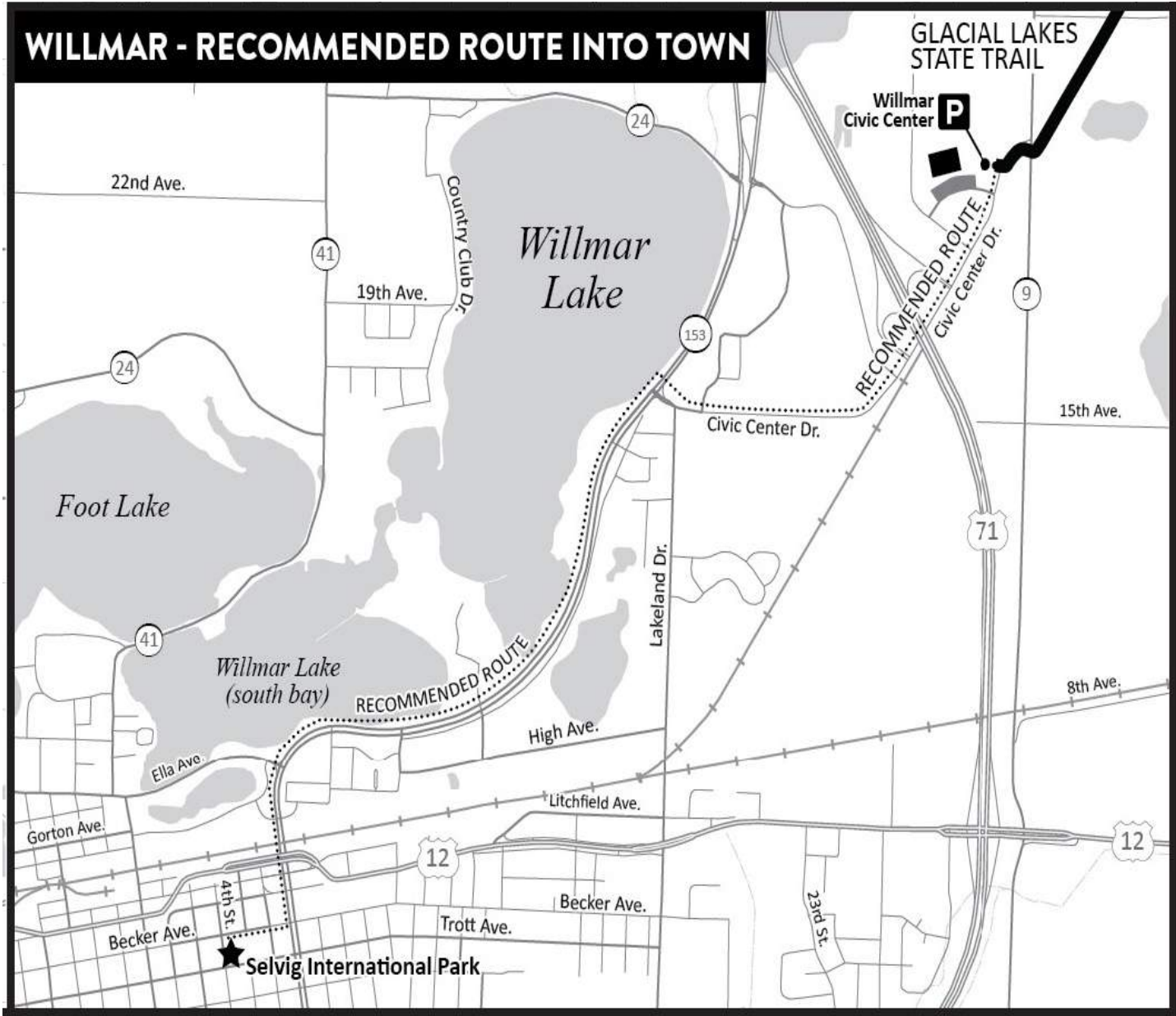
Stakeholder Listening Session Map Markup



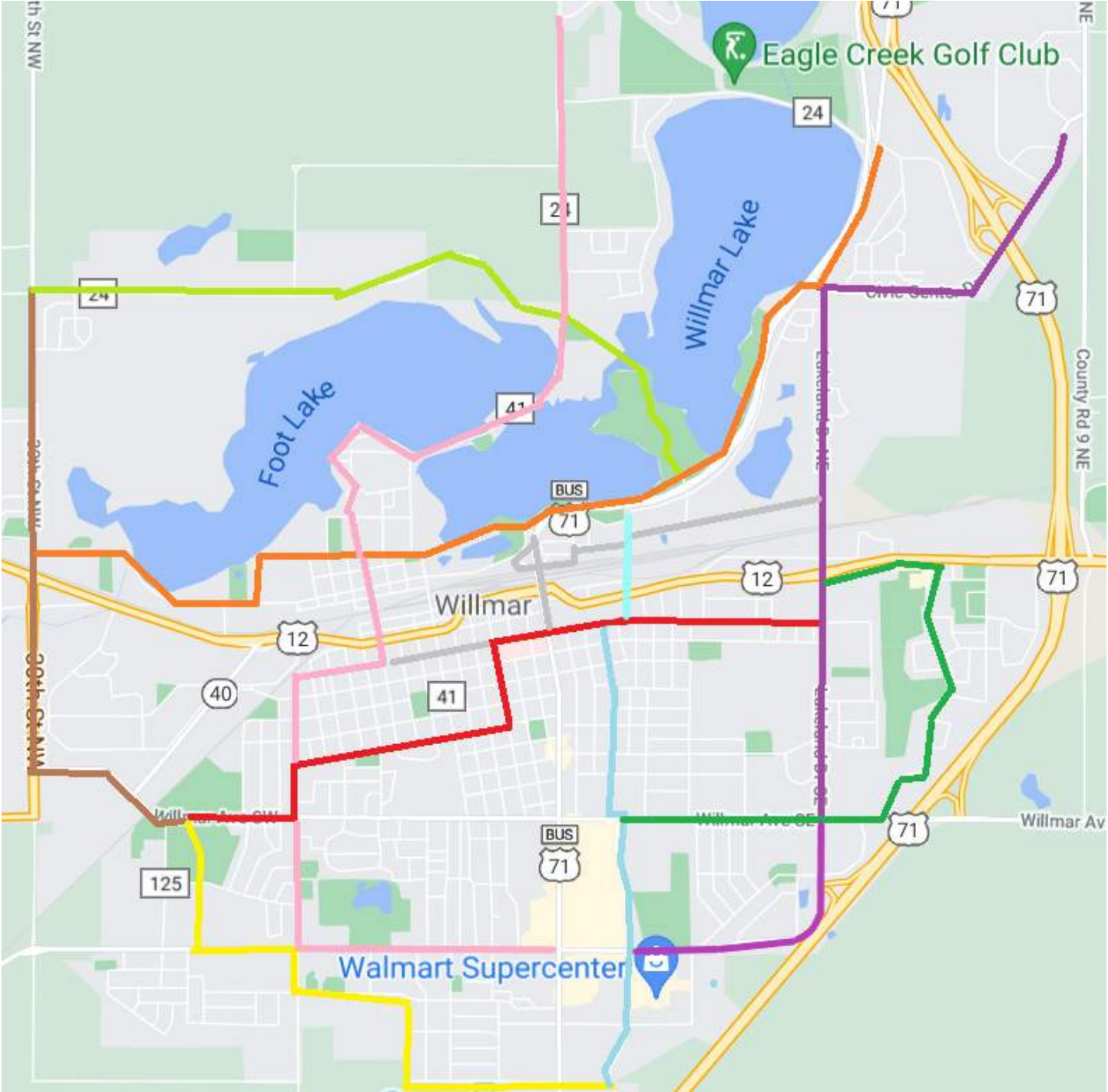
Map 6A:
City of Willmar Trails & Pedestrian Plan



Kandiyohi County Bicycle And Pedestrian Trails Plan (2024)



Willmar Bikes Routes (2024)





City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.B.
Agenda Section:	Regular Business	Originating Department:	Planning and Development
Resolution:	No	Prepared By:	Christopher Corbett, Planning and Development Director
Ordinance:	Yes	Presented By:	Christopher Corbett, Planning and Development Director
Item:	Introduction of Amendment to Codify the City of Willmar Zoning Ordinance No. 1060 and Set Public Hearing Date		

RECOMMENDED ACTION:

Motion by _____ Second by _____ to introduce an ordinance to Codify the City of Willmar Zoning Ordinance No. 1060 into Chapter 14, Article I of the City Code and set Public Date for Monday, December 15, 2025, at 6:30pm Kandiyohi County Health & Human Services

Motion by _____ Second by _____ to publish by summary of publication.

OVERVIEW:

This amendment proposes codifying the Willmar Zoning Ordinance (Ordinance No. 1060), along with its subsequent amendments, into Chapter 14, Article I of the City Code. As part of this process, sections within Articles II–IV of Chapter 14 will be renumbered to accommodate the zoning ordinance placement. The codification effort includes updating internal references and correcting typographical errors, but does not change the substance or regulatory impact of Ordinance 1060 as amended.

Codification is the process of organizing and integrating laws or ordinances into a structured and accessible format within a formal code such as a city’s municipal code. It ensures consistency, clarity, and ease of reference by placing related regulations in a unified location, updating cross-references, and correcting minor errors without altering the legal intent or effect of the original ordinance.

BUDGETARY/FISCAL ISSUES:

None.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Zoning Codification Enactment Ordinance 091525
2. Summary publication of zoning codification enactment ordinance 091525
3. codified zoning ordinance - Code Ch 14, Art I (updated 091125) (1)

ORDINANCE NO. _____

AN ORDINANCE CODIFYING THE WILLMAR ZONING ORDINANCE,
ORDINANCE NO. 1060, AS AMENDED

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE CHAPTER 14, ARTICLE I. The Code of Ordinances of the City of Willmar, Chapter 14, “Land Development,” Article I, “In General,” is hereby repealed in its entirety and replaced by the enactment of a new Article I entitled “Willmar Zoning Ordinance” to read as provided in Appendix A to this ordinance, which is attached hereto and incorporated herein by reference.

Section 2. RENUMBERING OF MUNICIPAL CODE CHAPTER 14, ARTICLE II. The Code of Ordinances of the City of Willmar, Chapter 14, “Land Development,” Article II, “Subdivisions,” Sections 14-102 through 14-256 within Divisions 1, 2, 3 and 4, are hereby renumbered as Sections 14-302 through Sections 14-456.

Section 3. RENUMBERING OF MUNICIPAL CODE CHAPTER 14, ARTICLE III. The Code of Ordinances of the City of Willmar, Chapter 14, “Land Development,” Article III, “Floodplain Management,” Sections 14-202 through 14-231 within Divisions 1, 2 and 3, are hereby renumbered Sections 14-502 through 14-531.

Section 4. RENUMBERING OF MUNICIPAL CODE CHAPTER 14, ARTICLE IV. The Code of Ordinances of the City of Willmar, Chapter 14, “Land Development,” Article IV, “Local Heritage Designation,” Sections 14-251 through 14-256 are hereby renumbered as Sections 14-602 through 14-607.

Section 5. CODIFICATION OF ORDINANCE NO. 1060; SUPERSEDING EFFECT. The enactment of a new Article I entitled “Willmar Zoning Ordinance” pursuant to Section 1 above shall have the effect of codifying Ordinance No. 1060 and all subsequent amendments thereto; such codification includes updating internal references and correcting typographical errors but does not alter the substance effect of the regulations contained within Ordinance 1060, as amended. From and after the effective date of this Ordinance, Article I as enacted pursuant to Section 1 above shall supersede Ordinance 1060, as amended.

Section 6. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 20__.

ATTEST:

Vernae Larsen, City Clerk

Doug Reese, Mayor

VOTE: ____ SHULDES ____ GILBERTSON ____ DAVIS ____ GARDNER
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

APPENDIX A

**WILLMAR, MINNESOTA
CHAPTER 14
ARTICLE I. – ZONING ORDINANCE**

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SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ____

**AN ORDINANCE CODIFYING THE WILLMAR ZONING ORDINANCE,
ORDINANCE NO. 1060, AS AMENDED**

Summary: Ordinance No. ____ as adopted by the Willmar City Council on _____, 2025, has the effect of codifying the Willmar Zoning Ordinance, Ordinance No. 1060, and subsequent amendments thereto, within Chapter 14, Article I of the City Code. The Ordinance also renumbers the sections within Articles II - IV of Chapter 14 to make room for the zoning ordinance in Article I. The codification of Ordinance 1060, as amended, includes updating internal references and correcting typographical errors but does not alter the substance effect of the regulations contained within Ordinance 1060, as amended.

The complete text of Ordinance No. ____ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

Willmar, Minnesota, Code of Ordinances

Chapter 14 – LAND DEVELOPMENT

ARTICLE I. – ZONING ORDINANCE

DIVISION 1. – TITLE AND APPLICATION

Sec. 14-1. – Title.

This Article shall be known as the "Willmar Zoning Ordinance," except as referred to herein, where it shall be known as "this Ordinance."

Sec. 14-2. – Intent and Purpose.

The intent and purpose of this Ordinance is to:

- (a) Protect and promote the general welfare of the people who are citizens of, reside in, or who transact business or own property in the City.
- (b) Promote the orderly and compatible development of residential, business, industrial, recreational, and public areas.
- (c) Provide adequate light, air, and convenience of access to property.
- (d) Limit congestion in the public rights-of-way.
- (e) Promote development coinciding with the availability of necessary public services and utilities.
- (f) Divide the City into zones/districts; regulate the location, construction, reconstruction, alteration, and use of land, structures, or improvements within the various zones/districts.
- (g) Preserve the value of land and buildings throughout the city.
- (h) Provide for the gradual elimination and regulation of those uses of land, buildings, structures, and improvements which do not conform to the standards of the zones/districts in which they are located, and which may adversely affect the development and the value of property in such zones/districts.
- (i) Provide for the wise use and conservation of natural resources.
- (j) Provide for the enforcement of this Ordinance, define the duties of the administrative officers and responsible parties, and provide penalties for the violation of the provisions herein contained.

Willmar, Minnesota, Code of Ordinances

Sec. 14-3. – Relation to Comprehensive Land Use Plan.

It is the policy of the City of Willmar that the enforcement, amendment, and administration of this Ordinance be accomplished with due consideration of the goals and policies contained in the Comprehensive Land Use Plan as developed and amended from time to time by the Planning Commission and City Council.

Sec. 14-4. – Standards.

- (a) Where the conditions imposed by any provisions 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.
- (b) In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare.
- (c) No structure shall be erected, converted, enlarged, reconstructed, or altered, and no structure or land shall be used for any purpose or in any manner which is not in conformity with the provisions of this Ordinance.
- (d) 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.

Sec. 14-5. – Zoning Map.

The Zoning Map, as amended from time to time as herein provided, shall be and comprise a part of this Ordinance.

- (a) *Annexed Territory.* Annexed territory shall be in the A- Agriculture District unless otherwise stipulated in the annexation ordinance/resolution or Municipal Board annexation order.
- (b) *Zoning District Boundaries.* Zoning district boundary lines of this Ordinance follow lot lines, center lines of roads and streets, railroad right-of-way lines, the center of water courses, or corporate limit lines, all as they exist upon the effective date of this Ordinance. Appeals and questions of doubt concerning the exact location of a zoning district boundary line shall be heard by the Board of Zoning Appeals. When any street, alley, or other public right-of-way is vacated by official action of the City, the zoning district abutting the center line of said alley or other public right-of-way shall not be affected by such proceeding.

Sec. 14-6. – Authority.

Willmar, Minnesota, Code of Ordinances

This Ordinance is enacted pursuant to the authority granted by the Municipal Planning Act, Minnesota Statutes, Sections 462.351 to 462.365.

Sec. 14-7. – 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 judgement shall not affect any other provisions of this Ordinance not specifically included in said judgement.
- (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 judgement shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgement.

Sec. 14-8. – Violations and Penalties.

Any person who violates any of the provisions of this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor and shall be punished as provided for in the laws of the State of Minnesota. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 14-9. – Other Remedies.

For the purpose of enforcing the provisions of this Ordinance, or to prevent violations thereof, the City shall have available to it all of the lawful remedies and procedures provided by Statute or other law, including but not limited to obtaining from the Court having jurisdiction thereof restraining orders, mandatory injunctions, or other appropriate forms of relief.

Secs. 14-10—14-12. - Reserved.

[Remainder of page intentionally left blank]

Willmar, Minnesota, Code of Ordinances

DIVISION 2. – RULES AND DEFINITIONS

Sec. 14-13. – Rules.

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

- (a) The singular number includes the plural, and plural the singular.
- (b) The present tense includes the past and the future tenses, and the future the present.
- (c) The word “shall” is mandatory, while the word “may” is permissive.
- (d) The masculine gender includes the feminine and neuter.

Sec. 14-14. – Definitions.

The following is a list of commonly used terms in this Ordinance and their definitions. Definitions pertaining to signs are found in ~~Section~~ Division 5 of this Ordinance:

Accessory building or use. A subordinate building, structure, or use which is located on the same lot on which the main building or use is situated, and which is reasonable, necessary, and incidental to the conduct of the primary use of such building or main use.

Adult entertainment uses. A use which involves any of the following activities or which utilizes any of the following business procedures or practices; either:

- (1) Any use or business which is conducted exclusively for the patronage of adults and as to which minors are specifically excluded from patronage there at either by-law or by the operators of such business; or
- (2) Any other use or business which offers its patrons services or entertainment characterized by an emphasis on matter depicting, exposing, describing, discussing, or relating to specified sexual activities or specified anatomical areas.

Specifically included in the term, but without limitation, are adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult saunas, adult companionship establishments, adult health clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotel or motel, and adult body painting studios.

Agricultural uses. Those uses commonly associated with the growing of produce on farms. These include: field crop farming; pasture for hay; fruit growing; tree, plant, shrub, or flower nursery without building; truck gardening; roadside stand for sale in-season of products grown on premises; and livestock raising and feeding, but not including fur farms, commercial animal feed lots, or kennels.

Airport. The Willmar Municipal Airport.

Willmar, Minnesota, Code of Ordinances

Airport Zoning District. An overly zoning district indicating the area subject to regulation by the Airport Zoning Board of the City of Willmar.

Annexation. The lawful process by which territory outside the City limits is attached to, and becomes a part of, the City of Willmar.

Apartment. A room or suite of rooms which is designed for, intended for, or occupied as a residence by a single family or an individual, and is equipped with cooking facilities.

Basement. A portion of a building between floor and ceiling, located partly above and partly below grade, and having one-half or more of its floor to ceiling height below the average grade of the adjoining ground. Underground or earth houses that meet all other requirements of the Building Code shall not be considered basements.

Bed and breakfast. Lodging establishments providing short term guest accommodations within the primary residence of the applicant. Such facility must be licensed by the Minnesota Department of Health or its designee. The commercial serving of food shall be limited to breakfasts served to overnight guests only. In addition to meeting the parking requirement for a residence, on (1) additional hard-surfaced, off-street parking space per guest room shall be provided and be adequately screened from adjacent residences. Conditional uses issued for bed and breakfast establishments shall be issued specifically to the applicant and are not transferable with the property. Initial approval shall be provisional, subject to a one-year review. At such time, the conditional use may be reissued, reissued subject to additional conditions, or not issued if evidence is presented that such use presents a negative impact on the surrounding neighborhood.

Boarding house. A building other than a hotel where, for compensation by prearrangement for definite periods, lodging or lodging and meals are provided to three or more persons, not of the principal family therein, but not including a building providing these services for more than ten persons.

Brew pubs. A brewer who satisfies the definition of a "brew pub" in Minnesota Statutes, Section 340A.101, as the same may be amended, and who holds a brew pub license for the on-sale of intoxicating or 3.2 percent malt liquor pursuant to City Code Section 3-138 and Minnesota Statutes, Section 340A.24.

Building area. The portion of the lot remaining after required yards (setbacks) have been provided.

Building. Any structure having a roof supported by columns or walls used or intended for enclosing or sheltering any use, person, or property.

Building Code. The Building Code currently in effect at any time in the City.

Building height. The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height of the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof.

Building Inspector. The Building Inspector of the City of Willmar.

Willmar, Minnesota, Code of Ordinances

Building Permit. A permit issued by an authorized official of the City to an agent or an owner on land granting lawful authority to build, repair, alter, or reconstruct buildings, structures, or improvements.

Building setback. The minimum horizontal distance between the building and the lot line.

Building setback line. A line within a lot parallel with a lot line or a high-water mark or line identifying the setback area where buildings are prohibited.

Business. Any occupation, employment, or enterprise wherein merchandise is exhibited or sold, or where services are offered or performed for compensation.

Carport. A vehicle shelter having one or more sides open.

Certificate of Compliance. A certified issued by the Zoning Administrator certifying that a parcel of land or lot is occupied and used in full compliance with the provisions of this Ordinance.

Certificate of Occupancy. A certificate issued by the Zoning Administrator or the Building Inspector certifying that a building is acceptable for occupancy and is in compliance with the Building Code and the Zoning Ordinance.

Church. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

City. The City of Willmar, Minnesota.

City Attorney . The City Attorney of the City of Willmar.

City Engineer. The City Engineer of the City of Willmar.

City sewer. A pipe or system of pipes connected with the municipal sewage collection system owned and operated by the city.

City water. The water distribution system of the City, owned and operated by Willmar Municipal Utilities.

Cluster development. A pattern of subdivision development which places detached houses, duplexes, or townhouse units into compact groupings and may provide a network of commonly owned or dedicated open spaces.

Club or lodge. A non-profit association of persons who are bona fide members paying dues, use of premises being restricted to members and their guests. It shall be permissible to serve food and meals on such premises providing adequate dining room space and kitchen facilities are available. Serving of alcoholic beverages to members and their guest shall be allowed, providing such serving is secondary and incidental to the operation of the dining room for the purpose of serving food and meals, providing further that such serving of alcoholic beverages is in compliance with the applicable Federal, State, and Municipal laws.

Willmar, Minnesota, Code of Ordinances

Columbarium. A building, structure, or part of a building or structure that is used or intended to be used as a repository composed of individual niches designed for the inurnment of cremated remains of the deceased.

Columbarium individual niches. An individual recess within a columbarium designated to contain the cremated remains of one deceased within a single cremation urn or container; or the cremains of two deceased within two cremation urns or containers.

Commission. The Planning Commission of the City of Willmar.

Comprehensive Land Use Plan. The “With Willmar” comprehensive land use policy plan and the future land use map contained therein, adopted by the City Council on July 7, 2025, as amended.

Conditional use. An activity or use of the land which, because of special problems of control intrinsic in the use, requires reasonable but special, unusual, or extraordinary limitations for the protection of the public welfare and the integrity of the Comprehensive Land Use Plan.

Conditional use permit. A permit issued by the Planning Commission, in accordance with procedures specified in this Ordinance, as a flexibility device to enable the City to assign dimensions or conditions to a proposed use.

Condominium. A multiple dwelling containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling is subject to applicable provisions of Minnesota State Statutes.

Council. The City Council of the City of Willmar.

Day care (home). A use, restricted to a family dwelling, in which supervision and training of children of school or pre-school age is provided during part of the day (less than twenty four (24) hours) with no overnight accommodations, and children are delivered and removed daily. The number of children to be cared for shall not exceed twelve, not including the family’s own children. All required licenses shall be obtained.

Daycare center. A commercial service provided to the public in which children of school or pre-school age are cared for during established business hours. Overnight accommodations may be provided, and children are delivered and removed daily. All required licenses shall be obtained.

Drive-in. Any use where products or services, or both, are provided to the customer under conditions where the customer does not have to leave the vehicle, or where service to the vehicle occupants is offered regardless of whether service is also provided within a building.

Driveway access. Openings or access to a public street or highway from private property.

Duplex. A residential building containing two (2) complete, independent dwelling units.

Dwelling. A building occupied or intended to be occupied exclusively for human habitation; does not include rooms in hotels, motels, nursing homes, boarding houses, bed and breakfast establishments, trailers, tents, cabins, cellars, or trailer coaches.

Willmar, Minnesota, Code of Ordinances

Dwelling, multiple (multi-family). A building designed with three or more dwelling units exclusively for occupancy by three or more families living independently of each other. Hallways, entrances, and exists may or may not be shared.

Dwelling, single family. A detached dwelling unit designed exclusively for occupancy by one (1) family.

Dwelling, single family attached (Twin home). Two (2) single family dwellings with a zero lot line on one side and sharing a common wall, with the common wall and all jointly owned or jointly utilized facilities including, but not limited to, decks, utility lines, and driveways being governed under a declaration of covenants and restrictions.

Dwelling, two (2) family. A dwelling designed with two (2) dwelling units, exclusively for occupancy by two (2) families living independently of each other.

Dwelling unit. A residential accommodation, including complete kitchen and bathroom facilities (permanently installed), which is arranged, designed, used, or intended for use exclusively as living quarters for one (1) family.

Essential services. Gas, electrical, steam, or water transmission or distribution systems; and collection, communication, supply, or disposal systems operated by a public/municipal utility or other governmental agency as well as Public Safety Emergency Services.

Exterior storage. The storage of goods, vehicles, equipment, manufactured products, refuse, or any kind of material in the open, not fully enclosed by a building, or not fully screened as defined in Section 3-0-3 14-32(c).

Family. One (1) person, or two (2) or more persons each related to the other by blood, marriage, adoption, or foster care living together as a single housekeeping unit; or a group of not more than five (5) persons not so related maintaining a common household and using common cooking and kitchen facilities.

Fence. A partition, structure, wall, or gate erected as a dividing marker, visual or physical barrier, or enclosure.

Final plat. A map of an approved subdivision or described property prepared in conformity with the Subdivision Ordinance and the laws of the State of Minnesota, acceptable for recording with the County Recorder.

Flood plain. An area officially designated by lawful authority as an area which might be subject to flowing and as to which special regulations are imposed.

Floor area, gross. The sum of the gross area of the various floors of a building, in which the basement floor shall not be included unless such area constitutes a story.

Front lot line. That boundary of a lot which abuts on a public street or a private road; corner lots shall be deemed to have frontage on both streets.

Willmar, Minnesota, Code of Ordinances

Front yard. A yard extending across the front of the lot between the inner side or rear yard lines (on corner lots), and lying between the front line of the lot and the nearest building line.

Frontage. That boundary of a lot which abuts a public street or a private road.

Functional plan. The capacity of a building or improvement to be used or enjoyed, considered individually and in relation to the surrounding area.

Garage (private). An accessory building or accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the family or families residing upon the premises. Such space can be rented to non- residents of the property for private passenger vehicles and/or non-commercial vehicles, trailers, or equipment, provided that not more than one-half of the space is rented to persons not resident on the premises, except that all the space in a garage of one or two car capacity may be so rented.

Garage (public). A building or portion of a building, except any herein defined as a private garage, used for the storage or repair of motor vehicles; or where any such vehicles are kept for remuneration or hire, and in which any sale of gasoline, oil, and accessories is only incidental to the principal use.

Grade (adjacent ground elevation). The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

Home Occupation. Work or occupation engaged in by the occupants of a dwelling at or from the dwelling. This activity shall be clearly incidental and secondary to the residential use of the premises. Such home occupation shall not require internal or external alterations or involve construction features not customarily found in dwellings.

Hotel. A building having provision for six (6) or more guests, in which lodging is provided for compensation, and which is open to transient or permanent guests or both. No provision is made for cooking, and ingress and egress to and from all rooms is made through an inside lobby or area supervised by a person in charge.

Interior lot. A lot other than a corner lot, including a through-lot.

Junk Motor Vehicle. A motor vehicle that satisfies the definition of a "junk vehicle" in Minnesota Statutes, Section 16B.011, as the same may be amended.

Junk yard. Land or buildings where waste, or discarded/salvaged materials are bought, sold, stored, exchanged, cleaned, packed, disassembled, or handled, including but not limited to scrap metal, rags, paper, hides, rubber products, glass products, lumber products, and products resulting from the wrecking of automobiles or other vehicles.

Kenel. Any place where four (4) or more domestic pets over six months of age are kept, boarded, bred, or offered for sale, excluding a veterinary clinic.

Willmar, Minnesota, Code of Ordinances

Landscaping. The covering or dressing of a land area so as to cover the soil with grass, shrubs, trees, rock, or berms.

Livestock. Cattle, hogs, sheep, goats, horses, poultry, and other animals generally associated with the raising and production of meat, dairy products, and breeding stock.

Lot. A parcel of land described by metes and bounds, registered land survey, or plat.

Lot (of record). A lot which was of record or registered as a separate lot or parcel in the Office of the County Recorder, prior to July 13, 1982.

Lot area. The area of a horizontal plane within the lot lines.

Lot depth. The mean horizontal distance between the front and rear lines of a lot.

Lot line. Any property line bounding a lot, including the line abutting a street which is also called the right-of-way line.

Lot width. The horizontal distance between the side lot lines of a lot measured at the front and rear setback lines, and if they are different, the average of them.

Manufactured home. A non-mobile detached residential dwelling unit that is fabricated at a central factory and then transported to a building site where final installations are made in accordance with Building Code standards, permanently affixing the unit to the site. Manufactured home siting is regulated by Section 3.J. of this Ordinance.

Mobile Home. A detached residential dwelling unit designed for transportation on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered a mobile home. Mobile home siting is regulated by Section 3.J. of this Ordinance.

Mobile home park. A tract of land designed, maintained, and intended for the placement of mobile homes.

Motel. A building or group of buildings, also called motor hotels, used primarily as a temporary residence for motorists and travelers *with convenient access to off-street parking spaces for the exclusive use of the guests.*

Municipality. The City of Willmar.

Nonconforming structure or use. Any structure or use which on effective date of this Ordinance does not, even though lawfully established, conform to the applicable provisions if the structure or use was to erected under the terms and standards of this Ordinance.

Official Zoning Map. The official zoning map of the City of Willmar.

Willmar, Minnesota, Code of Ordinances

Open sales lot. Lands devoted to the display of goods for sale, rent, lease, or trade, where goods are not enclosed within a building.

Parking space. A permanently maintained area, either within or outside of a building, of sufficient size to store one vehicle.

Permitted use. A use which may be lawfully established in a particular zone/district, provided it conforms with all requirements, regulations, and performance standards (if any) of such district.

Person. An individual, firm, partnership, association, corporation, or organization of any kind.

Planned Unit Development. A development, often with a mixture of uses and densities, in which the subdivision, zoning, or other development controls are applied to the project as a whole rather than to individual lots.

Planning Commission. The Planning Commission of the City of Willmar.

Principal structure/use. A building, structure, or use which determines the predominant use, as contrasted to an accessory, incidental, or subordinate use.

Private sewer system. A sewage disposal system on private property, and not connected to the municipal sewer system.

Rear lot line. That boundary of a lot which is opposite to the front lot line, and in the case of a corner lot, may be either of the two possible other lines depending on which way the principal structure may be faced or fronted.

Rear yard. A yard extending across the rear of the lot between the inner side yard lines, and lying between the rear line of the lot and the nearest building line.

Recorder. The County Recorder of Kandiyohi County.

Recreational Vehicle. Any vehicle, such as a van camper, tent camping trailer, self-contained travel trailer, pickup camper, camping bus, or self-contained, self-propelled truck chassis mounted vehicle providing living accommodations, designed and used for temporary recreational or living quarters.

Recreational Vehicle Park. A park, court, or campsite designed, maintained, or intended for the purpose of locating and providing accommodations for recreational vehicles.

Recycling center. A facility that is not a junkyard, at which recoverable resources such as newspapers, cardboard, plastics, glassware, and metal cans are collected, separated, and processed prior to shipment to others who will use those materials to manufacture new products. Processing is defined as the preparation of material for efficient shipment by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, and cleaning. The facility must meet Minnesota Pollution Control Agency requirements for recycling facilities. There shall be no shredding, compacting, baling, or other processing of ferrous metals other than food and beverage containers. Under all circumstances, precautions shall be taken to ensure the containment of recyclable resources while at the center.

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Required setback. A yard area which shall not, because of restrictions contained in this Ordinance, be built on or be covered by structures.

Residential facility. Any facility, public or private, which for gain or otherwise regularly provides one or more persons with a 24-hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the person's own home.

Restaurant. An establishment which serves food to be consumed primarily while seated at tables, counters, or booths within a building.

Retail business uses. The operation of a business selling goods over a counter or from a store, or selling personal services.

Right-of-way (r/w). That portion of a dedicated street, avenue, or other public way lying between its outer boundaries, and on which public streets, boulevards, tree plantings, and sidewalks may be located.

Roadside sales stand. A structure used only for the display and sale of products, and used only a seasonal basis.

Screening. A fence, structure, plantings, or earth arrangement designed and used singularly or in combinations to substantially reduce visual access.

Seasonal business. Business activities for which the demand or the supply is seasonal.

Setback. The minimum horizontal distance between a structure and the lot line of the lot on which it is located, which distance is to be measured perpendicularly from the lot line or property line to the nearest portion of the structure.

Shopping center. Any grouping of eight or more retail uses in one or more principal structures, under single ownership, with adequate off-street parking and a minimum of fifty thousand (50,000) square feet in building area.

Side lot line. Any boundary of a lot which is not a front lot line or a rear lot line.

Side yard. A yard between the side line of the lot and the nearest building line.

Street. A public right-of-way which includes a street roadway, sidewalks, boulevards, *public and private utilities*, and tree planting areas.

Street roadway. That part of a street or avenue which is designed and used for motor vehicle traffic and parking.

Structure. Anything which is built, constructed, or erected, an edifice or building of any kind; or any piece of work artificially built up and/or composed of parts joined together in some definite manner whether temporary or permanent in character.

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Structural alteration. Any change, other than incidental repairs, which would affect the supporting members of a building or other structure, such as bearing walls, columns, beams, girders, or foundations.

Subdivision. A described tract of land which is to be, or has been, divided or subdivided into two or more lots or parcels for the purpose of transfer of ownership, building development, or tax assessment purposes.

Subdivision Ordinance. The City of Willmar Subdivision Ordinance regulations for the subdivision and platting of lands within the City of Willmar as contained in Article II of this Chapter 14.

Supper club. A building with facilities for the preparation and serving of meals, and where intoxicating liquors may be sold on-sale, and live entertainment and dancing may be permitted.

Townhouse. A residential building containing two (2) or more dwelling units of not more than two (2) stories each with at least one (1) common wall, each unit so oriented as to have all exterior separate.

Transition area. An area which is located in the vicinity of the boundary area between two districts permitting different kinds of uses.

Use. The purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied, utilized, or maintained, and shall include the performance of such activity as defined by the standards of this Ordinance or by conditions imposed on particular uses.

Useable open space. A required ground area or terrace area on a lot which is graded, developed, landscaped, and equipped and intended and maintained for either active or passive recreation or both, available and accessible to and useable by only persons occupying a dwelling unit or rooming unit on the lot and their guests. Such areas shall be grassed and landscaped or covered only for a recreational purpose. Roofs, driveways, and parking areas shall not constitute useable open space.

Variance. The waiving, by Board of Zoning Appeals action, of the literal provisions of the Zoning Ordinance in instances where their strict enforcement would cause hardship because of physical circumstances reasonably unique to the individual property under consideration.

Warehousing. The storage of materials or equipment within an enclosed building as a principal use.

Yard. An open space on the lot which is unoccupied and unobstructed from its lowest level to the sky. A yard extends along a lot line at right angles to such lot line to a depth or width specified in the yard regulations for the zoning district in which such lot is located.

Zoning Administrator. The Zoning Administrator of the City of Willmar.

Zoning District. An area or areas within the City in which the regulations and requirements of this Ordinance are uniform.

Zoning Map (Official). The Zoning Map of the City of Willmar adopted as part of this Ordinance.

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Zoning Ordinance. The Zoning Ordinance of the City of Willmar contained in this Article, also referred to as “this Ordinance”.

Secs. 14-15—14-17. - Reserved.

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DIVISION 3. – GENERAL PROVISIONS

Sec. 14-18. – Sewer and Water.

- (k) *General.* City sanitary sewer and water facilities shall be utilized whenever such facilities are available or can be made available by extensions which prove to be both feasible, economical, and in the best interests of the City. Where public facilities are unavailable, a proper system of sewage treatment, disposal, and water supply conforming to the standards and requirements of the City Engineer, Minnesota Pollution Control Agency, and the Minnesota State Department of Health shall be employed.
- (l) *Compliance.* Site plans shall show the proposed sewage disposal system and well location. A Certificate of Compliance shall not be granted until on-site sewage treatment and disposal facilities are installed and functioning properly as approved by the Kandiyohi County Zoning Administrator. Residential lot areas shall be a minimum of one acre when private sewer or water systems are utilized.

Sec. 14-19. – Lots.

- (a) *Buildings.* Except for R-1 and R-2 Districts, more than one (1) principal building may be permitted on a single lot if area, setback, and density requirements are met.
- (b) *Minimum Size.* Every lot created after the effective date of this Ordinance shall meet the lot size requirements of the zoning district in which it is located.
- (c) *Lots of Record.* Lots of record in R-1, R-2, and R-3 Districts not meeting district area requirements shall be issued a building permit provided:
 - (1) The proposed dwelling structure is single family.
 - (2) Lot area and width are at least seventy (70) percent and sixty (60) percent of the district requirements for area and width.
 - (3) Parking and setback requirements are met.
- (d) *Lakeshore Lots.* All lots having frontage on a lake are subject to the provisions of the City of Willmar Shoreland Management Ordinance, as well as the provisions of this Ordinance. The jurisdiction of the Shoreland Management Ordinance may extend to all lands within one-thousand feet of the ordinary high water mark of a public lake.
- (e) *Reduction.* No lot shall be reduced in area or dimension so as to make it less than the minimum required by this Ordinance. If the lot size is less than the minimum required, it shall not be further reduced.

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Sec. 14-20. – Yards.

- (e) *Reduction*. No yard area shall be reduced in area or dimension so as to make it less than the minimum required by this Ordinance. If the yard is less than the minimum required, it shall not be further reduced.
- (f) *Transitional Yards*. Transitional yards shall be provided between either business/industrial properties or uses and residential properties or uses by the business/industrial property or use. Side and rear yard landscaping and screening shall also be required of the business/industrial property or use. Side and rear yard screening as required by this Ordinance shall be either a fence up to seven (7) feet in height and at least seventy-five percent opaque, or a dense planting of sufficient width and density to provide an effective screen. Such screening shall be kept in good repair, painted, neatly trimmed, or otherwise appropriately maintained.
- (g) *Encroachments*. The following are permitted encroachments into the minimum required areas for front or side yards:
 - (1) Roof eaves-three (3) feet, and decks-five (5) feet.
 - (2) Gutters, awnings, open terraces, steps, chimneys, flagpoles, landscaping, open fire escapes, fences, exposed wheelchair ramps, air conditioning equipment, and gas station pump canopies (supports to be set back a minimum of ten (10) feet from the front and side lot lines).
 - (3) No evergreen type of tree, solid fence, berm, shrub, dense planting, or hedge (over two (2) feet in height above curb elevation) shall be placed or allowed to grow that might block or impede vision for street traffic. The area where such encroachment is prohibited is the triangular area in the yards adjacent to the streets (or alleys) measured fifty (50) feet from each curb or edge of street and then diagonally connecting those two points.

Sec. 14-21. – Height.

- (a) *Limitations*. If the height of any structure exceeds the following limits, it shall require a conditional use permit:

Residential Districts (R-1, R-2, R-3)	2 stories or 35 feet
Agricultural & Multiple Family Districts (A, R-4, R-5)	3 stories or 45 feet
Business & Industrial Districts (LB, GB, CB, SC, I-1, I-2, T)	4 stories or 55 feet

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- (b) *Exempt.* Height limitations shall not apply to belfries, church spires, cupolas and domes, monuments, public utility facilities, transmission towers of commercial and private radio broadcasting stations, television antennae, roof top structures, (such as mechanical equipment, elevator shaft and equipment enclosures), silos, barns, chimneys and smokestacks, and flagpoles.
- (c) *Airport.* In all cases, no structure shall violate the limits and provisions of the Airport Master Plan or Airport Zoning Map of the City of Willmar.

Sec. 14-22. – Accessory Buildings/Structures.

- (c) *Permit.* No accessory building/structure shall be constructed on a lot prior to the time of construction of the principal building.
- (d) *Setbacks.* Accessory buildings/structures in the rear yard of a residential lot shall be located no closer than five (5) feet from the side or rear lot line.
- (e) *Height.* No accessory building in a residential district shall exceed two (2) stories.
- (f) *Location.* No detached garages or other accessory buildings/structure shall be located nearer the front lot line than the principal building in residential zones, except where the principal building is at least one hundred (100) feet from the front line and meets all other setback regulations.
- (g) *Number.* No residential lot shall contain more than two (2) detached accessory buildings unless the lot exceeds one (1) acre in size. Detached accessory buildings shall not be used for commercial purposes except for home occupations.
- (h) *Garages.* Only one (1) detached garage with a maximum gross area of one thousand (1,000) square feet shall be permitted in residential districts. No door or other access opening shall exceed twelve (12) feet in height. The exterior color, design, and materials shall be similar to the principal structure. If not constructed at time of the principal structure, garage plans shall be indicated on the general site plan.
- (i) *Non-residential.* “Accessory” buildings in the Business and Industrial districts may be located any place to the rear or side of the principal building, subject to a rear and side lot line setback of ten (10) feet.
- (j) Shipping/storage containers and trailers in residential areas shall be prohibited for use as a storage structure, except as a temporary unit for moving purposes for a period of not more than one consecutive month in a twelve-month period or as a temporary construction project container for limited time not to exceed three consecutive months.
- (k) *Columbaria.* Any church, place of worship or religious institution may establish, outside of a cemetery, an interior or exterior columbarium as an accessory structure subject to the following requirements:

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- (1) *Application.* A church, place of worship or religious institution must submit a complete site plan application, conditional use permit application, and a plan of perpetual care and maintenance of the proposed columbarium to the Planning and Development Services Department.
- (2) *Application fee.* In addition to other applicable fees, an application for a columbarium under this section shall be accompanied by an application fee in such amount as the city council may establish by resolution.
- (3) *Criteria.* All columbaria must comply with the following requirements:
 - a. No columbaria shall be permitted except pursuant to a valid conditional use permit pursuant to Section 9.E of this Ordinance.
 - b. The church, place of worship or religious institution must own the property on which the columbarium is to be situated.
 - c. The construction, operation, maintenance, and disposition of a columbarium by the church, place of worship or religious institution shall be in accordance with all applicable state statutes and regulations.
 - d. Columbarium structures shall comply with all setback requirements in the zoning district in which the columbarium is proposed to be located, and with specific respect to the front lot setback, the columbarium shall be set back by at least the applicable front lot setback requirement in the zoning district in which the columbarium is proposed to be located or 30 feet, whichever is greater.
 - e. The exterior of the columbarium must be constructed to be consistent with architecture and materials of the primary structure.
 - f. Signage shall be limited to inscriptions on the face of a columbarium niche and commemorative plaque on the columbarium structure. Commemorative plaques may be no larger than 12 inches by 12 inches.
 - g. A church, place of worship or religious institution operating a columbarium authorized under this subsection E shall at all times maintain accurate and updated records of whose cremated remains are located in the columbarium.
 - h. Exterior columbaria must additionally comply with the following requirements:
 - i. Exterior columbaria must adjoin a building on the property owned and occupied by the church, place of worship or religious institution, and shall be located in a side or rear yard.

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- ii. If visible from other properties or the public right-of-way, exterior columbaria shall not exceed eight feet in height as measured from the average grade elevation where the columbarium meets the grade.
 - iii. Exterior columbaria shall comply with all applicable landscape standards and design standards in the zoning district in which the columbarium is proposed to be located.
 - i. If the church, place of worship or religious institution ceases operation, all urns and remains must be removed from the property within six months.
 - j. The conditional use permit may additionally establish conditions as reasonably necessary to ensure that the location and design of the columbarium on the property will not unreasonably harm the future development potential of the property, in the event the church, place of worship or religious institution ceases operation thereon.
- (4) *Zoning District Boundaries.* Zoning district boundary lines of this Ordinance follow lot lines, center lines of roads and streets, railroad right-of-way lines, the center of water courses, or corporate limit lines, all as they exist upon the effective date of this Ordinance. Appeals and questions of doubt concerning the exact location of a zoning district boundary line shall be heard by the Board of Zoning Appeals. When any street, alley, or other public right-of-way is vacated by official action of the City, the zoning district abutting the center line of said alley or other public right-of-way shall not be affected by such proceeding.

Sec. 14-23. – Dwelling Units.

- (c) *House Moves.* A house may be moved into the City or from one tract to another within the City providing the structure shall meet all building, plumbing, heating, and electrical codes of the City. This may require completely new systems for the building. The owner may also be required to post a Performance Bond or other security as may be determined by the Planning Commission. The Bond or security would insure that all code requirements would be met and that necessary exterior construction/work would be completed as proposed. Such relocated houses shall require plan approval by the Planning Commission before a building permit is issued. The Zoning Administrator shall give or cause to be given written notice to all abutting property owners of the date, time, and place of the Planning Commission meeting at which plans for relocation of houses shall require plan approval by the Planning Commission before a building permit is issued. The Zoning Administrator shall give or cause to be given written notice to all abutting property owners of the date, time, and place of the Planning Commission meeting at which plans for relocation of the house will be considered. Such notice shall be mailed at least ten (10) days prior to the meeting

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date to the persons shown as owners of the abutting real estate by the records in the office of the City of Willmar Assessor.

- (d) *Prohibited.* No garage, accessory building, recreation vehicle, tent, trailer, or basement of an unfinished dwelling may be used as a dwelling unit. The basement of a house under construction may be used by the owner as a dwelling unit for his family during the construction of the house for a period not to exceed two (2) years.
- (e) *Business Districts.* Residences or apartments shall be permitted in all Business districts, provided the necessary fire separation between commercial and residential occupancies is maintained, and all Building and Fire Code requirements are met. Parking shall be provided in accordance with the Ordinance (not required in the Central Business District), and setbacks and areas shall be as required in the Business districts and not as required by the Residential districts.

Existing homes in Business or Industrial districts shall be given the same consideration as residential uses in transitional zone situations.

- (f) *Industrial Districts.* No new residences of any kind shall be permitted in the Industrial districts.

Sec. 14-24. – Home Occupations.

- (a) *Permitted.* A home occupation shall be permitted by conditional use only if it meets the following standards:
 - (1) Only members of the family and up to two non-family members residing at another address based on business type and intensity of operation are employed or work in the home occupation.
 - (2) The home occupation takes place in either part of the house or the garage.
 - (3) Adequate and convenient off-street parking is available for customers and employees.
 - (4) No outside storage of items to be sold, manufactured, or repaired shall be permitted.
- (b) *Prohibited.* A home occupation shall not be permitted where the following condition or conditions are present:
 - (1) Persons other than members of the family are employed, except for one non-family member employee that resides at another address.
 - (2) Retail sales of products normally sold in commercial areas is the sole activity, with the products being made or manufactured elsewhere.
 - (3) Adequate off-street parking is not provided.

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(4) Outside storage, display, or work areas are used for the home occupation.

(c) *Examples.* Examples of typical home occupations include: beauty operator, small appliance repair, sharpening service, insurance agent, music instructor, etc.

Sec. 14-25. – Recreational Vehicles.

(a) *Permitted.* Recreational vehicles, including mobile integral truck mounted units, pull-type trailers, buses, or modified trucks are permitted.

(1) As recreational equipment in any district.

(2) If stored in fenced or screened areas in any Business or Industrial districts.

(3) If stored in the rear yard in Residential districts (one (1) unit per yard).

(4) In any commercial vehicle storage area.

(5) In a recreational vehicle park.

(6) As a temporary sleeping or living unit on a construction site during construction, provided sewer and water facilities are available as approved by the City Engineer.

(b) *Prohibited.* Recreational vehicles are prohibited as permanent living quarters in any district.

Sec. 14-26. – Recreational Vehicle Parks and Campgrounds.

(a) *Application.* The application for a conditional use permit for the development of recreational vehicle parks and campgrounds shall indicate the name and address of the owner or developer, the legal description and post office address of the property, a general description of the construction schedule, and shall be accompanied by plans which show the following:

(1) Location and size of the proposed recreational vehicle park or campground.

(2) Location and size of all vehicle and trailer lots, camping areas, storage areas, recreation areas, utility buildings, parking spaces and sites, and all setback dimensions.

(3) Landscaping plans and specifications.

(4) Grading plan with two (2) foot contour intervals.

(5) Plans for streets, sanitary sewage disposal, solid waste disposal, surface drainage, water systems, electrical service, gas service, and utility buildings.

(6) Plans for a street lighting system.

(7) Location and width of all streets abutting the trailer park.

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- (8) Such other information as may be required or requested by the Zoning Administrator or Planning Commission.
- (b) *Designation of uses.* The plans submitted shall designate specific areas for primitive tent camping, recreational vehicles, trailers, and all other uses.
- (c) *Design Standards.* The following design standards shall govern and design and development of recreational vehicle parks and campgrounds.
 - (1) All utilities, such as sewer, water, fuel, electricity, and telephone shall be underground. Plans for the disposal of surface storm water shall be approved by the City Engineer.
 - (2) All land area shall be adequately drained and properly maintained free of dust, refuse, garbage, and rubbish, or debris. The proposed method of garbage, waste, and trash disposal must be approved by the Zoning Administrator.
 - (3) A forty (40) foot wide boundary landscaped area shall be provided around each park. No trailer or building shall be located within this forty (40) foot exterior boundary area.
 - (4) Each park shall contain at least six (6) fully developed recreational vehicle lots.
 - (5) Facilities for potable water, the collection/treatment/disposal of sewage, and bathing shall be in accordance with the regulations of Kandiyohi County and Minnesota Department of Health Rules. Such facilities must be approved by the City Engineer prior to occupancy.
 - (6) Each park shall have a building for use by the operator as an office, and such building/office shall be clearly identified. A map of the park shall be displayed at the office.
 - (7) Each campsite shall contain at least four thousand (4000) square feet, and shall have a minimum width of forty (40) feet. Recreational vehicles/camping trailers shall be set back a minimum of twenty (20) feet from the access road.
 - (8) Streets and parking areas for cars at each campsite and the parking area for recreational vehicles/camping trailers shall be paved or of a dust-free material approved by the City Engineer.
 - (9) Recreational vehicles campgrounds shall conform to all other applicable local, state, and federal laws, ordinances, rules and regulations.

Sec. 14-27. – Mobile (Manufactured) Homes.

- (a) *Permitted.* Mobile homes are permitted uses only in the following areas:

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- (1) Agricultural districts and R-3 & R-4 districts. If sited in an Agricultural, R- 3, or R-4 Zoning District (except in an approved mobile home park), the Design Standards in Section 3.J.3 must be met.
 - (2) Mobile home parks in R-4 Zoning Districts. (see Sections 14-27(c)(5) and 14-28).
 - (3) Temporary offices, storage, or living quarters during construction of permanent facilities.
- (b) *Conditions.* Use of a mobile home for a temporary facility (under 1.c., above) requires connection to City sewer and watermain or an alternative system approved by the City Engineer.
- (c) *Manufactured Home Design Standards* (for homes not erected in mobile home parks).
- (1) *Foundations.* Required. Permanent concrete, block, or treated wood to a depth of forty-two (42) inches below finished grade. Homes to be securely fastened to foundation.
 - (2) *Basements.* Not required. Homes to be securely fastened to basement walls, if selected as the required foundation.
 - (3) *Roof Line.* Minimum of 3/12 pitch (no flat, metal, corrugated, or shed type roofs permitted). Roof overhang to be a minimum of fifteen (15) inches.
 - (4) *Location.* Locate same as conventional home with longest dimension of the home parallel to the street and located within and between the narrowest dimensions of the lot.
 - (5) *Minimum Width.* Twenty-four (24) feet overall dimension; Twelve (12) feet overall dimension in mobile home parks.
 - (6) *Siding.* Shall have horizontal lapped edges, no wider than twelve (12) inches. Flat sheet metal siding shall not be permitted. Other conventional housing siding allowed at the discretion of the Zoning Administrator.
 - (7) *Utilities.* Shall be connected to all City utilities (sewer, water, electric power). No exterior above-grade fuel tanks shall be allowed.
 - (8) *Other Laws.* Manufactured homes shall also comply with all state and federal laws and regulations.

Sec. 14-28. – Mobile Home Parks.

- (a) *Permitted.* Mobile Home Parks (MHP) shall be permitted in R-4 Residential Districts subject to the granting of a conditional use permit.
- (b) *Application.* The application for a conditional use permit for the development of a manufactured or mobile home park, or addition to an existing park, shall include the name

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and address of the developer, the legal description and post office address of the property, and a general description of the construction schedule, and shall be accompanied by plans which show the following:

- (1) Location and size of the park.
- (2) Location and size of all lots, storage areas, recreation areas, central laundry areas, central refuse disposal, roadways, parking spaces, and all setback dimensions.
- (3) Detailed landscaping plans.
- (4) Location and width of sidewalks, if required by the City Engineer or Planning Commission.
- (5) Plans for sanitary sewage disposal, surface drainage, water systems, electrical service, telephone service, gas service, street lighting, sidewalks, streets, entrances and access to existing streets.
- (6) The method of disposing of garbage and refuse.
- (7) Description of maintenance procedures and grounds supervision.
- (8) Such other information as may be required or requested by the Zoning Administrator or Planning Commission.

(c) *Design Standards-Mobile Home Parks.* The following design standards shall govern the design and development of mobile home parks.

- (1) A park shall be capable of providing at least one hundred (100) fully developed lots. Existing parks are exempt from this provision.
- (2) All homes shall be connected to City sewer and water through a central water supply and sanitary sewer distribution system. All water and sewer systems shall be constructed in accordance with plans and specifications approved by the City Engineer. All water systems shall provide an adequate water supply and number of hydrants for firefighting as per the Uniform Fire Code.
- (3) All streets and lots shall be numbered in accordance with the City standard numbering policy as approved by the Building Inspector. The house or lot numbers for each home shall be clearly marked for ease of visibility from the street or roadway.
- (4) All parks shall be required to have one (1) or more recreational areas which shall be easily accessible to all park residents. Recreational areas shall be located as to be free of traffic hazards and shall, where the topography permits, be centrally located. These recreation areas shall be subject to approval by the Planning Commission. All equipment installed in such an area shall be owned and maintained by the owner or operator at his own expense.

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- (5) All utilities shall be underground. Plans for the disposal of surface storm water shall be approved by the City Engineer; such water shall be retained on the site, if possible. If a connection is made to an in-place City system, a connection fee or assessment may be charged for this service.
 - (6) Park exterior boundary lines shall be screened by trees, shrubs, or fences. Such boundary areas shall be at least twenty (20) feet wide. Existing parks are exempt from these provisions.
 - (7) Any home sites adjacent to a City street shall be subject to the same setbacks and requirements as a standard residential unit for that district.
 - (8) The area beneath all homes shall be skirted with a material that is generally uniform throughout the mobile home park. Such skirting shall be so constructed that the underside of the home is subject to reasonable inspection.
 - (9) Each home lot shall be served by a central fuel supply system such as natural gas or a central LP system, or the City's hot water system. No separate private fuel containers, such as fuel oil tanks or Lop cylinders, shall be allowed in any park.
 - (10) Adequate sized, screened areas shall be set aside for storage of boats, boat trailers, hauling trailers, recreational vehicles, and all other equipment tenants may have need to store. Such equipment shall not be stored upon individual home lots nor upon the streets within the park.
 - (11) Each home lot within a park shall abut on and have access directly to a street. Streets shall be paved with concrete or bituminous, and be of similar construction to other City residential streets. The paved surface with concrete curb and gutter shall be at least thirty (30) feet in width from curb to curb. Access drives from streets to all parking spaces and home site shall be paved. Parking on one side only shall be permitted on thirty (30) foot wide streets; parking on both sides would be permitted if the street width is increased to forty (40) feet. All streets shall have curves/turns with adequate radii to accommodate emergency vehicles. Fire lanes shall be clearly indicated. Existing parks are exempt from the curb and gutter requirement. The minimum allowable width for streets within existing parks shall be twenty-two (22) feet.
- (d) *Design Standards-Lots.* The following design standards shall govern the design and development of mobile home park lots.
- (1) Each home site shall contain at least six thousand (6000) square feet [4200 for existing parks] of land area for the exclusive use of the occupant and shall be at least fifty (50) feet [35 feet for existing parks] wide.
 - (2) Homes shall be placed upon lots so that there shall be at least a twenty (20) foot [fourteen (14) feet for existing parks] clearance between homes, twenty-five (25)

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feet [eighteen (18) feet for existing parks] between the front of the home and the street curb, and fifteen (15) feet [eleven (11) feet for existing parks] between the rear of the home and the rear lot line. Homes shall be parked no closer than ten (10) feet [seven (7) feet for existing parks] to a side lot line.

- (3) The yards shall be landscaped. Landscaping shall include trees, hedges, grass, fences, windbreaks, and/or similar features. Temporary storage shall not be allowed in the front yard or setback area.
- (4) Each home lot shall have paved off-street parking space for at least two (2) automobiles. Each space shall be ten (10) feet by twenty (20) feet minimum.
- (5) The corners of each home lot shall be clearly marked and each site shall be numbered.

(e) *Implementation.* Except where specifically exempted, existing mobile home parks shall comply with the provisions of this Section 14-28(c)(11).

Sec. 14-29. – Planned Unit Developments (PUD's).

- (a) *Purpose.* The purpose of a Planned Unit Development (PUD) is to allow more creative, suitable, and practical uses of land not possible under individual zoning district regulations. It allows the Planning Commission flexibility in determining development standards, setbacks, and density for PUD's proposed by the developers.
- (b) *Permitted.* Residential Planned Unit Developments are permitted in all but R-1 Residential Districts, subject to the granting of a conditional use permit. Commercial Planned Unit Developments are permitted in the Limited Business and General Business Districts, subject to the granting of a conditional use permit.
- (c) *Application.* An application for a PUD shall be on a conditional use permit application submitted to the Zoning Administrator. Application information shall include:
 - (1) Location, description, and size of the development area.
 - (2) A layout plan of lots, streets, sewer, water, and all other utilities.
 - (3) Plans for buildings, accessory buildings, and uses, parking areas, garages, drainage, and landscaping.
 - (4) Location of open areas, recreation areas, and open space for the complex.
- (d) *Design Standards.* The following design standards shall govern the design and development of any PUD:
 - (1) *Plot.* The area shall be platted.

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- (2) *Streets.* Both public and private streets in the PUD shall be constructed in accordance with current City Standards for similar streets. Streets may be constructed and maintained by the developer as private streets.
- (3) *Sewer and Water.* City sewer and water shall be utilized. All mains and service lines within the PUD shall be considered private
- (4) *Parking Areas.* Parking shall meet the requirements of Division 4 of this Ordinance. Parking areas shall be paved, landscaped, and partially screened by berms if possible.
- (5) *Setbacks.* The Planning Commission shall not deviate from the setbacks as set forth in this Ordinance regarding the outside boundary lines of the development. Interior building separation distances or setbacks from an interior private street system may be as determined by the Planning Commission.
- (6) *Density.* The developer may place more than one (1) principal building within the development. Densities may be increased by the Planning Commission, but shall not exceed two (2) times the usual permitted density of the district in which the PUD is located.
- (7) *Landscaping.* The Planning Commission may require landscaping, open areas, green areas, fencing, berms, or other amenities it considers appropriate and necessary for the development.
- (8) *Design.* The streets, sidewalks, and utilities shall be subject to the approval of the City Engineering Department.
- (9) *Drainage.* Storm water shall be retained on the site, if possible. The drainage plan for the area, including possible connection to an in-place City storm sewer system. Shall be subject to the approval of the City Engineer.
- (10) *Other.* Because of the uniqueness of the total PUD concept, the Planning Commission reserves the right to impose whatever conditions it feels necessary and proper to insure compatibility and conformance of the PUD with the intent and purposes of this Zoning Ordinance and the surrounding neighborhood.

Sec. 14-30. – Fences and Hedges.

- (a) *General.* Fences and hedges may be allowed in any zoning district. All fences shall be kept in good repair, painted, trimmed, and well maintained. That side of fence considered to be the face (finished side as opposed to structural supports) shall face the street or abutting property. No private fences or hedges shall be permitted on public right-of-way. Fences or hedges placed within utility easements are subject to removal at the expense of the property owner if required for the maintenance or improvement of the utility.

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- (b) *Commercial/Industrial.* Fences in Business or Industrial districts may be erected to a height of eight (8) feet above finished grade. Barbed wire may be installed at the top (to the eight (8) foot height). Such fences shall not be permitted in the front yard unless approved by the Planning Commission.
- (c) *Residential.* Fences in the rear or side yards in residential districts may be constructed to a height of seven (7) feet above finished grade. Fences or hedges erected along a rear or interior side lot line may be constructed right up to the property line, although the City recommends a two (2) foot setback to allow for fence maintenance. On a corner lot, the rear yard fence shall be set back at least three (3) feet from the right-of-way line on the street side of the lot, and shall be constructed on or behind the existing rear building line. Fences or hedges in the front yard of a principal structure may be no higher than three and one-half feet (3½). In the event a fence or hedge is adjacent to and parallel with the front line (or side lot line on the street side of a corner lot), such fence shall be set back at least one (1) foot from the right-of-way line. Barbed wire fences shall not be permitted in any Residential district.
- (d) *Rear Yard Defined.* For the purpose of interpreting these fence regulations, rear yard shall be defined as that yard which is on the opposite side of the house from the main entrance (identifiable by the address).

Sec. 14-31. – Setbacks.

- (a) *Predominance.* Front yard setbacks shall be according to each district. In older established areas, however, where a predominant setback has already been established at something other than that required by this Ordinance, the Zoning Administrator may allow the predominate setback to control.
- (b) *State Highways.* All front yard setbacks along State Highways in the City of Willmar shall be a minimum of fifty (50) feet, except for T.H. 12 between 11th Street and Robert Street SE. Where properties are served by a service road, this requirement shall not apply.

Sec. 14-32. – Exterior Storage.

- (a) *Residential.* In residential districts, all materials, machinery, vehicles, and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining or adjacent lands and the street, except for the following:
 - (1) Agricultural and landscaping equipment/materials in current use on the premises.
 - (2) Construction materials/equipment in current use on the premises.
 - (3) Motorcycles, recreational vehicles (as per Section 14-25), boats, snowmobiles, all-terrain vehicles, trailers (less than 24 ft. long), and other recreational equipment with current licenses in the driveway or back yard. The above-mentioned vehicles shall be limited to seven units per residential property (each license shall constitute

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one unit). Trailers shall be limited to three per residential property. No more than four licensed and operable motor vehicles per lawful dwelling unit may be parked or stored anywhere outside on R-1 and R-2 zoned property, excluding vehicles of occasional guests who do not reside on the property.

- (4) Firewood, neatly stacked, intended for use on the premises.
 - (5) Lawn furniture and play equipment
 - (6) Dog kennels in the rear or side yard.
 - (7) Covered, rigid garbage containers in the rear yard, or side yard when fully screened.
- (b) *Commercial.* In Limited/General Business and Shopping Center Districts, all materials, machinery, vehicles, and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining or adjacent lands and the street, except for the following:
- (1) Landscaping materials/equipment in current use on the premises.
 - (2) Construction materials/equipment in current use on the premises.
 - (3) Motor vehicles with current licenses provided the vehicles are necessary for the operation of the business.
 - (4) Licensed/unlicensed motor vehicles for sale by authorized dealers.
 - (5) Items/materials which, by their nature, require exterior storage and are offered for sale on the premises.
 - (6) Covered, rigid garbage containers in the rear yard, or side yard when fully screened.
 - (7) Other items, materials, machinery, and equipment as approved by the Planning Commission and Zoning Administrator.
- (c) *Fully Screened Defined.* For purposes of this Ordinance, fully screened shall be defined to mean screened by a fence of at least seventy-five (75) percent opacity, or by a dense planting of sufficient width and density to provide an effective screen.
- (d) *Industrial.* In Industrial Districts that abut residential areas, all materials, machinery, vehicles, and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining or adjacent lands and the street, except as follows:
- (1) Landscaping materials/equipment in current use on the premises or being displayed for sale/business product purposes.
 - (2) Construction materials/equipment in current use on the premises or being displayed for sale/business product purposes.
 - (3) Motor vehicles with current licenses provided the vehicles are necessary for the operation of the business and are operable.

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- (4) Licensed/unlicensed motor vehicles for sale by licensed dealers.
- (5) Items/materials which, by their nature, require exterior storage and/or are offered for sale on the premises.
- (6) Covered, rigid garbage containers and dumpsters in the rear, or side yard when fully screened
- (7) Other items, materials, machinery, and equipment as approved by the Planning Commission and Zoning Administrator.

Sec. 14-33. – Landscaping.

(a) *General.* Landscaping of the premises shall be required for commercial, industrial, and multi-family residential development projects (new or significant expansion). The required landscaping may include berms, sodding or seeding, and shrub/tree/flower/plantings. Plans for project landscaping shall require approval by the Zoning Administrator, or by the Planning Commission when made a condition of Commission approval. The following general requirements shall be applicable in all districts:

- (1) All exposed ground areas surrounding or within a principal or accessory use, including street boulevards, which are not devoted to drives, sidewalks, patios, or other such uses shall be landscaped with grass, shrubs, trees, or other living ornamental landscape materials.
- (2) All landscaped areas shall be kept neat, clean and uncluttered.
- (3) No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise.
- (4) Undisturbed areas of existing natural vegetation maintained free of noxious weeds need not be altered.
- (5) A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the proposed development plan.

(b) A landscape plan indicating location, numbers, and types of landscape materials, and design of areas to be landscaped shall be submitted to the Zoning Administrator for review, revision as necessary, and approval. Said plan shall be drawn to scale and shall require approval prior to the issuance of a building permit.

(c) *Landscape Design Requirements.*

<u>District</u>	<u>Minimum % of total net area to be landscaped</u>
LB, GB, I-1, I-2, R-3, R-4, R-5, G/I	10%

(d) *Screening/Buffering.*

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- (1) All non-residential principal and accessory uses, including off-street parking, except business signs, which are situated within 50 feet of a residential district shall be fully screened from such district by a fence and/or landscaping meeting the minimum seventy-five (75%) percent opacity (as defined in Section 14-32(c)).
 - (2) In all commercial and industrial districts, mechanical equipment and other similar features shall be screened from adjacent properties and public streets with the application of landscaping designed to be compatible with the architectural treatment of the principal structure.
 - (3) All external loading and service areas accessory to buildings shall be screened from the ground level view when facing a residential district or public street, except at access points, with architectural enhancements, walls and/or landscaping.
 - (4) Landscaped buffer areas shall be located along the outer perimeter of any lot where two land uses of differing intensity abut one another. A buffer area may be provided within required yards, but not within any portion of the public right-of-way. Buffer areas shall meet the fully screened opacity level already mentioned in Section 14-33(d)(1).
- (e) *Parking Areas.* Off-street parking areas accessory to the aforementioned land uses shall also require landscaping. This landscaping shall serve to break up the barren effect of the hard-surface parking area and improve the visual aesthetics of the associated land use. Such landscaping may include landscape islands (which also serve to direct vehicle flow and parking alignment), sodding or seeding, and shrub/tree/flower plantings. Plan approval for parking area landscaping shall be as set forth in #1 above. *Parking Islands:* All commercial parking lots containing 50 (fifty) or more parking stalls shall have curbed/landscaped islands to break up areas of pavement, to guide traffic movement, and to aid in stormwater control. Each island shall include plantings of trees and/or shrubs.
- (f) *Landscaping Around Stormwater Retention Ponds.* Landscape plans for stormwater retention ponds shall be required as per the Surface Water Management Ordinance, Chapter 17.
- (g) *Installation, Maintenance, and Substitutions/Reductions.*
- (1) All landscape materials and required screening shall be installed prior to issuance of a final certificate of occupancy. A temporary certificate of occupancy may be issued without the installation provided a financial security Performance Bond or other security shall be submitted to ensure the remaining improvements are completed.
 - (2) All landscaping shall be subject to periodic inspection by the Zoning Administrator. Landscaping that is not installed, maintained, or replaced as needed to comply with the approved landscape plan shall be considered in violation of the terms of the site plan or building permit.

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- (3) The Zoning Administrator may approve the substitution or reduction of planting requirements where one or more of the following conditions are shown to exist:
- a. The proposal will allow site development that is more consistent with the historic nature of the area.
 - b. Existing plan materials, walls, fences, or the topography of the site and its surroundings make the required landscaping or buffering less necessary.
 - c. The required landscaping or buffering would hinder truck access and service necessary to the operation of the use or create a hazard by obstructing a motorist's view of traffic.
 - d. The required landscaping would reduce necessary surveillance of the site for security purposes.
- (h) *Tree Preservation Plan.* In order to retain, as far as practicable, substantial tree stands as part of urban development, a tree preservation plan should be submitted to the city prior to removing trees or commencing construction.
- (i) Landscaping and parking lot buffers in the Central Business District where surface parking is provided shall be as follows:
- (1) *Parking Lot Buffers.* The five-foot parking area setback shall constitute the required parking lot buffer, and shall be composed of one of the following options:
- a. An ornamental railing at least three feet high, in combination with perennials or shrubs in quantities to ensure eventual 100% soil coverage;
 - b. A hedge of shrubs a minimum of two (2) feet high and a maximum of four (4) feet high;
 - c. Perennials or shrubs in quantities to ensure eventual 100% soil coverage, in combination with one ornamental tree (1 ½" caliper at installation) per thirty-two (32) feet of parking lot frontage in locations that allow adequate sight lines for automobiles and existing parking lots; or
- (2) *Parking Lot Landscaping.*
- a. Parking areas larger than 30 stalls shall include 150 (one hundred fifty) square feet of interior landscaping for each 15 (fifteen) parking stalls.
 - b. Parking areas with public right-of-way frontage greater than 74' (seventy-four feet) shall provide one shade tree (2 ½" caliper at installation) per 25' (twenty-five) feet of frontage.
 - c. Each 150 (one hundred fifty) square feet of interior parking lot landscaping shall include one of the following options:

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- i. Shrubs and perennials in quantities to ensure eventual 100% soil coverage, in combination with one ornamental or shade tree (1 ½" caliper at installation).
 - ii. Perennials only, in quantities to ensure eventual 100% soil coverage, when the landscape area is sunken below parking lot grade and used for stormwater management.
- (3) *Stormwater Management.* Permeable pavement and other techniques to manage Stormwater on site are encouraged. Techniques that return the rate of runoff to the equivalent of native grassland shall allow a 50% reduction in the interior landscaping requirement. The requirements of the Surface Water Management Ordinance, Chapter 17 shall be met at all times.

Sec. 14-34. – Adult Oriented Business.

- (a) *Purpose.* In order to protect the City's community image, property values, public health, safety, welfare, and business environment, the City has found it necessary, in light of the harmful and unwanted secondary effects that certain businesses generate, to restrict where such businesses may locate within the City and to regulate those businesses. Only those businesses with secondary effects on neighboring properties and on the City are intended to be regulated. This section is not intended to restrict art. It is the purpose of this Ordinance to regulate adult oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the City and to establish reasonable and uniform regulations to:
- (1) Prevent additional criminal activity within the City;
 - (2) Prevent deterioration of neighborhoods and its consequent adverse effect on real estate values of properties within the neighborhood;
 - (3) To locate Adult Oriented Business away from residential areas, schools, churches, parks, and playgrounds;
 - (4) Prevent concentration of Adult Oriented Businesses within certain areas of the City.
- (b) *Findings of the City Council.* The City Council of the City of Willmar makes the following findings regarding the need to license adult oriented businesses. The findings are based upon the experiences of other cities where such businesses have located, as studied by City staff.
- (1) Adult oriented businesses can exert a dehumanizing influence on persons attending places of worship, children attending state licensed family daycare homes, state licensed group family day care homes, and state licensed child care centers; students attending school; and people using public parks and libraries.
 - (2) Adult oriented businesses can be used as fronts for prostitution and other criminal activity. The experience of other cities indicates that the proper management and

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operation of such businesses can, however, minimize this risk, provided the owners and operators of such facilities are regulated by licensing or other procedures.

- (3) Adult oriented businesses can significantly contribute to the deterioration of residential neighborhoods and can impair the character and quality of the residential housing in the area in which such businesses are located, thereby exacerbating the shortage of affordable and habitable housing for City residents.
 - (4) The concentration of sexually-oriented businesses in one area can have a substantially detrimental effect on the area in which such businesses are concentrated and on the overall quality of life in the community. A cycle of decay can result from the influx and concentration of adult oriented businesses. The presence of such businesses is often perceived by others as an indication that the community or area is deteriorating and the result can be devastating to other businesses that may be required to move out of the vicinity and which could influence residents to relocate from the area. It has been noted that the presence of such businesses can have the overall effect of causing declining real estate values, which result can be exacerbated by the concentration of such business, which can erode the City's tax base and contribute to overall community blight.
 - (5) Adult oriented businesses can increase the risk of exposure to communicable diseases including but not limited to Acquired Immune Deficiency Syndrome (AIDS) for which currently there is no cure. The experiences of other cities indicate that such businesses can facilitate a spread of communicable diseases by virtue of the design of the premises, thereby endangering not only the patrons of such establishments but also the general public.
 - (6) Adult oriented businesses can cause or contribute to public health problems by the presence of live adult entertainment in conjunction with food and/or drink on the same premises.
 - (7) Sexually-oriented businesses can contribute to an increase in criminal activity in the area in which such businesses are located, taxing city crime-prevention programs and law enforcement services.
 - (8) Sexually-oriented businesses can cause or contribute to public health problems by the presence of live adult entertainment in conjunction with food and/or drink on the same premises.
 - (9) The risk of criminal activity and/or public health problems can be minimized through a licensing and regulatory scheme as prescribed herein.
- (c) *Definitions.* For purposes of this section the terms defined in this section have the meanings given to them.

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- (1) *Adult Oriented Business.* Any of the uses and businesses described in this section “Adult Oriented Businesses” which are subject to the regulation of this Ordinance.
- (2) *Adult Body Painting Studio.* An establishment or business which provides the service of applying paint or other substances, whether transparent or non-transparent, to or on the body of a patron when such body is wholly or partially nude in terms of specified anatomical area as defined herein.
- (3) *Adult Book Store.* An establishment that has forty percent (40%) or greater of its current store stock, by numbers of items, in merchandise, videos, books, magazines, and/or other periodicals which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas as herein defined.
- (4) *Adult Companionship Establishment.* A business or commercial enterprise that provides the service of engaging in or listening to conversation, talk, or discussion between an owner, employee, or agent of the enterprise and a customer, if such service is distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities.
- (5) *Adult Conversation/Rap Parlor.* A business or commercial enterprise that provides the service of engaging in or listening to conversation, talk, or discussion, from which minors are excluded by reason of age or where such service is distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities.
- (6) *Adult Entertainment Facility.* A building or space wherein an admission is charged at the entrance, or food or alcoholic and nonalcoholic beverages are sold or intended for consumption and wherein may be observed live presentations of entertainment including nude dancing, modeling or nudity, or which include other activities distinguished or characterized by an emphasis on matters depicting, describing, or referring to specified sexual activities or specific anatomical areas as defined herein.
- (7) *Adult Gift or Novelty Business.* A business or commercial enterprise that has as a principal activity the sale of devices, implements, equipment, or novelties that are designed, marketed, used, or sold for the primary purpose of stimulating human genitals otherwise providing sexual stimulation.
- (8) *Adult Health Club or Adult Sports Club.* A business or commercial enterprise that is named, signed, advertised, or promoted as a facility or club providing health- or sports-related goods, services, or equipment, that is distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities.

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- (9) *Adult Hotel or Motel.* A business or commercial enterprise that provides rooms, facilities, or lodging on a short-term basis and wherein material or entertainment is presented, displayed, provided, or otherwise made available that is distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities.
- (10) *Adult Massage Parlor.* A massage parlor or health club which provides the services of massage, if such service is distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities.
- (11) *Adult Modeling Studio.* A business or commercial enterprise the primary or dominant activity of which is to provide for its customers to observe, paint, paint upon, sketch, draw, sculpt, photograph, videotape, or otherwise depict or portray, with the intent of providing sexual stimulation or sexual gratification to such customers, specified anatomical areas or one or more models or subjects who are engaging in specified sexual activities.
- (12) *Adult Motion Picture Arcade.* Any place to which the public is permitted or invited wherein coin-, token-, electronically-, or mechanically-controlled or operated still or motion picture machines, projectors, or other image-producing devices are provided or maintained to show images to no more than one person per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities, and the individual viewing areas are not screened, including but not limited to doors and curtains, in any way to obstruct the viewing areas from monitoring.
- (13) *Adult Motion Picture Theater.* A building or space with a capacity of fifty (50) or more persons used for representing material distinguished or characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas as herein defined, for observations by patrons therein. The phrase "used for" in the definition shall mean a regular and substantial course of conduct and not a one-time presentation of such material.
- (14) *Adult Mini-Motion Picture Theater.* A building or space with a capacity for fewer than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas as herein defined, for observation by patrons therein. The phrase "used for" in this definition shall mean a regular and substantial course of conduct and not a one-time presentation of such material.
- (15) *Adult-Oriented Cabaret.* A business or commercial enterprise that provides dancing or other live entertainment, from which minors are excluded by reason of age or where such entertainment is distinguished or characterized by an emphasis on the

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presentation, display, depiction, or description of specified anatomical areas or specified sexual activities.

(16) *Adult Sauna, Steam Room, or Bathhouse Facility.* A business or commercial enterprise that provides one or more steam or heat bathing rooms or sauna or steam room facilities, where the services provided are distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities, or from which minors are excluded by reason of age.

(17) *Adult Use Other.* Any place to which the public is permitted, a business or commercial enterprise that is distinguished or characterized by an emphasis on specified anatomical areas or specified sexual activities.

(18) *Specified Sexual Activities.* Are any of the following conditions:

- a. Human genitals in a discernible state of sexual stimulation or arousal; or
- b. Acts of human masturbation, sexual intercourse, sadomasochistic behavior or sodomy; or
- c. Fondling of or other erotic touching of human genitals, the pubic region or pubic hair, buttock, or female breast or breasts; or
- d. Any combination of the foregoing.

(19) *Specified Anatomical Areas.* For the purposes of this Ordinance, this means;

- a. Less than completely or opaquely covered:
 - i. Human genitals, pubic region or pubic hair; or
 - ii. Buttock; or
 - iii. Female breast or breasts below a point immediately above the top of the areola; and
- b. Human male genitals in a discernibly turgid state even if completely or opaquely covered.

(d) *Zoning Regulations.*

- (1) Adult-oriented businesses shall be prohibited in all of the City's zoning districts except in the following districts: I-1(Limited Industry District), I-2 (General Industry District), and GB (General Business District).
- (2) Liquor licenses shall not be issued to adult oriented businesses.
- (3) No adult-oriented business shall be located less than seven hundred fifty (750) feet from any residential zoning district boundary or site used for residential purposes and/or less than one thousand (1,000) feet from any church site, from any school site, from any park, or from any youth facility site. In addition, no adult

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entertainment use may be located within one thousand (1,000) feet of another adult entertainment use. For purposes of this Ordinance, this distance shall be horizontal measurement from the nearest existing residential district boundary or site property line used for residential purposes, church site, school site, park, youth facility site, or another adult entertainment use site to the nearest point of the proposed adult entertainment use site property line.

- (4) *Signage.* Signs for Adult Oriented Businesses shall comply with the City's Ordinance for signs addressed in Section 5 of the City's Zoning Ordinance as well as the following:
- a. No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the sidewalk in front of the building.
 - b. Window areas shall not be covered or made opaque in any way. No signs shall be placed in any window. A one-square foot sign shall be placed on the door to state hours of operation and admittance is restricted to adults only.
- (e) *Licensing Regulations.* No person shall own or operate a sexually-oriented business within the City unless such person is currently licensed under this Ordinance.
- (1) *All Applicants.* For all applicants, whether a natural person, cooperation, partnership, or other form of organization the following shall be provided to the City Clerk:
- a. The legal description of the premises to be licensed, along with a floor plan of the premises. The floor plan of the premises shall detail all internal operations and activities, including a statement of the total floor space occupied by the business. The floor plan need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimension of the interior of the premises to an accuracy of plus or minus six (6) inches.
 - b. If the site of the business is being leased, the property owner as well as the lessee shall follow Section 14-34(e)(1)-(5) of this Ordinance, as well as supply a copy of the signed lease agreement.
 - c. The name and street address of the business. If the business is to be conducted under a designated name, or style other than the name of the applicant, a certified copy of the certificate required by Minnesota Statutes, Section 333.01 shall be submitted.
- (2) *Applicants who are Natural Persons.* Applicants who are natural persons shall provide the following information to the City Clerk:

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- a. The name, place, and date of birth, street and city address, and phone number of the applicant.
 - b. Where the applicant has ever used or has been known by a name other than the applicant's name, and if so, the name or names used and information concerning dates and places where used.
 - c. The street and city addresses at which the applicant has lived during the preceding two (2) years.
 - d. The type, name, and location of every business or occupation in which the applicant has been engaged during the preceding two (2) years and name(s) and address(es) of the applicant's employer(s) and partner(s), if any, for the preceding two (2) years.
 - e. Whether the applicant has ever been convicted of a felony, gross misdemeanor, misdemeanor, or violation of any ordinance other than a petty misdemeanor traffic ordinance. If so, the applicant shall furnish information as to the date, place, and offense for which convictions were had.
- (3) *Applicants that are Partnerships.* Applicants who are part of a partnership shall provide the following information to the City Clerk:
- a. The name(s) and address(es) of all general partners and all of the information concerning each general partner that is required of applicants in Section 14-34(e)(2).
 - b. The name(s) of the managing partner(s) and the interest of each partner in the business.
 - c. A true copy of the partnership agreement shall be submitted with the application. If the partnership is required to file a certificate as to a trade name pursuant to Minnesota Statutes, Section 333.01, a certified copy of such certificate shall be attached to the application.
- (4) *Corporate or Other Applicants.* Applicants who are part of a corporation or other organization shall provide the following information to the City Clerk:
- a. The name of the corporation or business form, and if incorporated, the state of incorporation.
 - b. A true copy of the Certificate of Incorporation, Articles of Incorporation or Association Agreement and By-laws shall be attached to the application. If the applicant is a foreign corporation, a Certificate of Authority as required by Minnesota Statutes, Section 303.06, shall be attached.

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The name of the manager(s), proprietor(s), or other agent(s) in charge of the business and all of the information concerning each manager, proprietor or agent that is required of the applicants in Section 14-34(e)(2).

- (5) *License Fees.* Application and investigation fee.
- a. The license application fee shall be Five Hundred Dollars (\$500.00) annually, prorated if applied for in mid-year.
 - b. The application license fee shall be paid in full before the application for a license is considered. All fees shall be paid to the Issuing Authority for deposit into the general fund of the City. Upon rejection of any application for a license or upon withdrawal of application before approval of the Issuing Authority the license fee shall be refunded to the applicant.
 - c. When the license is for premises where the building is not ready for occupancy, the time fixed for computation of the license fee of the initial license period shall be ninety (90) days after approval of the license by the Issuing Authority or upon the date an occupancy permit is issued for the building.
 - d. *Investigation Fee.* An applicant for any license under this Division shall deposit with the Issuing Authority, at the time an original application is submitted, One Thousand Dollars (\$1,000.00) to cover the costs involved in verifying the license application and to cover the expense of any investigation needed to assure compliance with this Division. The investigation fee shall be nonrefundable.
- (f) *Persons Ineligible for a License.* The Issuing Authority shall issue a license under this division to an applicant unless one (1) or more of the following conditions exists:
- (1) The applicant is not eighteen (18) years of age or older on the date the application is submitted to the Issuing Authority;
 - (2) The applicant has had a conviction of a felony or gross misdemeanor or misdemeanor relating to sex offenses, obscenity offenses, or adult uses in the past five (5) years;
 - (3) The applicant failed to supply all of the information requested on the license application;
 - (4) The applicant gave false, fraudulent, or untruthful information on the license application;
 - (5) The applicant has had an adult oriented business license revoked from the City or another jurisdiction within a one (1) year period immediately preceding the date the application was submitted;

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- (6) The sexually-oriented business does not meet the zoning requirements prescribed in this Ordinance
- (7) The premise to be licensed as an adult oriented business is currently licensed by the City as an establishment licensed to sell alcoholic beverages.
- (8) The applicant has not paid the license and investigation fees required in Section 14-34(e)(5).

(g) License Restrictions.

- (1) The operation, establishment, substantial enlargement, or transfer of ownership or control of a sexually oriented business may not occur within one thousand (1,000) feet of another sexually oriented business. In addition, there shall not be more than one sexually oriented business within a block front even if said block is greater than one thousand (1,000) feet in length.
- (2) The operation, establishment, or maintenance of more than one sexually oriented business in the same building, structure, or portion thereof, or the increase of floor area of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business, is prohibited.
- (3) Adult oriented businesses shall not be allowed as an accessory use to any principal use.
- (4) No customer, spectator, or patron of a licensed facility shall directly pay or give any gratuity to any dancer or performer and no dancer or performer shall solicit any pay or gratuity from any customer, spectator, or patron.
- (5) All performers, dancers, and persons providing live entertainment distinguished or characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas in the licensed facility or in areas adjoining the licensed facility shall remain at all times a minimum distance of ten (10) feet from all patrons, customers, or spectators and shall dance or provide such entertainment on a platform intended for that purpose, which shall be raised at least two (2) feet from the level of the floor on which patrons or spectators are located.
- (6) No dancer, performer, or person providing live entertainment distinguished or characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas in the licensed facility or in areas adjoining the licensed facility where the entertainment can be seen by patrons of the licensed facility shall fondle or caress any spectator or patron.
- (7) No Adult Oriented Business site shall be open to the public from the hours of 11:00 p.m. to 9:00 a.m.

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(h) *Inspection and Expiration/Renewal.*

- (1) An applicant or licensee shall permit health officials, representatives of the police department, fire chief, and planning and development services department, to inspect the premises of an Adult Oriented Business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.
- (2) Each license shall expire at the end of the calendar year and may be renewed only by re-applying. Application renewal must be made at least sixty (60) days before the expiration date, and when made less than sixty (60) days before expiration date, the expiration of the license will not be affected.
- (3) A licensee shall not transfer this license to another, nor shall a licensee operate an Adult Oriented Business under the authority of a license at any place other than the address designated in the application.

(i) *Suspension.* A suspension by the City shall be preceded by written notice of the licensee and a public hearing. The notice shall give at least 10 days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The notice may be served upon the licensee personally, or by leaving the same at the licensed business premises with the person in charge thereof. The city may suspend a license for a period not to exceed thirty (30) days if it determines that licensee or an employee of a licensee has:

- (1) Violated or is not in compliance with any provision of this chapter.
- (2) Engaged in the use of alcoholic beverages while on the Adult Oriented Business premises other than at an Adult Hotel or Motel.
- (3) Refused to allow an inspection of the Adult Oriented Business premises as authorized by this chapter.
- (4) Knowingly permitted gambling by any person on the Adult Oriented Business premise.
- (5) Demonstrated inability to operate or manage an Adult Oriented Business in a peaceful and law-abiding manner, thus necessitating action by law enforcement officers.

(j) *Revocation.* The City may revoke a license if any of the grounds for suspension occurs and the license has been suspended within the preceding twelve (12) months. A revocation by the City shall be preceded by written notice of the licensee and a public hearing. The notice shall give at least 10 days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The notice may be served upon the licensee

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personally, or by leaving the same at the licensed business premises with the person in charge thereof. The City shall revoke a license if it determines that:

- (1) A licensee gave false or misleading information in the material submitted to the City during the application process;
 - (2) A licensee or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises;
 - (3) A licensee or an employee has knowingly allowed prostitution on the premises;
 - (4) A licensee or an employee knowingly operated the Adult Oriented Business during a period of time when the licensee's license was suspended;
 - (5) A licensee has been convicted of an offense in Section 14-34(f)(2), for which the time period required in Section 14-34(f)(2), has not elapsed;
 - (6) On two or more occasions within a twelve (12)-month period, a person or persons committed an offense occurring in or on the licensed premises of a crime listed in Section 14-34(f)(2), for which a conviction has been obtained, and the person or persons were employees of the Adult-Oriented Business at the time the offenses were committed.
 - (7) A licensee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation or masturbation to occur in or on the licensed premises.
- (k) *Appeals.* The fact that a revocation is being appealed shall have no effect on the revocation of the license.
- (l) *Exceptions.* Section 14-34(j)(3) does not apply to adult motels as a ground for revoking the license unless the licensee or employee knowingly allowed the act of sexual intercourse, sodomy, oral copulation, masturbation, or sexual contact to occur in a public place or within public view.
- (m) *Granting a License after Revocation.* When the City revokes a license, the revocation shall continue for one year and the licensee shall not be issued an Adult-Oriented Business license for one year from the date revocation became effective. If, subsequent to revocation, the City finds that the basis for the revocation has been corrected or abated, the applicant may be granted a license if at least 90 days have elapsed since the date the revocation became effective. If the license was revoked under Section 14-34(j)(5), an applicant may not be granted another license until the appropriate number of years required under this Section 14-34(m) has elapsed.
- (n) *Severability.* Every section, provision, or part of this ordinance is declared severable from every other section, provision, or part thereof; to the extent that if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction it shall not invalidate any other section, provision, or part thereof.

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Sec. 14-35. – Annexation.

- (a) Ordinances or resolutions annexing lands to the City may include a determination as to how the annexed lands are to be zoned. In the absence of such determination, the lands shall be zoned A-Agriculture as a means of creating a “holding” zone until the proper zoning can be determined.

Sec. 14-36. – Driveway Access.

- (a) *Permit.* A driveway access permit or approval for connection to a public road/street with jurisdiction from a governmental agency other than the City shall be obtained for said road/street before a Building Permit is issued.
- (b) *Materials.* That portion of the private driveway, private street or land which traverses the public street right-of-way shall be constructed of materials as follows, if the private driveway, street or lane intersects:
 - (1) For a concrete street or a concrete curb and gutter, the apron and new gutter shall be concrete, unless crushed gravel or other similar material is approved by the City Engineer or the City Engineer’s designee.
 - (2) For a bituminous roadway without concrete curb and gutter, the intersecting area may be concrete, bituminous or other materials as approved by the City Engineer or the City Engineer’s designee.
- (c) *Maximum width.* The maximum driveway width at the curb line of the street shall be no more than 32 feet, exclusive of returns, in commercial and industrial zones and no more than 24 feet, exclusive of returns, in residential zones.
- (d) *Minimum distance to street intersection.* The minimum distance between the driveway and the nearest return of the intersection of two streets shall be 50 feet as measured at the curb line of the street.
- (e) *Minimum distance between driveways.* Except in the R-1, R-2, and R-3 districts, the minimum distance between adjoining driveways shall be 50 feet, as measured at the curb line of the street. In R-1, R-2, and R-3 districts, the minimum distance between adjoining driveways shall be ten feet, as measured at the curb line of the street.
- (f) *Minimum distance between driveway and lot line.* Except in the R-1, R-2, and R-3 districts, the minimum distance between a driveway and a side lot line shall be ten feet, as measured at the curb line of the street. In R-1, R-2, and R-3 districts, the minimum distance between a driveway and a side lot line shall be five feet, as measured at the curb line of the street.

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- (g) *Maximum number.* On residential lots less than 150 feet in width, no more than one driveway per lot shall intersect a street. At no time shall any residential lot have more than two driveways that intersect a street. If a corner lot in an R-1 or R-2 zone is less than 150 feet in width, but not located on a collector or arterial street, that lot may have two driveways, one intersecting each street, granted that each driveway is located at least 50 feet from any street intersection.
- (h) *Curb cuts on collector streets.* The number of driveways intersecting a street designated as a collector or arterial by the comprehensive plan shall be limited to those driveways essential for adequate access. When properties adjoin more than one street, driveways shall be restricted, if possible, to the street with a lower volume of traffic. The following additional restrictions apply to lots in the R-1 district and R-2 district:
 - (1) On interior lots no more than one driveway per dwelling unit shall intersect a street designated by the comprehensive plan as a collector or arterial.
 - (2) On corner lots or through lots no driveway shall intersect with a street designated by the comprehensive plan as a collector or arterial.
 - (3) If all streets adjoining the lot are designated as collector or arterial, driveways shall be limited to the street with the lowest volume of traffic.
- (i) *Other standards.* The engineer may adopt additional standards as to the design, materials and installation of driveways to be located on the right-of-way streets.

Sec. 14-38. – Building Permit/Approval.

- (a) *Permit.* No construction or alteration of a building/structure requiring a building permit under City policy shall begin until such time as the required permit has been obtained from the Building Inspector.
- (b) *Compliance.* At such time as the Building Inspector has conducted and signed off on the final inspection, the structure shall be deemed to be in compliance with the applicable codes, standards, and ordinances. Certificates of Compliance for Building Code or Zoning Ordinance compliance will be made available at the request of the affected property owner.

Sec. 14-39. – Fees.

- (a) The City Council shall establish by resolution, from time to time, such fees as it shall determine for applications made and/or permits issued pursuant to this Ordinance.

Secs. 14-40—14-42. - Reserved.

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DIVISION 4. – OFF-STREET PARKING AND LOADING

Sec. 14-43. – Off- street Parking.

- (a) *General.* The off-street parking requirements of this Ordinance shall apply to all buildings, structures, and uses of land constructed, established, or authorized after the adoption of this Ordinance.
- (b) *Exempt.* The following areas in the Central Business District (CBD) are exempt from parking and loading regulations:
 - Area 1: The area bounded by the T.H. 12 By-Pass on the north, 2nd Street SW on the east; Trott Avenue on the south; and 6th Street on the west; and
 - Area 2: The area bounded by the T.H. 12 By-Pass on the south and east; the BN RR on the north; and 7th Street SW on the west.
- (c) *Surfacing and Drainage.* Off-street parking areas for all commercial, industrial, and multi- family residential developments shall be paved with a permanent concrete, bituminous, or reasonable substitute surface, subject to approval by the Zoning Administrator and City Engineer. Such areas shall be graded and drained to dispose of all surface water accumulation within the parking area by storm sewer where available. All parking surfacing shall use at least 20% of permeable pavement.
- (d) *Landscaping.* Commercial, industrial, institutional, and multi-family residential developments which include off-street parking as a part of the overall project shall provide landscaping within or adjacent to the parking area in accordance with Section 14-33 of this Ordinance. All parking lots shall provide at least one tree per each 4 (four) parking spaces in a location to be approved by the Planning and Development Department.
- (e) *Location.* All necessary off-street parking facilities required by this Ordinance shall be subject to the following requirements:
 - (1) Parking spaces required by this Ordinance shall be located on the same property as the principal use served. In the case of shared use of parking, parking spaces can be located in other property, according to Section 14-43(i).
 - (2) There shall be no off-street parking areas within fifteen (15) feet of any right-of-way.
 - (3) In R-1 and R-2 Districts, no off-street parking shall be permitted, except upon such driveways as conform with Section 14-43(e)(7).
 - (4) Parking on residential lots (R-2 to R-5) or parcels adjacent to Limited or General Business use is subject to plan approval by the Planning Commission Zoning Administrator. Such parking shall adhere to all setback requirements and shall be screened from adjacent residential districts or uses.
 - (5) No driveway or off-street parking area shall be located closer than five (5) feet from an adjacent side or rear lot line in residential areas, or ten (10) feet in multi-family residential, commercial, or industrial districts. In R-1 and R-2 districts where older

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narrower (fifty [50]) foot) lots still exist and such setbacks are impractical, this requirement will not apply. In any instance where the five (5) foot setback is not maintained, the driveway/parking area shall be constructed so as to direct runoff away from the side and rear lot lines adjacent properties.

- (6) No direct access rows of parking spaces onto public streets or alleys shall be permitted. Internal isles shall be provided.
- (7) All driveways and parking areas in residential districts shall be paved with a permanent concrete, bituminous or reasonable substitute surface, subject to approval of the Zoning Administrator and City Engineer, with the drainage from such surfaces directed towards the storm sewers and/or (preferably) the property's green space, but so as to not negatively impact neighboring homes or properties. Driveways shall not occupy more than 30% of the area within the minimum building setbacks from the street(s), nor shall they, within those setbacks, lie between the residence or residence portion of the structure and the street, except for a maximum of 3' width extension for service as a sidewalk. In CBD, where off-street surface parking is provided it shall be setback 5' (five feet) from all street rights-of-way (see Section 14-33). Surface parking shall be located at least 40' (forty feet) from any street intersection.
- (f) *Existing.* Such spaces existing on the effective date of this Ordinance shall not be reduced in number unless said number exceeds the requirements set forth herein.
- (g) *Standards & Design.*
 - (1) *Approval.* All parking lot layouts shall be subject to the final approval of the City Engineer and the Planning Commission Zoning Administrator.
 - (2) *Design.* The design of off-street parking areas shall be based on sound and accepted engineering design principals, and shall be safe, practical, and logical layouts.
 - (3) *Lighting.* All parking lots accessory to the following uses shall be lighted:
 - a. All businesses and industrial uses.
 - b. Multi-family dwellings of eight (8) or more units in R-4 and R-5 districts.
 - (4) *Screening.* Off-street parking areas for commercial, industrial, and multi-family residential uses shall be screened from adjacent residential uses. Such screening shall be included as part of the landscaping required in Sections 14-33 and 14-43(d).
- (h) *Maximum and Minimum Parking Space Requirements.*
 - (1) *Parking space maximum and minimum not specified.* The maximum number of stalls may be defined according to project demand and Planning and Development Department approval. The minimum number of spaces to be provided shall be based on requirements for similar uses, location of the proposed use, the number of employees on the largest shift, total square footage, potential customer use, or other expected demand and traffic generated by the proposed use. If the Director of

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the Planning and Development Department reasonably determines that a parking generation study should be prepared by a qualified professional, the Director of the Planning and Development Department may require submission of such a study to aid the Director of the Planning and Development Department in making a determination with respect to the minimum number of required parking spaces. The Director of the Planning and Development Department may approve the minimum or maximum parking ratio for any use in this Section as follows:

- a. Horizontal and pedestrian and safety signs shall be provided and maintained.
 - b. Bike parking is mandatory in all new building approvals.
 - c. The parking ratio is supported by a parking demand analysis provided by the applicant, including but not limited to:
 - i. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
 - ii. Evidence in available planning and technical studies relating to the proposed use; or
 - iii. Required parking for the proposed use as determined by other compatible jurisdictions.
 - d. *Periodic Review.* The Director may require periodic review of the proposed review of the reduced parking supply to ensure the terms of the approval are being met.
 - e. To increase the maximum parking ratio, the applicant must show that shared or off-site parking is not available or adequate to meet demand.
 - f. To increase the maximum parking ratio, the applicant must show that shared or off-site parking is not available or adequate to meet demand.
- (i) *Joint Parking Facility.* The Planning Commission may, after receiving a recommendation from Staff, give approval for one (1) or more businesses to provide the required off-street parking facilities by joint use of one (1) or more sites where the total number of spaces provided are less than the sum of the total required for each business, should they provide them separately. When considering a request for such approval, Staff shall not recommend that such approval be granted, nor the Planning Commission approve such a request, except when the following conditions are found to exist:
- (1) The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.
 - (2) The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

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- (3) A properly drawn legal instrument, executed by the party concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the City Attorney shall be filed with the City Clerk and recorded with the County Recorder.

Sec. 14-44. – Off-street Loading.

- (a) *General.* Adequate off-street loading space shall be provided in connection with any structure which requires receipt or distribution of materials by vehicles.
- (b) *Number of Loading Berths Required.* The number of required off-street loading berths shall be as follows:
 - (1) *Manufacturing, Fabrication, Processing Warehousing, Storage, Retail Sales, Schools, Hotels.* For such a building between five thousand (5,000) and fifty thousand (50,000) square feet of floor area, one (1) loading berth is required; for a building fifty thousand and one (50,001) to one hundred thousand (100,000) square feet in area, two (2) loading berths are required. One (1) loading berth shall be provided for each additional thirty-five thousand (35,000) square feet of floor area or fraction thereof in excess of one hundred thousand (100,000) square feet.
 - (2) *Manufacturing and Retail Sales Under Five Thousand (5,000) Square Feet.* Adequate off-street loading and service entrances shall be provided subject to the approval of the Zoning Administrator.
 - (3) *Auditoriums, Convention Halls, Exhibition Halls, Sports Arenas, Stadiums.* Ten thousand (10,000) to one hundred thousand (100,000) square feet of floor area, one (1) loading berth; for each additional one hundred thousand (100,000) square feet of floor area or fraction thereof, one (1) additional loading berth.
 - (4) *Public or Semi-Public Recreational Buildings, Community Centers, Private and Public Educational Institutions, Religious Institutions, Hospitals, Clinics, Professional or Commercial Offices, Nursing Homes or Similar Group Housing, Senior Citizen Housing.* Adequate off-street loading and service entrances shall be provided subject to approval of the Zoning Administrator.
- (c) *Location.*
 - (1) All required loading berths and facilities shall be off-street and located on the same lots as the building or use to be served.
 - (2) All loading berths curb cuts shall be located a minimum of fifty (50) feet from the intersection of two (2) or more street right-of-way. This distance shall be measured from the property line.
 - (3) No loading berths shall be located closer than thirty (30) feet from a residential district unless within a structure.
 - (4) Loading berths shall not occupy the front yard setback area.
 - (5) Loading berths shall not conflict with pedestrian movement.

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- (6) Loading berths shall not obstruct the view of the public right-of-way from off-street parking access.
- (7) Each loading berth shall be located with appropriate means of vehicular access to a street or public alley in a manner which will cause the least interference with traffic.
- (d) *Surfacing and Drainage.* All loading berths and driveways having access onto a concrete or asphalt surfaced street or public right-of-way shall be surfaced with asphalt, concrete, or a reasonable substitute surface, subject to approval by the Zoning Administrator and City Engineer. Drainage of loading areas is subject to approval by the City Engineer.
- (e) *Accessory Use, Parking, and Storage.* Any space allocated as a required loading berth or access drive so as to comply with the terms of these zoning regulations shall not be used for the storage of goods, inoperable vehicles, or snow, and shall not be included as part of the area used to meet off- street parking requirements.
- (f) *Size.* Unless otherwise specified in this ordinance, the first loading berth shall be not less than fifty- five (55) feet in length, and additional berths required shall be not less than thirty (30) feet in length. All loading berths shall be not less than ten (10) feet in width and fourteen (14) feet in height, exclusive of aisle and maneuvering space.
- (g) *Landscaping.* Commercial, industrial, institutional, and multi-family residential developments which include off-street loading as a part of the overall project shall provide landscaping within or adjacent to the loading area in accordance with the requirements for parking areas found in Section 14-33 of this Ordinance.

Secs. 14-45–14-48. – Reserved.

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DIVISION 5. – Signs

Sec. 14-49. – Purpose.

- (f) *Purpose.* The purpose of this Division is to coordinate and regulate the type, placement, and physical dimensions of signs within the City's various zoning districts. To this end, the City Council finds:
- (4) That private and public monies have been invested in the City for the beautification of both public and private properties.
 - (5) That there are different commercial communication requirements of various districts in the business community.
 - (6) That aesthetics contribute to the quality of life in the community and to the enhancement of property values.
 - (7) That attractively designed, appropriately placed, soundly constructed, and well maintained signs enhance both public and private investments and increase property values.
 - (8) That proper regulation of signs encourages the innovative use of design, promotes both renovation and proper maintenance, allows for special circumstances, and guarantees equal treatment under the law through accurate record keeping and consistent enforcement.
- (g) The City Council considers standards and regulations in this Division to be reasonable and necessary to attain the purposes listed herein and adopts this Division to ensure:
- (1) That such public and private investments in improving the quality of life are protected.
 - (2) That the economic vitality of the community is maintained.
 - (3) That the integrity of residential areas and the dignity of public facilities and open areas are preserved.
 - (4) That the general appearance of the City and the business environment is improved.

Sec. 14-50. – Scope.

- (a) *Scope.* This Division is not intended to regulate official traffic signs and signals, government signs the City Council has no jurisdiction to regulate, the copy or message of signs, signs not intended to be viewed by pedestrians or the occupants of motor vehicles on the public streets, thoroughfares or alleys, product dispensers, point of purchase displays, scoreboards on athletic fields, flags of any state, nation international organization, or non-commercial organization, religious symbols, commemorative plaques, holiday decorations, display of

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street numbers, or any display or construction not defined herein as a sign. This Division shall not apply to building design unless said design incorporates a sign as defined in this Division, in which case that part of such design which is a sign shall be subject to the provisions of this Division.

Sec. 14-51. – Definitions.

(b) *Definitions.* The following definition of terms and phrases used in this Section shall govern:

- (1) *Abandoned Sign.* A sign which no longer identifies or advertises a bona fide business, owner, lessor, lessee, service, product, or activity, or for which no legal owner can be found, or, if found, disclaims any interest in the sign.
- (2) *Animated Sign.* A sign depicting motion by virtue of moving, flashing, revolving, flickering lights, or change of color in light or lighting effects, or by mechanical means which tend to depict motion.
- (3) *Awning.* A shelter, of canvas or similar material, projecting from and supported by the exterior wall of a building, constructed on a supporting framework.
- (4) *Awning Sign.* A sign painted on, printed on, constructed as an integral part of, or attached flat against the surface of, an awning.
- (5) *Banner.* A sign made of fabric or any non-rigid material with no enclosing framework.
- (6) *Billboard.* An off-premise, outdoor advertising structure designed to carry changeable, temporary posters, copy, or painted or designed messages, symbols, or pictures, and the sign area of which exceeds one hundred twenty-eight (128) square feet.
- (7) *Building Frontage.* That part of the lot length or width projected from and equal to the length or width of the building fronting on one (1) or more streets.
- (8) *Canopy.* An ornamental, roof-like structure, which may be attached to a building or another structure, or may stand independently, and which is not a marquee.
- (9) *Canopy Sign.* Any sign which is suspended from or which forms part of a canopy and which does not extend horizontally beyond the limits of such canopy.
- (10) *Changeable Copy Sign.* A sign upon which message copy can be changed through the use of detachable letters or numerals, panels, or electrical or electronic controls, lamps, or illuminated tubes.
- (11) *City.* The City of Willmar, Minnesota.

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- (12) *Clearance*. The shortest vertical distance between the grade of the street, curb, or sidewalk immediately beneath a sign and the lowest point of the sign, including framework and embellishments, extending over such grade.
- (13) *Construction Sign*. A temporary sign identifying an architect, contractor, subcontractor, developer, financier, supplier of materials, or other like information with respect to construction on the property on which the sign is located.
- (14) *Development Sign*. A sign identifying a particular subdivision or residential development or area of a particular commercial or industrial complex, located at the entrance or entrances to such development or complex.
- (15) *Directional Sign*. An on-premise sign giving directions, instructions, or facility and which may contain the name or logo of an establishment but no advertising copy, such as parking, entrance, or exit sign.
- (16) *Double-faced Sign*. A sign with two (2) faces.
- (17) *Facade*. The entire building front including the parapet.
- (18) *Face of Sign*. The area of a sign on which the copy is placed.
- (19) *Festoon*. A string of garland of leaves, flowers, ribbons, tinsel, small flags, pinwheels, ornamental windsocks, or other like ornaments.
- (20) *Flashing Sign*. A sign which contains an intermittent or sequential light source used primarily to attract attention.
- (21) *Freestanding Sign*. A sign permanently fixed to the ground by one (1) or more uprights, posts, columns, or pylons, and not attached to any building.
- (22) *Frontage*. The length of the property line of any one premise along a right-of-way on which it borders.
- (23) *Government Sign*. A sign erected and maintained by the city, county, state, or federal government for traffic direction, or for the designation of or direction to any school, hospital, historical site, or public service, property, or facility.
- (24) *Hazardous Sign*. Any sign determined by the Zoning Administrator to be structurally unsafe or in disrepair to the point of being unsafe.
- (25) *Height*. The vertical distance measured from the highest point of the sign to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.
- (26) *Identification Sign*. A sign with copy which is limited to the name and address of a building, institution, or person, and to the activity or occupation being identified.
- (27) *Illumination Sign*. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

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- (28) *Incidental Sign*. A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, such as a credit card sign or a sign indicating hours of business.
- (29) *Maintenance*. The cleaning, painting, or repair of a sign, or the replacement of defective parts thereof, in a manner that does not alter the basic copy, design, or structure of the sign.
- (30) *Mansard*. A lower, almost vertical slope of a mansard roof, including a roof-like facade architecturally comparable to a building wall.
- (31) *Marquee*. A permanent, roof-like structure of rigid materials supported by and extending from the façade of a building and projecting over its entrance.
- (32) *Marquee Sign*. A sign attached to or supported by a marquee.
- (33) *Multi-Business Sign*. A sign for a building or structure where more than one (1) business is located, including building directories and signs for entrance identification.
- (34) *Nameplate*. A non-electric on-premises identification sign limited to the name, address, and occupation of an occupancy or group of occupancies.
- (35) *Obsolete Sign*. A sign which advertises or identifies neither the person involved nor the business or activity presently carried on the premises, or which identifies a name no longer used by the activity carried on the premises.
- (36) *Occupancy*. The state of being in legal possession of a building or portion of a building or a premise or portion of a premise, either as owner, lessee, or tenant, or other claim of right, and for a given use.
- (37) *Off-Premise Sign*. A sign, other than a billboard as herein defined, advertising an establishment, merchandise, service, or entertainment which is not sold, produced, manufactured, or furnished on the property on which the sign is located.
- (38) *On-Premise Sign*. A sign which advertises or identifies the use, the business transacted, the services rendered, the goods sold or produced, the name of the business, or the name of the person, or a combination of such categories, on the premises on which the sign is located.
- (39) *Other Street Frontage*. Business frontage on a street or streets other than the principal street frontage.
- (40) *Owner*. A person in whom is vested the dominion, title, or proprietary right in property affected by this Section. For purposes of this Section, the owner of real estate on which a sign is located is presumed to be the owner of the sign unless the

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contrary appears on the application for a permit under this Section or by any other writing filed with the Zoning Administrator.

- (41) *Parapet*. The extension of a false front or wall above the roofline.
- (42) *Person*. Individual, corporation, firm, partnership, or similar association.
- (43) *Point of Purchase Display*. Advertising of a retail item accompanying its display, such as an advertisement on a dispenser.
- (44) *Political Sign*. A temporary sign used in connection with a local, state, or national election or referendum.
- (45) *Portable Sign*. A sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
- (46) *Premises*. A parcel of land with its appurtenances and buildings composing a unit as to a use to which a sign or signs are directed.
- (47) *Principal Street Frontage*. The frontage on the street which the principal entrance of the building on the premises faces, or, in instances permitted by this Section, that street which the owner elects to have considered as the principal street frontage.
- (48) *Projecting Sign*. A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (49) *Property Line*. The boundary line between premises owned by different persons, or between the outer limits of the *right-of-way* easement of a street, throughfare, or road, either dedicated or obtained by a public authority by purchase or condemnation, and the property abutting such street, throughfare, or road.
- (50) *Real Estate Sign*. A temporary sign advertising the premises upon which the sign is located as being for rent, lease, or sale.
- (51) *Right-of-Way Line*. The outer limits of the dedicated area of a street, road, or thoroughfare, or, in the case of an easement or title obtained through purchase or condemnation by a public authority, the outer limits of such acquired area.
- (52) *Roofline*. The top edge of the roof of a building, or the parapet, whichever is higher, excluding any cupola, pylon, chimney, or minor projection.
- (53) *Roof Sign*. A sign erected on the roof or projecting above the roof.
- (54) *Rotating Sign*. A sign in which the sign itself or any portion thereof moves in a revolving or similar manner but does not include methods of changing copy.
- (55) *Setback*. The distance between a property line or right-of-line, measured perpendicular to such line, and the part of a sign which is closest to such property line or right-of-way line.

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(56) *Sign*. Any device, structure, fixture, or placard using graphics, symbols, pictures, illustration or written or printed copy, or any combination of them, designed specifically for the purpose of advertising or identifying any person, institution, facility, product, goods, or services, or any combination thereof.

(57) *Sign Area*. The physical dimensions of a sign face.

- a. *Projecting and Freestanding Signs*. In calculating the area of a single freestanding or projecting sign, only the largest face of any double-faced sign shall be counted.
- b. *Multiple Use Freestanding Signs*. The sign area shall be determined by calculating the area enclosed by the perimeter of each sign and totaling such areas. Total sign area does not include protective devices, pole covers, structure covers, framing, or embellishments, as long as such devices or embellishments, as long as such devices or embellishments do not contain advertising or identification.
- c. *Single Box Signs, Wall Cabinet Signs, or Signs on Boards or Other Material*. The sign area shall be determined by calculating the area enclosed by the perimeter of the box, cabinet, or board or board structure, or similar structure to which the sign is attached or on which it is painted. In cases where there is additional background such as plain boards, painted boards, art work, figures, designs, or logos, the additional background is to be included in the total area of the sign face.
- d. *Wall Signs Composed of Letters, etc.* The sign area of wall signs composed of individual letters or numbers or combinations of both, using the wall as background with no added decoration, shall be determined by measuring the perimeter or perimeters of each line of letters or numbers or combinations thereof within parallel lines enclosing all letters and numbers in the line. Where more than one (1) line is used, the sign areas for all the lines shall be totaled to determine the total sign area of the sign.

(58) *Single Face Sign*. A sign with a copy on one (1) face only and which may be seen from one (1) direction only.

(59) *Subdivision Identification Sign*. A development sign identifying a recognized subdivision, condominium complex, residential development, or commercial or industrial complex.

(60) *Temporary sign*. A sign or banner constructed of cloth, canvas, cardboard, wallboard, or other similar material, or of any material where the intent is that the sign be used for only a short period of time in a single location.

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(61) *Under-Canopy Sign.* A sign suspended from or otherwise hung or attached under a canopy and not extending horizontally beyond the canopy structure or above the canopy.

(62) *Use.* The application or employment of a premise, a facility, a building, a sign, or any other property for a particular purpose.

(63) *Wall Sign.* A sign attached parallel with and extending not more than twelve (12) inches from the wall or mansard of a building, including painted, individual letters and cabinet signs.

(64) *Window Sign.* A sign installed inside a window and intended to be viewed from the outside.

(65) *Zoning Administrator.* The Zoning Administrator of the City of Willmar.

Sec. 14-52. – General Sign Provisions.

(a) *General Sign Provisions.* Signs to conform to this Division. It shall hereafter *be* unlawful, and a violation of this Ordinance, to erect, place, or maintain a sign in the City of Willmar except in accordance with the provisions of this Division.

(b) *Signs Requiring Permits.* Unless specifically exempted by a provision of this Division, or in instances where a Special Sign Permit is provided for, each sign shall require a Sign Permit, for which application shall be made on forms prepared by the Zoning Administrator and issued upon the payment of the fees therefore prescribed by this Division.

Sec. 14-53. – Prohibited Signs.

(a) *Prohibited Signs.* The following signs are prohibited:

- (1) Abandoned Signs.
- (2) Billboards.
- (3) Flashing signs.
- (4) Hazardous signs.
- (5) Signs imitating or resembling traffic signs or signals or government signs.
- (6) Signs attached to trees, telephone or utility poles, public benches, or streetlights, or placed on any public property or street or highway right-of- way by any person other than one having authority from a government to place such sign.
- (7) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
- (8) Signs which obstruct access to fire escapes, exits, doors, standpipes, or ventilating systems, or which interfere with the view of traffic signs or signals by those to whom such signs or signals are directed.

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- (9) Signs for which a permit is required under this Section, which were constructed before such permit was issued, and as to which no procedures provided by this Section have been initiated to bring such signs into compliance with the provisions of this Section.

Sec. 14-54. – Special Signs.

- (a) *Special Signs.* The following signs are prohibited unless a Special Sign Permit is issued by the Zoning Administrator under the regulations herein set forth:

- (1) Off-premise directional signs.
- (2) Off-premise advertising signs.
- (3) Portable signs.
- (4) Temporary signs.
- (5) Roof signs.
- (6) Banners, festoons, and pennants in place more than three (3) days; and searchlights.
- (7) Any other signs not included under Section 14-53. of this Ordinance.
- (8) Bus signs.

- (b) *General Conditions for Obtaining Special Sign Permits.* Any sign in Section 14-54(c) shall be generally prohibited, but may be permitted through the issuance of a Special Sign Permit by the Zoning Administrator upon the sign meeting the standards and rules set forth for one of the types of signs listed, and meeting one (1) of the following criteria:

- (1) The sign is necessary for the preservation of substantial property rights in the property to which the sign is directed;
- (2) There is no provision in this Section for the type of sign for which a Special Sign Permit is required; or
- (3) The sign may be beneficial to a substantial number of people.

- (c) *Standards and Rules for Specific Types of Signs.*

- (1) *Off-Premise Direction Signs.* Such signs shall be permitted only in those instances where the Zoning Administrator finds the sign necessary or convenient for a substantial number of people attending or seeking to attend or visiting or seeking to visit a facility which, because of its nature, tends to attract a large number of people. The primary purpose of such sign shall be to assist visitors to a facility, or to find it once they are in the area. The sign area on such signs shall not exceed twenty (20) square feet. Such signs shall not be permitted in any residential district, nor in the CB-Central Business District, and shall not carry any advertising.

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- (2) *Off-Premise Advertising Signs.* Such signs shall be permitted only in the instances where they will benefit the traveling public, or where a business is not visible from any street or highway. They shall be limited, with respect to the instance that they are permitted for the benefit of the traveling public, to advertising public accommodations not located on the thoroughfare along which the sign is placed, advertising community events or those sponsored or nonprofit, civic, philanthropic education or religious organizations, or where a business is not visible from any street or highway (via portable not permanent signage), and shall conform to the regulations pertaining to on-premise signs in the district in which they are placed. Such signs shall not be permitted in any residential district.
- (3) *Portable Signs.* Such signs may be used only for special attractions, occasions, or events where their use will assist the public in the location of the event, attraction, or occasion, or the facility in which it is held. No such sign shall be permitted in any residential district. They shall be of such size and form as the Zoning Administrator in his discretion shall determine. They shall be placed no earlier than five (5) days before the event or attraction and shall be removed promptly upon the termination of the event or conclusion of the attraction (not to exceed a total of twenty-eight (28) consecutive days per quarter year period beginning on day permit is issued). For persons or institutions having recurring events, the Zoning Administrator may in his discretion set forth in one Special Sign Permit for such person or institution the recurring events to be covered by the Permit without the re-issuance of a Permit for such sign. A \$100.00 deposit for portable signs (amount to be determined by City Ordinance) is required and will be returned only if the sign is removed by the date stated on the permit. The applicant must reclaim the deposit when the sign is removed. If the sign remains after the date specified on the permit, the City will utilize the deposit to remove the sign.
- (4) *Temporary Signs.* No such sign shall be permitted in any Residential district. The Zoning Administrator shall determine the conditions under which a Special Sign Permit is issued for such signs in the other districts and shall specify the length of time the sign may be maintained, which in any event shall not exceed 30 days. Temporary signs located in commercial or industrial zoned districts may not exceed twelve (12) square feet in area provided that said signs are limited to two (2) signs per business. Temporary signs shall be allowed by special sign permit only. Permits shall not exceed a total of seven (7) consecutive days per quarter year beginning on day permit is issued.
- (5) *Roof signs.* The City Council finds that, because of their increased exposure to high winds and storms and that difficulty of providing proper anchorage for them, roof signs tend to present conditions that are more hazardous to the public than other types of signs. It, therefore, in the interest of public safety, adopts the following special regulations for such signs as reasonable and necessary:

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- a. Roof signs shall be allowed only in General Business districts.
 - b. Sign area shall not exceed .75 square feet/lineal foot of roof or (20) square feet, whichever is larger.
 - c. Sign shall not exceed four (4) feet in height.
 - d. The sign shall not extend higher than the roof peak.
 - e. No wall signs will be allowed on the side of a building to which a roof sign is oriented.
 - f. Signs shall not project horizontally beyond the edge of the roof upon which they are erected.
 - g. Signs shall be structurally sound, properly anchored, and provide drainage around the sign structure.
- (6) *Festoons, Pennants, and Searchlights.* Festoons, pennants, and searchlights are prohibited in all residential districts. In business and industrial districts, such signs in place for more than three (3) days must have a Special Sign Permit, except a searchlight must have a Permit for any period it is used. Such signs are permitted only on the premises where the event is held. Such signs may be placed for only the following occasions and only for the period specified in each, as follows:
- a. Special events – Fourteen (14) days.
 - b. Holiday Observances – Forty (40) days.
 - c. Grand Openings – Fourteen (14) days.
 - d. Closing out, or going out, of business sales – Fifty (50) days.
- (7) *Banners.* Banners are prohibited in all residential districts. In business and industrial districts, banners shall be regulated as follows:
- a. *General Business, Shopping Center, and Industrial Districts.* Two (2) banners allowed per property without a permit; not to exceed thirty (30) square feet each; for not more than thirty (30) days per banner.
 - b. *Central Business and Limited Business Districts.* One (1) banner allowed per property without a permit; not to exceed thirty (30) square feet; for not more than thirty (30) days.
 - c. The thirty (30) day time period may be extended upon granting of a Special Sign Permit, but shall not exceed the maximum period specified as follows:
 - i. Product advertisement – Sixty (60) days.
 - ii. Holidays observance – Sixty (60) days.

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- iii. Closing/Going-out-of-business – Ninety (90) days.
 - d. All banners shall be securely mounted/hung, preferable flat against a wall or fence. Banners advertising special events may be erected within a public right-of-way by a governmental unit or non-profit organization upon the granting of a Special Sign Permit and subject to the following conditions:
 - i. Size – Not to exceed thirty (30) inches by thirty (30) feet.
 - ii. Height – Minimum of fifteen (15) feet above street grade.
 - iii. Placement – To be placed only by Willmar Municipal Utilities, or others as approved by the City Engineer.
 - iv. Maintenance – Banner shall contain air relief, and shall be removed if torn.
- (8) *Bus Signs.* Bus signs shall only be permitted on public transit busses, and shall be regulated as follows:
- a. Maximum sign area shall not exceed fifteen (15) square feet per side or rear of the bus.
 - b. Signs are to be flush-mounted or adhesive-backed.
 - c. A Special Sign Permit shall be required for each transit bus carrying such advertising. Each permit shall be valid for a period of one (1) year from the date of issuance.

Sec. 14-55. – Signs Not Requiring Permits.

- (a) No permit shall be required for the following types of signs, provided that such signs shall be subject to all other applicable provisions of this Division.
- (1) Signs advertising garage, rummage, or household auction sales, and placed on the premises where the sale is held.
 - (2) Real estate signs.
 - (3) Construction signs of thirty-two (32) square feet or less.
 - (4) Directional signs of two (2) square feet or less.
 - (5) Nameplates of one-half (1/2) square feet or less.
 - (6) Political signs.
 - (7) Public signs or notices placed by any agency of government.
 - (8) Emergency signs, or signs warning of hazards, whether placed by public or private persons or agencies.

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- (9) Window signs.
- (10) Incidental signs.
- (11) Banners, festoons, and pennants in place for three (3) days or less.

Sec. 14-56. – Regulation of On-premise Signs by Zoning District.

(a) Signs Permitted In All Districts.

- (1) Signs not requiring permits under the provisions of Section 14-55 are permitted in all zoning districts, provided that such signs shall not advertise a use in any district not permitted under this Ordinance, either directly or as a nonconforming use under Division 7 of this Ordinance.
- (2) There shall be permitted, in lieu of the construction sign permitted as a sign not requiring a permit, one (1) additional construction sign for each street frontage of a project, not to exceed thirty-two (32) square feet in sign area. Such signs may be erected thirty (30) days prior to beginning of construction and shall be removed fourteen (14) days following completion of construction.
- (3) There shall be permitted one (1) non-illuminated real estate sign for each property to be sold, rented, or leased, not to exceed six (6) square feet in sign area in residential districts and the Central Business District, and thirty- two (32) square feet in all other districts. Such signs must be removed within ten (10) days of sale, rental, or lease.
- (4) Each occupancy shall be permitted one (1) attached nameplate, not to exceed two (2) square feet in sign area.
- (5) Political signs, in such number as permitted by the owner of the premise, each not to exceed six (6) square feet in sign area in all districts except industrial districts, where signs thirty-two (32) square feet in sign area may be permitted, may be erected on private property not more than thirty (30) days prior to the election or referendum to be voted upon and shall be removed within seven (7) days following the election or referendum. In a general election year, the size regulations for political signs will not be enforced during the period beginning August 1 and ending ten (10) days following the state general election.
- (6) There shall be permitted two (2) directional signs for each property not to exceed ten (10) square feet in sign area in the aggregate and each sign not to exceed four (4) feet in height.

(b) Signs Permitted In All Residential Districts.

- (1) Signs not requiring permits under the provisions of Section 14-55 are permitted in all residential zoning districts, provided that such signs shall not advertise a use in

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any district not permitted under this Ordinance either directly or as nonconforming use under Division 7 of this Ordinance.

- (2) There shall be permitted in all residential districts containing one (1) or more neighborhood subdivisions, one (1) or two (2) subdivisions identification signs for each such subdivision, at the discretion of the person having control of the subdivision, not to exceed eighty (80) square feet in aggregate sign area for each subdivision.
- (3) There shall be permitted in residential districts containing one (1) or more apartment or condominiums complexes, one (1) or two (2) identification signs for each such complex, at the discretion of the person having control of the complex, not to exceed forty (40) square feet in aggregate sign area.
- (4) Each church, synagogue, and school shall be permitted one (1) freestanding sign, not to exceed sixty-four (64) square feet in sign area, and wall signs not to exceed forty (40) square feet in aggregate sign area.
- (5) Each home occupation occupancy shall be permitted to erect and maintain one (1) freestanding sign, not to exceed two (2) square feet in sign area. Each occupancy holding the right as a nonconforming business or industrial use shall be permitted to erect and maintain one (1) freestanding or wall sign, not to exceed eight (8) square feet in sign area.
- (6) The maximum height of all permitted freestanding signs shall be six (6) feet, and all signs shall have a minimum setback of ten (10) feet from any property line.
- (7) Electronic reader boards are permitted and shall follow the sign area requirement for wall or freestanding signs. Electronic reader boards can be animated or scroll, but they shall not flash or display rapid animation so as not to distract, or mimic any emergency vehicles. Signs that face residential homes shall not illuminate their signs from 10 p.m. to 6 a.m.

(c) Signs Permitted In LB – Limited Business Districts.

- (1) There shall be permitted in the LB- Limited Business Districts, signs as permitted under Sections 14-56(a) and 14-56(b), subject to restrictions as to use provided in this Ordinance, in addition to the signs permitted in this Subsection.
- (2) There shall be permitted for each premise one (1) square foot in sign, not to exceed one (1) square foot in sign area for each linear foot of principal street frontage up to a maximum of sixty-four (64) square feet in sign area. Such signs shall not exceed a height of eight (8) feet where the sign faces a residential district and sixteen (16) feet in all other placements.

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- (3) Freestanding signs shall have a minimum setback of ten (10) feet from any property line and a minimum clearance of eight (8) feet over any vehicular use area and seven and one-half (7 ½) feet over any pedestrian use area.
- (4) Up to six (6) percent of any wall area, computed by taking the width or length of the building times its height, or sixteen (16) feet, whichever is less, may be devoted to wall signs, provided that each wall sign must be located on the wall as to which its sign area is measured, and that each wall shall be entitled to a minimum sign area of forty (40) square feet, regardless of wall size.
- (5) Allocation of sign area for wall signs on multiple occupancy buildings shall be controlled by the building owner, who shall be directly responsible for obtaining the necessary permits for all signs, or for seeing that they are obtained, and for compliance with this Division.
- (6) Each premise, in lieu of a wall sign as herein permitted, shall be permitted to have one (1) projecting sign, provided that such sign shall not exceed twenty (20) square feet in sign area, shall not project more than three (3) feet from the building to which it is attached, and shall not project over any property line.
- (7) Each occupancy having a canopy shall be permitted to maintain one (1) under-canopy sign, not to exceed five (5) square feet in sign area and to have a minimum clearance of seven and one-half (7 ½) feet.
- (8) Each occupancy having a marquee, or the building owner if the marquee is located so that it is shared by two (2) incidental signs, not to exceed four (4) square feet in aggregate sign area.
- (9) Each occupancy having a marquee, or the building owner if the marquee is located so that it is shared by two (2) or more occupancies, shall be permitted to maintain a marquee sign on the front and each side of the marquee, the sign area in each case limited to one-half (1/2) square foot of sign area for each linear foot of marquee frontage or marquee extension on each respective side.
- (10) Each occupancy shall be permitted to have a maximum of two (2) incidental signs, not to exceed four (4) square feet in aggregate sign area.
- (11) Electronic reader boards are permitted and shall follow the sign area requirements for wall or freestanding signs. Electronic reader boards can be animated or scroll, but they shall not flash or display rapid animation so as not to distract, or mimic any emergency vehicles.

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(d) Signs Permitted In GB – General Business, I-1 – Limited Industry, and I-2 General Industry Districts.

- (1) There shall be permitted in the GB – General Business, I-1 – Limited Industry, and I-2 – General Industry Districts, signs as permitted Sections 14-56(a) and 14-56(b), subject to restrictions as to use provided in this Ordinance, in addition to the signs permitted under this Subsection.
- (2) There shall be permitted one (1) freestanding sign for each premise, provided that, where a premise has in excess of one hundred fifty (150) linear feet of principal street frontage, one (1) additional freestanding sign for each additional one hundred (100) linear feet or major fraction thereof shall be permitted. The sign area herein below provided for freestanding signs shall be the aggregate sign area for the freestanding signs on the premise and, in the event more than one (1) freestanding sign is erected on the premise, the sign area shall be allocated to the signs as determined by the owner. If more than one (1) freestanding sign is located on the premises, they shall be placed at least seventy-five (75) feet apart. No sign shall be located closer to any property line than eight (8) feet.
- (3) On the following streets, a setback of at least two (2) feet from the right-of-way shall be required rather than a setback of eight (8) feet: First Street SW from Willmar Avenue to Litchfield Avenue, and Litchfield Avenue SW from First Street to Second Street and from Seventh Street to Eleventh Street.
- (4) The principal frontage street shall be, in the case of premises bounded by more than one street, that street which the owner elects to have considered as the principal frontage street, provided that the freestanding sign or signs must be erected with reference to such street and in conformity with the setback requirements herein provided with respect to the other street or streets.
- (5) The maximum sign area for freestanding signs shall not exceed eight tenths (8/10) square foot for each linear foot of principal street frontage up to a maximum of two hundred (200) square feet with a minimum setback of eight (8) feet, nine tenths (9/10) square foot for each linear foot of principal street frontage up to a maximum of two hundred twenty-five (225) square feet with a minimum setback of fifteen (15) feet, or one (1) square foot for each linear foot of principal street frontage up to a maximum setback of twenty (20) feet. Such signs shall not exceed a height of eight (8) feet where the sign faces a residential district.
- (6) The maximum height of freestanding signs shall be twenty (20) feet, provided that signs erected at a setback of twenty (20) feet or more shall be permitted to be erected and maintained to a height of twenty-five (25) feet.
- (7) Up to eight (8) percent of any wall area, computed by taking the width or the length of the building times its height, or sixteen (16) feet, whichever is less, may be

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devoted to wall signs, provided that each wall sign must be located on the wall as to which its sign area is measured, and that each wall shall be entitled to a minimum sign area of sixty (60) square feet, regardless of wall size. For building walls which are more than two hundred fifty (250) feet from the principal street right-of-way, a maximum wall height of twenty (20) feet shall be used for the purpose of computing the maximum allowable wall sign area.

- (8) Allocation of sign area for wall signs on multiple occupancy buildings shall be controlled by the building owner, who shall be directly responsible for obtaining the necessary permits for all signs, or for seeing that they are obtained, and for compliance with this Division.
- (9) Each premise shall be permitted, in lieu of a wall sign as herein permitted, to have one (1) projecting sign, provided that such sign shall not exceed thirty (30) square feet in sign area, shall not project more than four (4) feet from the building to which it is attached when located in the GB – General Business District, nor more than six (6) feet from the building to which it is attached when located in an I – Industrial District, and shall not project over any property line.
- (10) Each occupancy having a canopy shall be permitted to maintain one (1) under-canopy sign, not to exceed six (6) square feet in sign area and to have a minimum clearance of seven and one-half (7 ½) feet.
- (11) Each occupancy having a canopy shall be permitted to maintain, in addition to the under-canopy sign herein permitted, one (1) canopy sign for each of the front, back, and sides of the canopy, the sign area of each sign not to exceed one-half (1/2) square foot of sign area for each linear foot of front, back, and sides, and to be limited by the linear feet on the respective front, back, or side on which the sign is placed.
- (12) Each occupancy having an awning shall be permitted to maintain one (1) awning sign, not to exceed one (1) square foot in sign area per one (1) linear foot of awning.
- (13) Each occupancy having a marquee, or the building owner if the marquee is located so that it is shared by two (2) or more occupancies, shall be permitted to maintain a marquee sign on the front and each side of the marquee, the sign area in each case limited to one-half (1/2) square foot of sign area for each linear foot of marquee or marquee extension on each respective side.
- (14) Each occupancy shall be permitted to maintain a maximum of two (2) incidental signs, not to exceed six (6) square feet in aggregate sign area.
- (15) All freestanding, projecting, awning, canopy, and marquee signs shall have a minimum setback of two (2) feet from any vehicle use area, a minimum clearance of

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fifteen (15) feet over any vehicle use area, and a minimum clearance of seven and one-half (7 1/2) feet over any pedestrian use area.

(16) Each premise in a General Business District shall be permitted, in lieu of wall sign as herein permitted, to have one (1) roof sign as regulated in Section 14-56(c), as amended, of this Ordinance.

(17) Electronic reader boards are permitted and shall follow the sign area requirements for wall or freestanding signs. Electronic reader boards can be animated or scroll, but they shall not flash or display rapid animation so as not to distract, or mimic any emergency vehicles.

(e) Signs Permitted In The CB – Central Business District.

- (1) There shall be permitted in the CB – Central Business District, signs as permitted under Sections 14-56(a) and 14-56(b), subject to restrictions as to be provided in this Ordinance, in addition to the signs permitted under this Subsection.
- (2) There shall be permitted for each street frontage for each apartment building and for each condominium building one (1) identification sign, each sign not to exceed eight (8) square feet in sign area.
- (3) Churches, synagogues, and non-profit organizations shall be permitted to maintain one (1) freestanding sign, not to exceed thirty (30) feet in sign area, and one (1) wall sign for each wall, each sign not to exceed forty (40) square feet in sign area.
- (4) Each business or professional occupancy shall be permitted to maintain one (1) free standing sign, not to exceed fifty (50) square feet in sign area, not to exceed twenty (20) feet in height, and with a maximum setback of four (4) feet.
- (5) Wall signs for each building wall fronting on a street or alley shall be permitted with a sign area on each wall not to exceed one and one-half (1 1/2) square feet of sign area for each linear foot of the building's length or width, whichever may apply, or forty (40) square feet, whichever is greater, provided, that if individual or script cut-out letters are used with the walls as the background, the sign area for each wall shall not exceed three (3) square feet of sign area for each linear foot of length or width of the building, whichever applies, or sixty (60) square feet, whichever is greater.
- (6) Each premise shall be permitted, in lieu of a wall sign as herein permitted, to have one (1) projecting sign, provided that such sign shall not exceed twenty (20) square feet in sign area, shall not project more than two (2) feet from the building to which it is attached, shall not project more than two (2) feet over any right-of-way, and shall not project over any property line which is a boundary line between separately owned properties.

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- (7) Each occupancy having a canopy shall be permitted to maintain one (1) under-canopy sign per street frontage, each sign not to exceed five (5) square feet in sign area and to have a minimum clearance of seven and one-half (7 ½) feet.
- (8) Each occupancy having an awning shall be permitted to maintain one (1) awning sign, not to exceed one (1) square foot in sign area per linear foot of awning.
- (9) Each occupancy having a marquee, or the building owner if the marquee is located so that it is shared by two (2) or more occupancies, shall be permitted to maintain a marquee sign on the front and each side of the marquee, the sign area in each case limited to one-half (1/2) square foot of sign area for each linear foot of marquee frontage or marquee extension on each respective side.
- (10) Each occupancy shall be permitted to have a maximum of two (2) incidental signs, not to exceed two (2) square feet in aggregate sign area.
- (11) Electronic reader boards are permitted and shall follow the sign area requirements for wall or freestanding signs. Electronic reader boards can be animated or scroll, but they shall not flash or display rapid animation so as not to distract, or mimic any emergency vehicles.
- (12) When applying for a sign permit, the applicant shall provide, in addition to a scaled drawing of the entire sign, a product sample, which may be one of the following:
 - a. If the sign will be fabricated by a reputable sign company, provide a small product sample of a similar sign design with similar materials and fabrication methods, or
 - b. If the sign will be fabricated by a reputable sign company, provide full-color photos of similar signs the company has fabricated installed, or
 - c. If the sign will be fabricated by an individual, provide a sample portion of the sign at full size and in full color. For example, if the sign will be painted, provide several letters painted on the same surface as the final sign.

(f) Signs Permitted In The Shopping Center Districts.

- (1) There shall be permitted in the SC – Shopping Center Districts, signs as permitted in Section 14-56(a), subject to restrictions as to use provided in this Ordinance, in addition to the signs permitted under this Subsection.
- (2) One (1) freestanding sign shall be permitted for each shopping center property. There shall be permitted on such freestanding sign structure an identifying the property, and additional signs identifying major tenants. The aggregate sign area of such freestanding sign structure shall not exceed three hundred fifty (350) square feet, and shall not exceed thirty-five (35) feet in height.

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- (3) Where a premise has in excess of one hundred fifty (150) feet of principal street frontage, one (1) additional freestanding sign for each one hundred (100) linear feet or major fraction thereof shall be permitted, provided that no matter how many freestanding signs are permitted under this formula the aggregate sign area of all signs shall not exceed five hundred fifty (550) square feet, and provided, further, if the linear front footage on such principal street frontage is less than three hundred fifty (350) feet, an aggregate sign area of three hundred fifty (350) feet, an aggregate sign area of three hundred fifty (350) square feet shall be permitted.
- (4) If a shopping center premise has frontage abutting a street other than the principal frontage street, one (1) additional freestanding sign shall be permitted on the other street frontage. The aggregate sign area of such sign shall not exceed one (1) square foot of sign area for each linear foot of other street frontage, and no such sign shall have a sign area in excess of one hundred fifty (150) square feet.
- (5) All freestanding signs shall have a minimum setback of eight (8) feet to any property line, and may not be closer to another freestanding sign than seventy-five (75) feet.
- (6) Freestanding signs on the principal street frontage other than the sign authorized in Section 5.H.6.b. shall have a maximum height of twenty (20) feet. Signs with a setback of twenty (20) or more shall be permitted to be erected and maintained to a height of twenty-five (25) feet. Freestanding signs on other street frontage shall not exceed twenty (20) feet in height. Any freestanding sign on other street frontage that faces a residential district shall not exceed ten (10) feet in height and shall not have a sign area in excess of sixty-four (64) square feet.
- (7) Up to eight (8) percent of any wall area, computed by taking the width of the occupancy times the height of the building to a maximum of twenty (20) feet, whichever is less, may be devoted to wall signs. Allocation of area for wall signs on shopping center premises shall be controlled by the owner of the premises, who shall be directly responsible for obtaining necessary permits for all signs, or for seeing that they are obtained, and for compliance with this Division.
- (8) There shall be permitted (1) entrance canopy sign not to exceed in sign area one (1) square foot for each linear foot of entrance canopy, provided that applications for entrance canopy signs are accompanied by written permission of the owner of the property.
- (9) Under-canopy signs shall be permitted under such rules as the owner of the premises may determine, provided that such signs may not exceed four (4) square feet in sign area and shall have a minimum clearance of seven and one-half (7 ½) feet.

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- (10) Each occupancy having an awning shall be permitted to maintain one (1) awning sign for each awning, each awning sign not to exceed one (1) square foot of sign area for each linear foot of awning.
- (11) Each occupancy having a marquee, or the building owner if the marquee is located so that it is shared by two (2) or more occupancies, shall be permitted to maintain a marquee sign or signs, the sign area of which shall not exceed in the aggregate one-half (1/2) square foot of sign area for each linear foot of marquee frontage and each linear foot on each side of marquee extension from the façade of the building to which it is attached, provided that no sign shall be constructed on the frontage or the sides of the marquee in sign area larger than that would be permitted measuring the front or the side on each side, as the case may be.
- (12) Incidental signs not to exceed two (2) square feet in aggregate sign area shall be permitted for each occupancy or each entrance for such occupancy.
- (13) Freestanding, awning, marquee, canopy, and under-canopy signs shall have a minimum setback of two (2) feet from any vehicular use area, a minimum clearance of fifteen (15) feet over any vehicular use area, and a minimum clearance of seven and one-half (7 ½) feet over any pedestrian use area.
- (14) Electronic reader boards are permitted and shall follow the sign area requirements for wall or freestanding signs. Electronic reader boards can be animated or scroll, but they shall not flash or display rapid animation so as not to distract, or mimic any emergency vehicles.

(g) Signs Permitted In P – Park; G – Government/Industrial, and A – Agriculture Districts.

- (1) There shall be permitted in the P – Park, G – Government / Institutional, and A – Agriculture Districts, signs as permitted in Section 14-56(a), subject to restrictions as to use provided in this Ordinance, in addition to the signs permitted under this Subsection.
- (2) There shall be permitted on each premise in these districts one (1) freestanding identification sign with a maximum sign area of twenty (20) square feet, a minimum setback of ten (10) feet, and a maximum height of eight (8) feet.
- (3) Other signs not meeting these requirements must have Planning Commission approval.

Sec. 14-57. – Illegal Signs.

(a) Signs deemed illegal signs. The following signs are illegal signs:

- (1) Any sign placed or maintained without a permit from and after the effective date of this Ordinance.

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- (2) There shall be permitted on each premise in these districts one (1) freestanding identification sign with a maximum sign area of twenty (20) square feet, a minimum setback of ten (10) feet, and a maximum height of eight (8) feet.
- (3) Ther signs not meeting these requirements must have Planning Commission approval.
- (4) Any sign which is constructed or maintained in violation of any code or codes applicable to it or which violates any applicable law.
- (5) Any sign which in its construction, maintenance, repair, or relocation violates any provision of this Ordinance or which violates any condition in an issued permit or in any determination granting a variance with conditions attached.

(b) Violations; Penalties.

- (1) The placement or maintenance of an illegal signs hall constitute a violation of this Ordinance and be subject to the penalties therein described. The City may employ any or all of the remedies set forth in Division 1 of this Ordinance in order to prevent or terminate the placement or maintenance of such illegal sign and to impose all the sanctions available to the City to enforce the provisions hereof.
- (2) Any sign placed after the effective date of this Ordinance before the required permit for such sign has been applied for shall be subject to immediate removal unless the owner thereof shall within five (5) days of notice by the Zoning Administrator make application for the required permit and pay the fee therefore. In such case, the fee shall be double that set out in the resolution of the Council and shall be paid in full upon the filing of the application.
- (3) The City shall have the power to remove any sign not removed by the owner, and to charge and collect the costs of such removal under all remedies available to it under the law from the owner of such sign, including the power to assess the costs of removal against the real estate on which the sign is placed where the owner of the sign is also the owner of such real estate, using the procedures hereinafter set forth.
- (4) As to any illegal sign not removed by the owner, the Zoning Administrator shall institute removal proceedings in the following manner: He/She shall serve upon the owner of the sign, with a copy to the owner of the tract on which the sign is located, by delivery personally or by certified mail, a Notice of Removal, stating that if the said sign is not removed, it will be removed by the City within a period of ten (10) days after the delivery or mailing of the notice for permanent signs and three (3) days for portable signs. The notice shall also specify that the costs of such removal shall be charged to the owner of the sign and that, where the sign is placed or maintained on real estate by an owner who is also the owner of the sign, if they same is not paid before the time set by law for the Clerk- Treasurer to certify to the

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County Auditor special assessments levied by the City Council, the Clerk-Treasurer will certify such costs as a special assessment on the real estate tract on which the sign is located. Failure of the owner of the sign to pay the said charges upon notification thereof by the Zoning Administrator shall also constitute a violation of this Ordinance.

- (5) Any person whose sign is in violation of this Ordinance shall not be entitled to a sign permit for any other sign until the sign in violation has either been removed and all charges therefore incurred by the City paid or made to conform to the provisions of this Ordinance.

Sec. 14-58. – Nonconforming Signs.

(a) Definition; Status; Continuation.

- (1) Any sign in place at the effective date of this Ordinance which does not conform to the provisions of this Ordinance with respect to location, setback, height, clearance, type of sign, sign area, or number of signs permitted is a nonconforming sign.
- (2) Nonconforming signs shall be considered lawful signs if they do not violate any provision of this Ordinance dealing with permits, and applicable law or code, or condition in any variance or permit pertaining thereto, and may be continued for the applicable period pertaining to such sign provided the provisions of this Section 14-58 are observed.
- (3) The nonconforming status of such signs may be maintained if the following provisions are observed:
 - a. The sign is maintained at all times in conformity with the provisions of this Ordinance as to maintenance, and with the provisions of this Ordinance and other laws and codes providing for the safety of the public.
 - b. The sign identifies or advertises the owner, facility, the product, or services provided on the premises to which it relates.
 - c. The period of nonconforming use as herein provided has not terminated.

(b) Nonconforming Use Period.

- (1) *Standards for determining nonconforming use period.* It is the intent of this Ordinance that all nonconforming signs shall either be made to conform or be removed as soon as practicable, commensurate with the preservation of property values inherent in the sign. The following criteria shall govern the determination of a nonconforming use period:
 - a. Whether or not a permit was obtained for the sign, or approval was granted by virtue of including the sign on a development plan/site plan receiving a

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positive review by the Zoning Administrator or Planning Commission. It shall be the responsibility of the sign owner to demonstrate to the Zoning Administrator that a nonconforming sign has a permit or was likewise approved at the time of its erection.

- b. The nonconforming use period for such permitted/approved signs shall not exceed ten (10) years from the date of verification of the nonconforming status of the sign by the Zoning Administrator.
- c. For signs without permits/plan approval, the nonconforming use period shall not exceed five (5) year from the date of verification of the nonconforming status of the signs by the Zoning Administrator.
- d. This criterion shall not apply to signs allowed by a variance, as a variance is permanent in nature unless conditioned otherwise.

(2) Location of the sign with respect to the public road right-of-way.

- a. To minimize potential liability to the city created by a sign erected in, or projecting into a public road right-of-way, the nonconforming use period for such signs shall not exceed two (2) years from the date of verification of the nonconforming status of the sign by the Zoning Administrator.
 - b. To minimize potential liability to the City created by a sign erected in, or projecting into, a public road right-of-way, the nonconforming use period for such signs shall not exceed two (2) years from the date of verification of the nonconforming status of the sign by the Zoning Administrator.
- (3) If the sign is nonconforming because it, with another or other signs, exceeds the number of signs permitted under this Ordinance, the owner of the signs shall determine which sign or signs shall remain as the permitted sign or signs and the nonconforming use period of the six (6) months.
- (4) The nonconforming use period of any sign shall not exceed the periods herein established, unless a longer period is granted under the appeals procedures hereinafter provided for.
- (5) Signs which were determined to be nonconforming under the terms of Ordinance No. 871, adopted in 1986, shall not have their nonconforming use period extended by this Ordinance.

- (c) *Procedures for Determination of Nonconforming Use Period.* It is the intent of this Ordinance that the period of nonconforming use of each nonconforming sign shall be determined in order that both the City officials and the owner of the sign might program the disposition of the sign. To that end, the following procedure for determining the nonconforming use period for each sign shall be followed:

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- (1) From time to time as shall be deemed necessary, the Zoning Administrator shall make an inventory and set up a record for nonconforming signs in the city and shall maintain said record until the nonconforming signs are removed.
- (2) The Zoning Administrator shall thereupon, using the criteria herein set forth, make a determination of the nonconforming use period for each nonconforming sign.
- (3) Upon such determination being made, the Zoning Administrator shall serve a notice upon the owner of such sign setting out his determination of the nonconforming use period of the sign and a copy of Section 14-58 of this Ordinance. If the owner of the property on which the sign is located is different than the owner of the sign, a copy of the notice and of the said Section shall also be served on the owner of the property.
- (4) In filing an objection to the Zoning Administrator's determination of nonconforming use period, the owner of the sign shall have the following options available:
 - a. Owners of signs determined to have a ten (10) year period of nonconforming use – appeal to the Board of Zoning Appeals
 - b. Owners of signs determined to have less than a ten (10) year period of nonconforming use – demonstrate that use of the sign was officially permitted or approved, and/or appeal to the Board of Zoning Appeals.
 - c. Owners of any nonconforming signs – demonstrate that the sign was allowed by a variance.
- (5) If the owner does not file an objection to the determination of the zoning Administrator within a period of (30) days from his receipt of notice, the determination of the Zoning Administrator shall be final and conclusive.
- (6) Following the thirty (30) day objection period, the owner of a sign having filed a timely objection shall have an additional thirty (30) days to either demonstrate that the sign was officially permitted or approved, and/or file an appeal to the Board of Zoning Appeals.
- (7) If the owner of the sign does not file an appeal to the Board of Zoning Appeals within the aforementioned sixty (60) – day time period, the determination of the Zoning Administrator shall be final and conclusive.
- (8) In the event of an appeal, the procedure to be followed shall be that set forth in Section 14-221 of this Ordinance.
- (9) In lieu of an appeal, the owner of the sign, at the owner's expense, may submit the matter to arbitration, in which event the procedure and rights of the parties shall be determined by the provisions of the Minnesota Arbitration Act.

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(d) *Maintenance/Repair/Alteration of Nonconforming Signs.*

- (1) *Maintenance.* A nonconforming sign shall be properly maintained during the established period of nonconforming use in accordance with Section 14-59 of this Ordinance.
- (2) *Repairs.* If any nonconforming sign is damaged by any means to the extent of fifty (50) percent or more of its value, it shall not be repaired except as to bring the sign into complete compliance with all provisions of this Ordinance.
- (3) *Alterations.* A nonconforming sign may be altered with respect to the face only. No structural alterations shall be permitted, nor shall any alteration of sign faces be permitted which increases the area, height, or setback nonconformity of the sign.
- (4) *Variances Prohibited.* No variance may be granted for any increase in the nonconformity of a sign.

(e) *Disposition After Expiration of Nonconforming Use Period.* Any sign as to which the nonconforming use period, as herein determined, has expired, and which is not removed or rehabilitated to make it a conforming sign on or before the expiration of such period, shall thereupon become an illegal sign and be subject to the penalty provisions of Section 14-57 of this Ordinance.

(f) *Annexations.* Any signs on property which is hereafter annexed to the City shall be subject to the provisions of this Ordinance, the same as if the tract annexed were a part of the City on the effective date of this Ordinance, effective as of the date of the annexation becomes final. Upon annexation of any tract, the Zoning Administrator shall examine the same to determine that all signs conform and permits required are obtained as herein provided.

Sec. 14-59. – General Regulatory Provisions.

- (a) *Maintenance.* All signs shall be maintained so that exposed surfaces are clear and painted if painting is required, defective parts are replaced, and broken or non-functioning parts are repaired or removed.
- (b) *Lighting.* Unless otherwise provided by this Ordinance, all signs may be illuminated, provided that no sign may utilize an exposed incandescent lamp with an external reflector without a sunscreen or comparable diffusion, any lamp throwing light on the sign in which the direct light from the lamp is visible from any public street or public sidewalk, or any revolving beacon light.

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- (c) *Changeable Copy.* Unless otherwise provided by this Ordinance, any sign permitted by this Ordinance may use changeable copy, changed either manually or electronically.
- (d) *Compliance with Codes.* All signs shall comply with the provisions of the building Code and the Electrical Code adopted by the City Council of the City of Willmar, now or hereafter in effect, where applicable.
- (e) *Standards.* The standards of construction for all signs shall be those as to which Code provisions are in effect specifically, or if there are no such specific provisions, the nearest reasonable regulations pertaining to items such as type of material used, anchoring, wind loading, and other safety factors as are in effect in the City.
- (f) *Anchoring.*
 - (1) No sign shall be suspended by no rigid attachments that will allow the sign to swing in a wind. Banners as regulated in Section 14-54(c)(7) are exempt from this provision.
 - (2) All freestanding signs have self-supporting structures erected on or permanently attached to concrete foundations.
 - (3) All portable signs on display shall be braced or secured to prevent motion.

Sec. 14-60. – Administrative Provisions.

(a) General Administration.

- (1) *Administrator.* These sign regulations shall be administered by the Zoning Administrator or his designee, with all powers and subject to the provisions set forth with respect to said office in this Ordinance.

(b) Forms; Permits; Fees; Denials.

- (1) *Forms.* The Zoning Administrator shall prepare forms for Sign Permits, Special Sign Permits, applications, notices, and all other forms which may be required for the administration and the enforcement of the provisions of this Section. Such forms shall incorporate all provisions required with respect thereto by this Section and this Ordinance and data and requests for data as shall enable the Zoning Administrator, and if necessary, the Board of Zoning Appeals, or a board of arbitration, or the courts, to make a determination based on all available facts. Forms for determinations adverse to the owner shall clearly state the rights of the owner with respect to appeal or other remedy available to him by the provisions of this Division and this Ordinance.
- (2) *Permits.* To be effective, Sign Permits and Special Sign Permits must be in writing, be legibly set forth, and be dated and signed by the Zoning

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Administrator. A copy of all Permits and determinations issued or made shall be kept permanently by the Zoning Administrator.

- (3) *Fees.* Any fee provided for in this Section shall be that amount which the Council in its Resolution on fees determines. If any sign is placed before a Permit is issued, the fee shall be doubled.
- (4) *Denials.* If an application for a Sign Permit is denied by the Zoning Administrator, he shall upon request, set forth his reasons for such denial in writing with references to applicable provisions of this Division.

Secs. 14-61—14-63. - Reserved.

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DIVISION 6. – ZONING DISTRICTS AND DISTRICT REGULATIONS

Sec. 14-64. – District Summary. For purposes of this Ordinance, the City of Willmar is hereby divided into zoning districts which shall be designated as follows:

(a) *Residential Districts.*

- (1) R-1, One-Family Residential District.
- (2) R-2, One- and Two-Family Residential District.
- (3) R-3, Low Density Multiple Family Residential District.
- (4) R-4, Medium Density Multiple Family Residential District.
- (5) R-5, High Density Multiple Family Residential District.

(b) *Business Districts.*

- (1) LB, Limited Business District.
- (2) GB, General Business District.
- (3) CB, Central Business District.
- (4) SC, Shopping Center District.

(c) *Industrial Districts.*

- (1) I-1, Limited Industry District.
- (2) I-2, General Industry District.

(d) *Shoreland Districts.* Shoreland Districts exist as overlay districts adjacent to the public waters in the City of Willmar. These districts have greater restrictions relative to use and bulk/density of development, and are regulated by the City of Willmar Shoreland Management Ordinance.

(e) *Other Districts.*

- (1) P, Park District.
- (2) G, Government/Institutional District.
- (3) A, Agriculture District.

(f) *Renaissance Zone.* The Renaissance Zone is an overlay district encompassing the Central Business (CB) district and certain lands adjacent thereto. This district offers greater flexibility relative to zoning requirements otherwise imposed by the underlying zoning districts and is regulated by Division 13 of this Ordinance.

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Sec. 14-65. – Permitted in All Districts. The following uses are deemed appropriate for all zoning districts:

- (a) Signs as regulated by Division 5.
- (b) Parking as regulated by Division 4.
- (c) Buildings temporarily located for construction purposes.
- (d) Decorative landscape features and fences as regulated by Division 3.
- (e) Satellite dishes/antennae as an accessory structure as regulated by Division 3.

Sec. 14-66. – R-1, One-Family Residential District.

- (a) *Permitted Uses.* Only the following uses shall be permitted outright:
 - (1) One-family detached dwellings.
 - (2) Agricultural uses, not including livestock raising or feeding.
- (b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and Planning Commission, subject to such conditions as they may attach thereto:
 - (1) City parks.
 - (2) Licensed residential facilities with six (6) or fewer residents.
 - (3) Room and board for up to four (4) persons.
 - (4) Essential services and public uses.
- (c) *Conditional Uses.* The following additional uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:
 - (1) Churches and cemeteries.
 - (2) Commercial day nurseries and schools.
 - (3) Golf courses, tennis clubs.
 - (4) Home occupations.
 - (5) Private and public schools.
 - (6) Structures over two (2) stories or thirty-five (35) feet high.

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(d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

- (1) Garages, carports, and parking space.
- (2) Keeping of domestic pets; does not include kennels.
- (3) Residential waterfront uses and recreational equipment.
- (4) Swimming pools and tennis courts.
- (5) Detached garage storage or storage buildings.

(e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the "R-1" District:

a. Lot Area	10.000 square feet
b. Lot Width	80 feet
c. Setbacks	
Front (r/w)	30 feet
Rear	30 feet
Side, interior	10 feet
Side, street (r/w)	10 feet

Sec. 14-67. – R-2, One- and Two-Family Residential District.

(a) *Permitted Uses.* Only the following uses shall be permitted outright:

- (1) One-family detached dwellings.
- (2) Two-family (duplex) detached dwellings, including twin-homes.
- (3) Agricultural uses, not including livestock raising or feeding.

(b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) City parks.
- (2) Licensed residential facilities with six (6) or fewer residents.
- (3) Parking for adjacent LB or GB use.
- (4) Room for board for up to four (4) persons.
- (5) Essential services and public uses.

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(c) *Conditional Uses.* The following additional uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Churches and cemeteries.
- (2) Commercial day nurseries and schools.
- (3) Golf courses, tennis clubs.
- (4) Home occupations.
- (5) Neighborhood service stores.
- (6) Nursing, rest, or retirement homes.
- (7) Planned unit developments.
- (8) Private and public schools.
- (9) Structures over two (2) stories or thirty-five (35) feet high.
- (10) Bed and breakfast establishments.
- (11) Non-residential storage within an existing building.

(d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

- (1) Garages, carports, and parking space.
- (2) Keeping of domestic pets; does not include kennels.
- (3) Residential waterfront uses and recreational equipment.
- (4) Swimming pools and tennis courts.
- (5) Detached garage storage or storage buildings.

(e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the "R-2" District:

a. Lot Area	8,500 square feet for single-family dwelling
	12,000 square feet for two-family dwelling
b. Lot Width	75 feet for single-family dwelling
	85 feet for two-family dwelling

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c. Setbacks	
Front (r/w)	30 feet
Rear	30 feet
Side, interior	10 feet
Side, street (r/w)	30 feet

Sec. 14-68. – R-3, Low Density Multi-Family Residential District.

(a) *Permitted Uses.* Only the following uses shall be permitted outright:

- (1) One-family detached dwellings.
- (2) Two-family (duplex) detached dwellings, including twin-homes.
- (3) Three-and four-plex multi-dwellings, and townhouses up to four units.
- (4) Agricultural uses, not including livestock raising or feeding.

(b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) City parks.
- (2) Licensed residential facilities with six (6) or fewer residents.
- (3) Manufactured homes.
- (4) Parking for adjacent LB or GB use.
- (5) Room and board for up to four (4) persons.
- (6) Essential services and public uses.
- (7) Bed and breakfast establishments.

(c) *Conditional Uses.* The following additional uses are permitted upon the granting of a conditional use permit by the Planning Commission:

- (1) Churches and cemeteries.
- (2) Commercial day nurseries and schools.
- (3) Home occupations.
- (4) Licensed residential facilities with seven (7) to sixteen (16) residents.
- (5) Neighborhood service stores.

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- (6) Nursing, rest, and retirement homes.
- (7) Planned unit developments.
- (8) Private and public schools.
- (9) Structures over two (2) stories or thirty-five (35) feet high.
- (10) Non-residential storage within an existing building.

(d) *Permitted Accessory Uses*. The following accessory structures or uses of land shall be permitted:

- (1) Garages, carports, and parking space.
- (2) Keeping of domestic pets; does not include kennels.
- (3) Residential waterfront uses and recreational equipment.
- (4) Swimming pools and tennis courts.
- (5) Detached garage storage or storage buildings.

(e) *Lot Area, Width, and Setback Requirements*. The following standards shall be the minimum requirements for development in the “R-3” District:

	1-Family	2-Family	3-Plex	4-Plex
a. Lot Area (square feet)	8,500	12,000	15,000	18,000
b. Lot Width (feet)	70	80	90	100
c. Setbacks (feet)				
Front (r/w)	30	30	30	30
Rear	30	30	30	35
Side, interior	10	10	10	15
Side, street (r/w)	30	30	30	30

Sec. 14-69. – R-4, Medium Density Multi-Family Residential District.

(a) *Permitted Uses*. Only the following uses shall be permitted outright:

- (1) Two-family (duplex) detached dwellings, including twin-homes.
- (2) Three-and four-plex multi-dwellings, and townhouses up to four units.
- (3) Agricultural uses, not including livestock raising or feeding.

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(b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) City parks.
- (2) Licensed residential facilities with six (6) or fewer residents.
- (3) Manufactured homes.
- (4) Multi-dwellings up to twelve (12) units/building, including apartments and townhouses.
- (5) Neighborhood service stores.
- (6) Parking for adjacent LB or GB use.
- (7) Room and board for up to four (4) persons.
- (8) Structures over three (3) stories or forty-five (45) feet high.
- (9) Essential services and public uses.

(c) *Conditional Uses.* The following additional uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Churches and cemeteries.
- (2) Commercial day nurseries and schools.
- (3) Licensed residential facilities with seven (7) to sixteen (16) residents.
- (4) Mobile home parks, subject to Section 14-28.
- (5) Multi-dwellings of thirteen (13) to twenty-four (24) units/building.
- (6) Nursing, rest, and retirement homes.
- (7) Planned unit developments.
- (8) Private and public schools.

(d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

- (1) Garages, carports, and parking space.
- (2) Keeping of domestic pets; does not include kennels.
- (3) Residential waterfront uses and recreational equipment.

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(4) Swimming pools and tennis courts.

(5) Detached garage storage or storage buildings.

(e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the “R-4” District:

	2-Family	3-Plex	4-Plex	Units 5-12	Units 13-24
a. Lot Area (square feet)	10,000	13,000	15,000	3,500	3,000
b. Lot Width (feet)	80	90	100	add 5 feet per unit	add 5 feet per unit
c. Setbacks (feet)					
Front (r/w)	30	30	30	30	30
Rear	30	30	35	40	40
Side, interior	10	10	15	20	20
Side, street (r/w)	30	30	30	30	30

Sec. 14-70. – R-5, High Density Multi-Family Residential District.

(a) *Permitted Uses.* Only the following uses shall be permitted outright:

(1) Multi-dwellings, four (4) to twelve (12) units/building, including apartments and townhouses.

(b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

(1) City parks.

(2) Licensed residential facilities with sixteen (16) or fewer residents.

(3) Multi-dwellings up to thirteen (13) to twenty-four (24) units/building.

(4) Neighborhood service stores.

(5) Parking for adjacent LB or GB use.

(6) Structures over three (3) stories or forty-five (45) feet high.

(7) Essential services and public uses.

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(c) *Conditional Uses.* The following additional uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Multi-dwellings of twenty-five (25) to forty-eight (48) units/building.
- (2) Nursing, rest, and retirement homes.
- (3) Planned unit developments.

(d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

- (1) Garages, carports, and parking space.
- (2) Keeping of domestic pets; does not include kennels.
- (3) Residential waterfront uses and recreational equipment.
- (4) Swimming pools and tennis courts.
- (5) Detached garage storage or storage buildings.

(e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the "R-5" District:

	4-Plex	Units 5 and above
a. Lot Area (square feet)	12.000	add 2.000 sf per unit
b. Lot Width (feet)	100	add 2 feet per unit
c. Setbacks (feet)		
Front (r/w)	30	30
Rear	35	40
Side, interior	15	20
Side, street (r/w)	30	30

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Sec. 14-71. – LB, Limited Business District.

- (a) *Permitted Uses.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:
- (1) Alterations/tailor shops.
 - (2) Art studio, prints and supplies.
 - (3) Banks/financial institutions.
 - (4) Bed and breakfast establishments.
 - (5) Broadcasting studios (w/o transmission tower).
 - (6) Churches.
 - (7) Commercial day nurseries or schools.
 - (8) Fraternal/service clubs.
 - (9) Funeral homes/crematoriums.
 - (10) Medical/dental clinics.
 - (11) Nurseries/greenhouses (sales only, no heavy equipment).
 - (12) Offices, business and professional.
 - (13) Parking.
 - (14) Photo studios, including the sale of photographic supplies.
 - (15) Essential services and public uses
 - (16) Hair care (barbers, beauty shops, salons, etc.)
- (b) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:
- (1) Businesses with drive-up facilities (if use permitted).
 - (2) Hotels/motels. (only in an LB District contiguous to the CBD).
 - (3) Multiple-family dwelling units as a secondary use in a business structure.
 - (4) Museums.
 - (5) Nursing homes, residential care facilities.
 - (6) Planned unit developments.

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(7) Structures exceeding forty-five (45) feet in height (if use permitted).

(8) Convenience stores with gasoline sales.

(9) Restaurants (excluding fast food, drive-ins or drive-throughs).

(10) Mini storage business.

(11) Athletic/recreation facilities.

(12) Brew pubs.

(c) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

(1) Detached storage or accessory buildings.

(d) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the “LB” District:

a. Lot Area (square feet)	15.000
b. Lot Width (feet)	100
c. Setbacks (feet)	
Front (r/w)	25 feet; 15 feet, if District is adjacent to CBD
Rear	10
Side, interior	10
Side, street (r/w)	25 feet; 15 feet, if District is adjacent do CBD

Sec. 14-72. – GB, General Business District.

(a) *Permitted Uses.* Only the following uses shall be permitted outright:

(1) Alterations/tailor shops.

(2) Appliance sales and service.

(3) Art studio, including sale of prints and supplies.

(4) Athletic/recreation facilities.

(5) Automobile/light truck sales and service.

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- (6) Automobile/truck parts and supplies sales.
- (7) Bait and tackle stores.
- (8) Bakeries.
- (9) Banks/financial institutions.
- (10) Bicycle sales and service.
- (11) Broadcasting studios.
- (12) Carpet/floor covering stores.
- (13) Churches.
- (14) Clothing stores.
- (15) Commercial day nurseries or schools.
- (16) Computer/electronic equipment sales and service.
- (17) Drug stores/pharmacies.
- (18) Dry cleaners.
- (19) Employment agencies
- (20) Fabric stores.
- (21) Farm supplies sales.
- (22) Flower shops.
- (23) Funeral homes/crematoriums.
- (24) Furniture stores.
- (25) Glass sales/service.
- (26) Hair care (barbers, beauty shops, salons, etc.).
- (27) Hardware stores.
- (28) Laundromats.
- (29) Liquor sales, on and off.
- (30) Medical/dental clinics.
- (31) Motorcycle/snowmobile/boat sales and service.
- (32) Museums.

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- (33) Music stores.
- (34) Office supply stores.
- (35) Offices, business and professional.
- (36) Parking
- (37) Pet stores.
- (38) Photo processing business.
- (39) Photo studios, including the sale of the photographic supplies.
- (40) Printing shops.
- (41) Schools and colleges.
- (42) Shoe stores.
- (43) Small engines sales and service.
- (44) Sporting goods stores.
- (45) Tanning parlors.
- (46) Theaters.
- (47) Tire sales and service.
- (48) Toy stores.
- (49) Veterinary clinics.
- (50) Video stores.
- (51) Welding supply stores.
- (52) Essential services and public uses.
- (53) Tattoo parlors.
- (54) Brew pubs.

(b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Armories, convention halls, auditoriums.
- (2) Building contractor shops.
- (3) Bus terminals.

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- (4) Businesses w/ drive-up facilities (if use permitted).
- (5) Car washes.
- (6) Department stores.
- (7) Discount stores.
- (8) Electrical contractors shops.
- (9) Fertilizer sales.
- (10) Fraternal/service clubs.
- (11) Hotels/motels.
- (12) Livestock feed sales.
- (13) Lumber yards (including misc. building materials).
- (14) Mini-storage businesses.
- (15) Multi-business buildings and complexes (if use permitted).
- (16) Multiple-family dwelling units as a secondary use in a business structure.
- (17) Nurseries, greenhouses.
- (18) Plastering/drywall contractor shops.
- (19) Plumbing/heating/air conditioning/refrigeration/ventilation contractors shops.
- (20) Restaurants (including night clubs and fast food).
- (21) Roofing contractors shops.
- (22) Seasonal businesses.
- (23) Sheet metal contractors shops.
- (24) Sign contractors ships
- (25) Structures exceeding forty-five feet in height (if use permitted).
- (26) Supermarkets/grocery stores (including convenience stores w/o gas sales).
- (27) Water conditioning contractors shops, including bottling and sales.
- (28) Welding shops.

(c) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Adult entertainment uses as regulated in Section 14-34.

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- (2) Flammable gas/liquid sales and storage (including gas stations and convenience stores with gas sales).
- (3) Planned unit developments.
- (4) Recycling transfer stations.
- (5) Brewer taprooms.
- (6) Multi-family dwelling structures.

(d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

- (1) Detached storage or accessory buildings.

(e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the “GB” District:

a. Lot area (square feet)	15.000
b. Lot width (feet)	100
c. Setbacks (feet)	
Front (r/w)	25*
Rear	10
Side, interior	10
Side, street (r/w)	25*

* All front or street setbacks along state/federal highways shall be a minimum of fifty (50) feet except for T.H.12 between 11th Street Southwest and Lakeland Drive.

Sec. 14-73. – CB, Central Business District.

(a) *Permitted Uses.* Only the following uses shall be permitted outright:

- (1) Alterations/tailor shops.
- (2) Appliance sales and service.
- (3) Art studio, including sale of prints and supplies.
- (4) Athletic/recreation facilities.
- (5) Automobile/light truck sales and service.

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- (6) Bakeries.
- (7) Banks/financial institutions.
- (8) Bicycle sales and service.
- (9) Broadcasting studio (without transmission towers).
- (10) Carpet/floor covering stores.
- (11) Churches.
- (12) Clothing stores.
- (13) Commercial day nurseries or schools.
- (14) Computer/electronic equipment sales and service.
- (15) Drug stores/pharmacies.
- (16) Dry cleaners.
- (17) Employment agencies.
- (18) Fabric stores.
- (19) Flower shops.
- (20) Fraternal/service clubs.
- (21) Funeral homes/crematoriums.
- (22) Furniture stores.
- (23) Hair care (barbers, beauty shops, salons, etc.).
- (24) Hardware stores.
- (25) Hospitals.
- (26) Interior design stores.
- (27) Laundromats.
- (28) Liquor sales, on and off.
- (29) Medical/dental clinics.
- (30) Office supply stores.
- (31) Offices, business and professional.
- (32) Paint stores.

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- (33) Pawnshops.
- (34) Pet stores.
- (35) Photo processing business.
- (36) Photo studios, including the sale of the photographic supplies.
- (37) Printing shops.
- (38) Restaurants (including night clubs and fast food).
- (39) Schools and colleges.
- (40) Shoe stores.
- (41) Sporting goods stores.
- (42) Tanning parlors.
- (43) Tattoo parlors.
- (44) Theaters.
- (45) Tire sales.
- (46) Toy stores.
- (47) Video stores.
- (48) Wholesale sales.
- (49) Essential services and public uses.

(b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Armories, convention halls, auditoriums.
- (2) Bus terminals.
- (3) Art studios, including the sale of prints and supplies.
- (4) Department stores.
- (5) Discount stores.
- (6) Multiple-family dwelling units as a secondary use in a business structure.
- (7) Parking facilities
- (8) Specialty food stores.

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(9) Structures exceeding forty-five (45) feet in height.

(10) Taxi/mass transit businesses.

(c) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

(1) Hotels and motels.

(2) Supermarkets/grocery stores (including convenience stores with/without gas sales).

(3) Brewer taprooms.

(4) Brew pubs.

(5) Multi-family dwelling structures, including apartments and townhomes, with off-street parking as determined by the Planning Commission.

(d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

(1) Armories, auditoriums, or convention halls.

(e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the “CBD” District:

a. Lot Area (square feet)	2,000
b. Lot Width (feet)	25
c. Setbacks (feet) All	Shall be zero (0) feet from all street rights-of-way.

(f) *Encroachments.* Encroachments into the right-of-way by marquees, roof overhangs, or awnings in the CBD will be limited to a distance of six (6) feet or one-half the width of the sidewalk, whichever is less. All such encroachments must provide seven and one-half (7 ½) feet of vertical clearance to the sidewalk.

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(g) *Design Standards.*

- (1) **Building Placement.** In the Central Business District buildings shall be placed at primary street corners, defined as the intersections of Litchfield Ave. SW and 1st, 2nd, 3rd, 4th, 5th, and 6th Streets; Becker Ave. SW and 1st, 2nd, 3rd, 4th, and 5th Streets; and Benson Ave. SW and 2nd, 3rd, 4th, and 5th Streets. If no primary corner exists, buildings shall be placed as per setback requirements in Section 14-73 (e).
- (2) **General Design.** The design and construction of downtown buildings shall be in keeping with the scale and quality of existing buildings in the heart of downtown, primarily at the intersection of Litchfield Ave. SW and 4th St. SW. Design creativity is encouraged. Willmar has no defined and required aesthetic. Scale and architectural quality is more important than a particular style.
- (3) **Scale.** Buildings shall be two, three, or four stories in height (buildings over four stories require plan review as per Section 14-72(b)(9)) or one story with an ornamental cornice constituting a minimum of one-half the height of the inhabited space.
- (4) **Materials.** Buildings shall be constructed of high-quality materials such as brick, stone, stucco, or decorative masonry, with accent materials of metal, stone, glass, or other materials.
- (5) **Entrances.** The primary building entrance should provide access directly to the public sidewalk, not to a parking area. A secondary entrance accessing a parking area is permitted.
- (6) **Windows.** All facades at street level adjacent to the public right-of-way shall be consistent with surrounding architectural development.

(h) *Architectural Projections.*

- (1) Elements may extend 2' (two feet) out over the public sidewalk, provided there is a minimum of 7.5' (seven and half feet) vertical clear zone between the sidewalk surface and the underside of the projection.
- (2) Architectural projections shall be limited to awnings (for signs see Section 14-56(e)) and decorative building elements, which shall be an integral part of the building design and may only extend one foot over the public sidewalk.

(i) *Awnings.* (see Section 14-56(e) for signed awnings.)

- (1) Awnings shall be composed of fabric, or of hard materials complementary to the building design.
- (2) Awnings may be lit on both sides, but may not be internally lit.
- (3) Vinyl awnings are not permitted.

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- (j) *Design Review.* Building designs shall be submitted along with site plans for Plan Review by the Planning Commission.

Sec. 14-74. – SC, Shopping Center District.

- (a) *Definition.* The Shopping Center District is defined as any grouping of ten (10) or more retail uses in one or more principal structures under single control, with off-street parking and a minimum of fifty thousand (50,000) square feet in building area.
- (b) *Permitted Uses.* Only the following uses shall be permitted outright:
- (1) Athletic/recreation facilities.
 - (2) Automobile/light truck parts sales and service.
 - (3) Banks/financial institutions.
 - (4) Broadcast studios (without transmission towers).
 - (5) Computer/electronic equipment sales and service.
 - (6) Department stores.
 - (7) Discount stores.
 - (8) Flower shops.
 - (9) Haircare (barbers, beauty shops, salons, etc.).
 - (10) Hardware stores.
 - (11) Liquor sales, on and off.
 - (12) Medical/dental clinics.
 - (13) Offices, business and professional.
 - (14) Photo processing businesses.
 - (15) Printing shops.
 - (16) Restaurants (including night clubs and fast food).
 - (17) Retail stores.
 - (18) Seasonal businesses.
 - (19) Supermarkets/grocery stores (including convenience stores without gas sales).
 - (20) Theaters.
 - (21) Tire sales.

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- (22) Alterations/tailor shops.
- (23) Appliance sales and service.
- (24) Art studio, prints and supplies.
- (25) Bakeries.
- (26) Bicycle sales and service.
- (27) Carpet/floor covering stores.
- (28) Clothing stores.
- (29) Commercial day care or schools.
- (30) Drug stores/pharmacies.
- (31) Employment agencies.
- (32) Fabric stores.
- (33) Furniture stores.
- (34) Glass sales/services.
- (35) Interior design stores.
- (36) Multi-business buildings and complexes (if use permitted).
- (37) Music stores.
- (38) Nurseries/greenhouses (sales only, no heavy equipment).
- (39) Office supplies stores.
- (40) Paint stores.
- (41) Pawn shops.
- (42) Pet stores.
- (43) Photo studios, including sale of photographic supplies.
- (44) Restaurants (excluding fast food, drive-ins, or drive-throughs).
- (45) Shoe stores.
- (46) Small engines sales and service.
- (47) Specialty food stores.
- (48) Sporting goods stores.

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- (49) Tanning parlors.
- (50) Tattoo parlors.
- (51) Taxi/mass transit businesses.
- (52) Toy stores
- (53) Truck sales and service.
- (54) Veterinary clinics.
- (55) Video stores.

(c) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto.

- (1) Any permitted use in Section 14-74(b) above where the business is free-standing and not connected to the main complex.
- (2) Detached accessory buildings.
- (3) Parking.
- (4) Structures over forty-five (45) feet in height.
- (5) Convenience stores with gasoline sales.
- (6) Bus terminals.
- (7) Businesses with drive-up facilities (if use permitted).
- (8) Car washes.
- (9) Churches.
- (10) Fraternal/service clubs.
- (11) Motorcycle/snowmobile/boat/recreational vehicle sales and service.

(d) *Lot Area, Width, Setback, and Miscellaneous Requirements.* The following standards shall be the minimum requirements for development in the "SC" District:

	Main Complex	Additional fee – Standing Facilities
a. Lot Area (square feet)	140,000	10,000

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b. Lot Width (feet)	400	100
c. Setbacks (feet)		
Front (r/w)	100	50
Rear	100	50
Side, interior	50	20
Side, street (r/w)	100	50
d. Landscaping, minimum, % of site	10%	10%
e. Minimum sidewalk and/or landscaped area adjacent to building (feet)	10	10
f. Required traffic island at main entrance	10 feet wide 50 feet long	N/A

(e) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Warehousing/distribution/storage.
- (2) Assembly (parts).
- (3) Schools and colleges.
- (4) Brewer taprooms.
- (5) Nursing homes, residential care facilities.

Sec. 14-75. – I-1, Limited Industry District.

(a) *Permitted Uses with Plan Review.* The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Automobile/truck sales, repair, and service.
- (2) Commercial dog kennels.
- (3) Contractors shops.
- (4) Equipment rental business.
- (5) Greenhouses and nurseries.
- (6) Manufacturing businesses.

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- (7) Metal fabrication businesses.
- (8) Motor freight terminals.
- (9) Poultry processing.
- (10) Printing shops.
- (11) Storage facilities, including mini-storage.
- (12) Transportation facilities/businesses.
- (13) Veterinary clinics.
- (14) Wholesale sales.
- (15) Essential services and public uses.

(b) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Adult entertainment uses, as regulated in Section 14-34.
- (2) Gas bulk plants.
- (3) Manufacturing of explosive or toxic materials.
- (4) Solid waste collection and recycling facilities for metals, glass, paper, wood, etc. (not including household garbage).
- (5) Storage and/or sale of flammable liquids and gases.
- (6) Agricultural product processing plants.

(c) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted.

- (1) Detached storage or accessory buildings.
- (2) An apartment for on-site security personnel, included within the business structure.

(d) *Lot Area, Width, Setback, and Miscellaneous Requirements.* The following standards shall be the minimum requirements for development in the "I-1" District:

	Additional fee – Standing Facilities
a. Lot Area (square feet)	20,000

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b. Lot Width (feet)	100
c. Setbacks (feet)	
Front (r/w)	40
Rear	30
Side, interior	20
Side, street (r/w)	40
d. Open, landscaped area	20%
e. Building / lot coverage	50% maximum

Sec. 14-76. – I-2, General Industry District.

(a) *Permitted Uses with Plan Review.* The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Automobile/truck sales, repair, and service.
- (2) Commercial dog kennels.
- (3) Equipment rental business.
- (4) Farm implement sales, repair, and service.
- (5) Farm product sales.
- (6) Greenhouses and nurseries.
- (7) Lumber/wood production and treatment.
- (8) Manufacturing businesses.
- (9) Metal fabrication businesses.
- (10) Motor freight terminals.
- (11) Poultry processing.
- (12) Printing shops.
- (13) Storage facilities, including mini-storage.
- (14) Transportation facilities/businesses.
- (15) Veterinary clinics.

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(16) Essential services and public uses.

(17) Lumber yards (including miscellaneous building materials).

(18) Gun ranges and gun sales.

(b) *Conditional Uses*. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

(1) Agricultural product processing plants.

(2) Gas bulk plants.

(3) Manufacturing of explosive or toxic materials.

(4) Meat packing/rendering plants.

(5) Power plants.

(6) Solid waste collection and recycling facilities for metals, glass, paper, wood, etc. (not including household garbage).

(7) Concrete, bituminous, or gravel production businesses. (Applies to permanent installation only. Temporary seasonal operations for public works improvement projects are permitted as an essential service or public use.)

(8) Automotive salvage/reduction yard.

(9) Small scale slaughterhouse (structure shall not exceed 5,000 square feet).

(c) *Permitted Accessory Uses*. The following accessory structures or uses of land shall be permitted.

(1) Detached storage or accessory buildings.

(2) An apartment for on-site security personnel, included within the business structure.

(d) *Lot Area, Width, Setback and Miscellaneous Requirements*. The following standards shall be the minimum requirements for development in the "I-2" District:

a. Lot Area (square feet)	15,000
b. Lot Width (feet)	100
c. Setbacks (feet)	
Front (r/w)	30
Rear	20

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Side, interior	15
Side, street (r/w)	30
d. Open, landscaped area	10%
e. Building / lot coverage	75% maximum

Sec. 14-77. – P, Park/Open Space District.

- (a) *Permitted Uses.* Only the following uses shall be permitted outright:
- (1) Agricultural uses, not including livestock raising or feeding.
 - (2) Wildlife/nature areas.
 - (3) Essential services and public uses.
- (b) *Permitted Uses with Plan Review.* The following uses shall be permitted provided plans are submitted and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:
- (1) Archery and firearm ranges.
 - (2) City or County parks and recreation areas.
 - (3) Golf courses.
 - (4) Swimming pools.
- (c) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:
- (1) Recreational vehicle parks and campgrounds.
- (d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:
- (1) Detached storage or accessory buildings.
- (e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirement for development in the "P" District"
- (1) Lot area = No minimum area*
 - (2) Lot width = No minimum width*
 - (3) Setback to any property line = 50 feet.

* As recommended by the Zoning Administrator and approved by the Planning Commission.

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Sec. 14-78. – G, Government/Institutional District.

(a) *Permitted Uses with Plan Review.* The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) City offices/buildings/facilities.
- (2) County offices/buildings/facilities.
- (3) Community colleges.
- (4) Municipal utilities offices/buildings/facilities.
- (5) Public airports.
- (6) Public hospitals/treatment centers.
- (7) Public parking lots/facilities.
- (8) Public schools.
- (9) State and federal offices/buildings/facilities.
- (10) Technical colleges
- (11) Vacant public lands.

(b) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

- (1) Detached storage or accessory buildings.

(c) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the “G/I” District:

- (1) Lot area = No minimum area*
- (2) Lot width = No minimum width*
- (3) Setback to any property line = As recommended by the Zoning Administrator and approved by the Planning Commission, taking into consideration the zoning and district requirements governing the surrounding area. In no case, however, shall the setbacks be less than thirty (30) feet for the front (street r/w) or rear, and fifteen (15) feet for the sides, except where a use abuts a railroad line and zero (0) setback is necessary for access and loading purposes.

* As recommended by the Zoning Administrator and approved by the Planning Commission.

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Sec. 14-79. – A, Agriculture District.

- (a) *Permitted Uses.* Only the following uses shall be permitted outright:
- (1) Agricultural uses, not including livestock raising or feeding.
 - (2) Commercial kennels.
 - (3) Nurseries/greenhouses.
 - (4) Parks.
 - (5) Riding stables.
 - (6) Seasonal roadside sales of flowers, produce, or other agricultural products.
 - (7) Wildlife/nature areas.
- (b) *Permitted Use with Plan Review.* The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:
- (1) Archery and firearms ranges.
 - (2) Fairgrounds.
 - (3) Golf courses.
 - (4) Lumber processing.
 - (5) Single family detached dwellings (one (1) acre minimum lot size, must have municipal sewer and water).
- (c) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:
- (1) Agricultural product processing.
 - (2) Contractors shops/yards.
 - (3) Race tracks.
 - (4) Recreational vehicle parks and campgrounds.
 - (5) Solid waste collection and storage facilities for metals, glass, wood, paper, etc. (not including household garbage; no processing of wastes).
- (d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:
- (1) Detached storage or accessory buildings.

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(e) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirements for development in the “A” District:

c. Lot Area (square feet)	No minimum area *
b. Lot Width (feet)	No minimum width *
c. Setbacks (feet)	
Front (r/w)	100
Rear	50
Side, interior	50
Side, street (r/w)	100

* As recommended by the Zoning Administrator and approved by the Planning Commission.

Sec. 14-80. – Technology District.

(a) *Permitted Use with Plan Review.* The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

- (1) Animal health products/services.
- (2) Athletic/recreation facilities.
- (3) Bio-Technology businesses.
- (4) Business/technology incubator.
- (5) Commercial day nurseries and schools.
- (6) Component assembly.
- (7) Computer Science/information technology business.
- (8) Education uses/businesses.
- (9) Engineering businesses (including biological, chemical, electrical, engineering and mechanical).
- (10) Essential services and public uses.

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(11) Food and other services (complimentary to the technology district).

(12) Governmental/institutional offices/buildings/facilities.

(13) Limited production.

(14) Medical/dental clinics.

(15) Parking.

(16) Prototyping.

(17) Research and development businesses.

(b) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted:

(1) Detached storage or accessory buildings.

(2) Residences for on-site maintenance or security (no new homes).

(c) *Lot Area, Width, Setback, and Miscellaneous Requirements.* The following standards shall be the minimum requirements for development in the "T" District:

a. Lot Area (square feet)	15,000
b. Lot Width (feet)	100
c. Setbacks (feet)	
Front (r/w)	25
Rear	25
Side, interior	15
Side, street (r/w)	25
Access lot/out lot	15
d. Open, landscaped area	20%
e. Building / lot coverage	50% maximum

(d) *Permitted Uses. Only the following uses shall be permitted outright:*

(1) Offices, business and professional.

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Sec. 14-81. – GB-2 - General Business District-2.

(a) *Permitted Uses.* Only the following uses shall be permitted outright:

- (1) Alterations/tailor shops.
- (2) Appliance sales and service.
- (3) Armories, convention halls, auditoriums.
- (4) Art studios, including sale of prints and supplies.
- (5) Athletic/recreation facilities.
- (6) Automobile/light truck sales and service.
- (7) Automobile/truck parts and supplies sales.
- (8) Bait and tackle stores.
- (9) Bakeries.
- (10) Banks/financial institutions.
- (11) Bicycle sales and service.
- (12) Brew pubs.
- (13) Brewer taprooms.
- (14) Broadcasting studios.
- (15) Building contractors shops.
- (16) Bus terminals.
- (17) Businesses/drive up facilities.
- (18) Car washes.
- (19) Carpet/floor covering stores.
- (20) Churches.
- (21) Clothing stores.
- (22) Commercial day nurseries or schools.
- (23) Computer/electronic equipment sales and service.
- (24) Department stores.
- (25) Discount stores.

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- (26) Drug stores/pharmacies.
- (27) Dry cleaners.
- (28) Electrical contractors shops.
- (29) Employment agencies.
- (30) Essential services and public uses.
- (31) Fabric stores.
- (32) Family recreation.
- (33) Farm supplies sales.
- (34) Fertilizer sales.
- (35) Flower shops.
- (36) Fraternal/service clubs.
- (37) Funeral homes/crematoriums.
- (38) Furniture stores.
- (39) Glass sales/service.
- (40) Hair care (barbers, beauty shops, salons, etc.).
- (41) Hardware stores.
- (42) Hotels/motels.
- (43) Laundromats.
- (44) Liquor sales, on and off.
- (45) Livestock feed sales.
- (46) Lumber yards (including misc. building materials).
- (47) Medical/dental clinics.
- (48) Motorcycle/snowmobile/boat sales and service.
- (49) Multi-businesses building and complexes.
- (50) Multiple-family dwelling units as a secondary use in a business structure.
- (51) Museums.
- (52) Music stores.

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- (53) Nurseries, greenhouses.
- (54) Office supplies stores.
- (55) Offices, business and professional.
- (56) Parking.
- (57) Pet stores.
- (58) Photo processing business.
- (59) Photo studios, including the sale of photographic supplies.
- (60) Plastering/drywall contractors shops.
- (61) Plumbing/heating/air conditioning/refrigeration/ventilation contractors shops.
- (62) Printing shops.
- (63) Restaurants (including fast food).
- (64) Retail stores.
- (65) Roofing contractors shops.
- (66) Schools and colleges.
- (67) Seasonal businesses.
- (68) Sheet metal contractors shops.
- (69) Shoe stores.
- (70) Sign contractors shops.
- (71) Small engines sales and service.
- (72) Smoking shops.
- (73) Sporting goods stores.
- (74) Tanning parlors.
- (75) Tattoo parlors.
- (76) Theaters.
- (77) Tire sales and service.
- (78) Toy stores.
- (79) Trucks sales and service.

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(80) Veterinary clinics.

(81) Video stores.

(82) Water conditioning contractors shops.

(83) Welding shops.

(84) Welding supply stores.

(b) *Permitted Uses with Plan Review.* The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and Planning Commission, subject to such conditions as they may attach thereto:

(1) Amusement parks.

(2) Malls.

(3) Multi-family dwellings structures.

(4) Night-clubs.

(5) Supermarkets/grocery stores (including convenience stores with gas sales).

(c) *Conditional Uses.* The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

(1) Adult entertainment uses, as regulated in Section 14-34.

(2) Flammable gas/liquid sales and storage (including gas stations and convenience stores with gas sales).

(3) Planned unit development.

(4) Recycling transfer stations.

(d) *Lot Area, Width, and Setback Requirements.* The following standards shall be the minimum requirement for development in the GB-2 District:

a. Lot Area (square feet)	20,000
b. Lot Width (feet)	100
c. Setbacks (feet)	
Front (r/w)	25*
Rear	10
Side, interior	10

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Side, street (r/w)	25*
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* All front or street setbacks along state/federal highways be a minimum of fifty (50) feet except for T.H.12 between 11th Street SW and Lakeland Drive.

Sec. 14-82. – I-3 - Rail Park Industry District.

(a) *Permitted Use with Plan Review.* The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto. All uses may be related to Rail tracks and transportation and are conditions to be approved by the Planning Commission.

- (1) Manufacturing, fabrication, and/or processing of any commodity, except that expressly prohibited here, as set out in Section 14-82(b) below, the uses being conditionally permitted there being expressly prohibited here.
- (2) Retail sales of any commodity manufactured, fabricated or processed on the premises, or of any commodity designed especially for use in agriculture, mining, industry, business, transportation, or construction, including, but not limited to, the following uses:
 - a. Building material sales yard and lumberyard, including the sale of rock, sand, gravel, and the like as an incidental part of the main business.
 - b. Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors.
 - c. Freightage or trucking yard or terminal.
- (3) Abattoirs (slaughterhouse or meatworks).
- (4) Docks and piers.
- (5) Battery exchange station.
- (6) Building, heating, or electrical contractor.
- (7) Coal washing, storage and transfer yards and facilities
- (8) Concrete mixing facilities/asphalt.
- (9) Contractors yard and building.
- (10) Exterminator or insect poison manufacturing.
- (11) Fat, oil and grease facilities.
- (12) Fat rendering.

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- (13) Fertilizer manufacture.
- (14) Flour and grain milling.
- (15) Food-processing facilities.
- (16) Fuel oil/bottled gas distributor and storage.
- (17) Freight trucking.
- (18) Gravel and mineral extraction, batch plants.
- (19) Grain and feed elevators and supply.
- (20) Heavy equipment sales, rental or repair.
- (21) Industries: limestone, fertilizer, concrete, lumber.
- (22) Intermodal facilities.
- (23) Laboratories and research and development.
- (24) Leather curing and tanning.
- (25) Livestock auctions.
- (26) Logistics related industry or business.
- (27) Logistics and distribution facilities.
- (28) Manufacturing – light assembly and processing Type A.
- (29) Manufacturing – light assembly and processing Type B.
- (30) Manufacturing – heavy.
- (31) Manufacturing – chemical plant.
- (32) Monument works
- (33) Natural resource storage/transfer.
- (34) Outdoor storage, principal use.
- (35) Pharmaceutical and biomedical companies.
- (36) Plastic processing.
- (37) Publishing and printing.
- (38) Rail freight facilities.
- (39) Rail transportation.

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- (40) Railroad yard terminal.
- (41) Refining or storage.
- (42) Truck transportation.
- (43) Railroad services and management.
- (44) Recycling processing center.
- (45) Salvage yard.
- (46) Sawmill.
- (47) Stock yards.
- (48) Storage, self/mini warehouse.
- (49) Vehicle towing.
- (50) Vehicle fuel/gas station.
- (51) Vehicle storage, maintenance and repair.
- (52) Transfer station, solid waste.
- (53) Warehouse storage and distribution.
- (54) Wholesale establishment and storage.

(b) *Conditional Uses.* Uses not related to Section 14-82(a) can be permitted if related to rail logistic use upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as it may attach thereto.

(c) *Prohibited Uses.* All uses not related to rail facilities and logistics, or which involve the following uses, are prohibited:

- (1) Extractive industry.
- (2) Incinerator, medical waste/hazardous waste, nonhazardous waste, and/or any incinerating facility that would be considered regulated as a point source.
- (3) Refinery, petroleum products.
- (4) Hazardous waste processing or storage.
- (5) Explosive manufacturing or storage.
- (6) Bottling plant.
- (7) Animal rendering.

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(d) *Permitted Accessory Uses.* The following accessory structures or uses of land shall be permitted

(1) Detached storage or accessory buildings.

(2) An apartment for on-site security personnel, included within the business structure.

(e) *Lot Area, Width, Setback and Miscellaneous Requirements.* The following standards shall be the minimum requirements for development in the “I-3” District:

a. Lot Area	1.5 acres 65,340 sq ft
b. Lot Width (feet)	150
c. Setbacks (feet)	
Front (r/w)	100
Rear	75
Side, interior	50
Side, street (r/w)	100
Open, landscaped area	10%
Building/lot coverage	75% maximum

Secs. 14-83–14-86. – Reserved.

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DIVISION 7. – NONCONFORMING STRUCTURES/USES

Sec. 14-87. – Public Policy. Nonconforming structures/uses, in many cases, represent a substantial financial investment on the part of the owner. For the most part, these structures/uses were legally established and became nonconforming due to action by or for the City, and due to no fault of the owner. Although this Section provides for the continuation of nonconforming structures/uses, it shall be the policy of the City of Willmar that most nonconforming structures/uses be eliminated as soon as practical in order that the intent and purpose of this Ordinance might be served.

Sec. 14-88. – Signs. The provisions of this Division shall not apply to signs (refer to Division 5).

Sec. 14-89 – Unlawful Uses. An unlawful use shall not be construed to be a nonconforming use.

Sec. 14-90 – Continuation. The lawful use of nonconforming land uses and structures may be continued, subject to the terms and provisions of this Ordinance.

Sec. 14-91 – Change From Nonconforming Use. A nonconforming use may be changed to a conforming (permitted) use, but once it has become conforming it cannot revert to a nonconforming use. A nonconforming use may be changed to a more restrictive nonconforming use, provided no structural changes are made to the structures involved. A nonconforming use shall not be changed to a less restrictive nonconforming use.

Sec. 14-92 – Abandonment. When any nonconforming structure/use is abandoned for a period of six (6) months or more, such structure shall not be used, or use established, in any manner which would constitute nonconformity with the provisions of this Ordinance. Such structures/uses shall be considered abandoned, and the City may proceed to cause the structure to be removed or the use barred from re-establishment.

Sec. 14-93 – Damage or Destruction. If any nonconforming structure, or structure used as part of a nonconforming use, it is destroyed by fire or other peril to the extent of greater than fifty (50) percent of its market value, as indicated in the records of the assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged, it shall not be restored unless the structure or use can be brought into conformity with this Ordinance. If a building permit is applied for within 180 days of the damage, the City may impose reasonable conditions on the building permit to mitigate any newly created impact on adjacent properties or water body. Any damaged structures which are not repaired, or which a building permit has not been applied for within 180 days of the damage shall be removed from the premises by the owner upon order of the City.

Sec. 14-94 – Repair, Maintenance, and Alteration. Repairs to and maintenance of a nonconforming structure to keep it in a state of repair and maintenance required by this Ordinance shall be permitted. Alterations that are required by law or regulation shall be permitted. Repairs, maintenance, or alterations may be made at any time if the purpose is to make the structure conform to the standards of the zoning district in which it is located.

Sec. 14-95 – Enlargement or Additions. A nonconforming structure may be enlarged or added to, subject to the following conditions:

- (a) The enlargement shall not increase any existing non-conformity.

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- (b) The enlargement shall not create any new non-conformity.
- (c) A variance may not be granted to allow any additional non-conformities.
- (d) The main floor area of the enlargement/addition shall not exceed thirty-three (33) percent of the existing main floor area.
- (e) A conditional use permit shall be applied for, and approved, prior to issuing a building permit for the requested enlargement or addition.

Sec. 14-96 – Relocations of Structures/Uses. No nonconforming structure or use shall be moved to another lot or to any other part of the parcel of land upon which it was constructed or conducted at the time of this Ordinance adoption, unless such movement shall bring the nonconforming structure/use into compliance with the provisions of this Ordinance.

Sec. 17-97 – Variance Prohibited. No variance may be granted for any enlargement or addition to any nonconforming structure/use except as provided for in Section 14-95. A variance shall not be used to make lawful a nonconforming use; use variances are expressly prohibited.

Secs. 14-98–14-100. – Reserved.

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DIVISION 8. – PERFORMANCE STANDARDS

Sec. 14-101. – Explosives. No activities involving the storage, utilization, or manufacture of materials or products such as TNT or dynamite which could decompose by detonation shall be permitted except such as may be specifically permitted by the City Council.

Sec. 14-202 – Radiation and Electrical Emissions. No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas. There shall be no electrical disturbance (except from domestic household appliances) adversely affecting the operation at any point of any equipment other than that part of the creator of such disturbance.

Sec. 14-203 – Lighting and Glare.

- (a) Any lighting used to illuminate an off-street parking area, sign, or other structure shall be arranged as to deflect light away from any adjoining residential use or from the public streets. Direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled in a manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of an adjacent property or public right-of-way.
- (b) Except for street lighting provided by the Willmar Municipal Utilities, any light or combination of lights which cast light on a public street shall not exceed one foot candle (meter reading) as measured from the center line of said street. Any light or combination of lights which cast light on residential property shall not exceed four-tenths (4/10) foot candles (meter reading) as measured from any property line.

Sec. 14-204 – Smoke. The emission of smoke by any use shall be in compliance with, and be regulated by, the State of Minnesota Pollution Control Agency.

Sec. 14-205 – Dust and Other Particulate Matter. The emission of dust, fly ash, or other particulate matter by any use shall be in compliance with, and be regulated by, the State of Minnesota Pollution Control Agency.

Sec. 14-206 – Odor. The emission of odor by any use shall be in compliance with, and be regulated by, the State of Minnesota Pollution Control Agency.

Sec. 14-207 – Noise.

- (a) All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness, and as measured at any property line, shall not exceed the following intensity in relation to sound frequency:

Sound Levels in Decibels		
	R-1" "R-2" "R-3" "R-4" "R-5" "LB" "CB" and "P"	"GB" "SC" "G/I" "I-1" "I-2" and "A"
Octave Band, Hertz	Zoning Districts	Zoning Districts

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37.5 to 75	63	78
75 to 150	59	74
150 to 300	55	69
300 to 600	51	66
600 to 1200	45	60
1200 to 2400	38	53
2400 to 4800	31	46
Over 4800	25	40

(b) *Exceptions.* The standards contained in paragraph (a) of this Section 14-207 shall not apply to the following:

- (1) Noises not directly under control of the property owner.
- (2) Noises emanating from construction and maintenance activities between 7 a.m. and 9 p.m.
- (3) The noise of safety signals, warning devices, and emergency pressure relief valves.
- (4) Transient noises of moving sources such as automobiles, trucks, airplanes, and railroads.
- (5) The levels specified in paragraph (a) of this Section 14-207 may be exceeded by ten (10) decibels for a single period, not longer than fifteen (15) minutes in length, for any one day.

(c) In instances where it is determined that a proposed land use may generate a level of noise or vibration that will impact surrounding land uses, the Planning Commission and/or City Council may require that efforts to reduce the potential noise or vibration impact be undertaken. These efforts may include screening, landscaping, site planning techniques, and restrictions on operating hours.

Sec. 14-208 – Drainage. Upon request, a drainage plan for any proposed development shall be submitted to the City Engineer for review and approval.

Secs. 14-209-14-212 – Reserved.

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DIVISION 9. – AFFORDABLE HOUSING

Sec. 14-213. – Definitions.

(f) The following definitions shall apply in the interpretation and enforcement of this Division.

- (1) *Affordable Housing Unit*. A housing unit for which the rent is affordable, according to HUD standards, for a household making a maximum of eighty percent (80%) of AMI or for which the rent charged is a below fair market rents.
- (2) *Below Market Rent*. A rental amount that is below the market value rental rate for a comparable unit as determined by an appraisal or market study provided by the property owner or developer.
- (3) *Fair Market Rent (FMR)*. A payment standard estimated and published annually by HUD for Office of Management and Budget (OMB) for metropolitan areas and nonmetropolitan counties and used to determine rents for an array of affordable housing, including: Housing Choice Voucher program, project-based Section 8 contracts, Housing Assistance Payment (HAP), HOME Investment Partnerships program, Emergency Solution Grants program, Continuum of Care recipients, leases using Continuum of Care funds, and Public Housing. 42 USC 1437(f) requires FMRs be posted online at least thirty (30) days before they are effective, which is at the start of the federal fiscal year.
- (4) *HUD*. The United States Department of Housing and Urban Development.

Sec. 14-214. – Application.

- (a) The provisions of this Subsection (a) shall apply only to projects that (a) will include, through new construction or renovation of an existing structure, four or more units of multifamily housing; (b) receive public financial assistance in the form of tax abatement or tax increment financing; and (c) is located within the area bounded by the following streets and geographic markers: To the North by Litchfield Ave SE between Ferring Street SE and Gay Street SE and the Burlington Northern and Santa Fe (BNSF) Railway between Gay Street SE and 11th Street SW; to the West by 11th Street SW between the BNSF Railway and Becker Avenue SW and 7th Street SW between Becker Avenue SW and Kandiyohi Avenue SW; to the South by Becker Avenue SW between 11th Street SW and 7th Street SW, Kandiyohi Avenue SW between 7th Street SW and 1st Street S, Augusta Ave SE between 1st Street S and 4th Street SE, Minnesota Avenue SE between 4th Street SE and Julii Street SE, and Becker Avenue SE between Julii Street SE and Ferring Street SE; and to the East by 4th Street SE between Augusta Avenue SE and Minnesota Avenue SE, Julii Street SE between Minnesota Avenue SE and Becker Avenue SE, Ferring Street SE between Becker Ave SE and Litchfield Avenue SE, and Gay Street SE between Litchfield Ave SE and the BNSF Railway.

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Sec. 14-214. – Housing Plan Requirement.

(a) All projects to which this Division applies, shall satisfy the following requirements:

- (1) At least five percent (5%) or one unit, whichever is greater, of the housing units shall be reserved for and affordable by households making a maximum of eighty percent (80%) of AMI, as determined at the time of initial occupancy, for a minimum period of fifteen (15) years from and after the date on which a certificate of occupancy is issued to allow occupancy of such unit(s). A restrictive covenant memorializing this requirement shall be recorded against the property on which such project is constructed.
- (2) No new construction or renovation that changes the prior occupancy or use of a building to multifamily housing of four units or more shall designate more than twenty-five percent (25%) of its units as affordable housing units.
- (3) Affordable and ADA-accessible units shall be scattered across a project and not concentrated together or segregated into a single floor, wing or other section of the building or a portion of a site.
- (4) Rents charged for designated affordable housing units as required under subparagraph a above are not based on a household's income, but shall apply in designated units. A designated affordable housing unit shall therefore remain so for the duration of the required 15- year term, even if the resident household's income significantly changes during occupancy.
- (5) Households making eighty percent (80%) of AMI or less shall qualify for designated Efficiency, 1BR and 2BR units whose rents are set at Fair Market Rent for Kandiyohi County, as defined and published by HUD's Office of Policy Development and Research.
- (6) Over the 15-year term of any applicable affordable housing designation, the property owner shall adjust rent annually pursuant to the Fair Market Rent for Kandiyohi County, as defined and published by HUD's Office of Policy Development and Research.
- (7) For the duration of construction or renovation, intermediate transition housing shall be provided for current residents in existing below-market housing units, as determined by an owner-provided appraisal or market study, and for those households whose rents are subsidized on the site of the project;
- (8) Current residents of below-market housing units on the site of the project shall have the right of first refusal to lease new units created by renovation or construction on the site; and
- (9) In the event that the project will result in a reduction in the number of housing units or displace existing tenants making eighty percent (80%) or less of AMI, due to redevelopment or renovation activities, residents of such existing units who are

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unable to secure a lease in the new development shall be provided relocation assistance pursuant to Minn. Stat. § 117.52, as the same may be amended.

- (10) Owners must comply with Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) as amended, which prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, because of race, color, religion, sex, familial status, national origin, and disability.

Secs. 14-216–14-218. – Reserved.

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DIVISION 10. – ADMINISTRATIVE PROVISIONS

Sec. 14-219. – Administrative Officer.

- (a) *Zoning Administrator.* This Ordinance shall be administered and enforced by the Zoning Administrator who shall be appointed by the City Council.
- (b) *Duties of the Zoning Administrator.* The Zoning Administrator shall enforce this Ordinance through the proper legal channels and, in addition and in furtherance of said authority he/she shall:
 - (1) Administer and enforce the provisions of this Ordinance in cooperation with the City Attorney, and refer to the City Attorney all violations of this Ordinance which cannot be handled administratively.
 - (2) Receive, file, and forward to the respective official bodies applications for variances, appeals, plan reviews, conditional use permits, and amendments.
 - (3) Publish and process all notices required under the provisions of this Ordinance, and file affidavits of publication.
 - (4) Maintain records of all permits issued, appeals, variances, plan reviews, conditional use permits, and amendments.
 - (5) Maintain a permanent record of this Ordinance, the Zoning Map, and the Comprehensive Land Use Plan of the City; record all amendments; provide for public inspection at all times; and provide for the distribution or sale of each as directed by the Council.
 - (6) Assist the Building Inspector on determining that building permits comply with the terms of this Ordinance.
 - (7) Issue house numbers, certificates, and such other permits as are required by the Ordinance.
 - (8) Act as advisor to the Planning Commission and as secretary of the Board of Zoning Appeals.
 - (9) Perform such other related administrative duties as may be delegated by the Council.

Sec. 14-220. – Board of Zoning Appeals.

- (a) *Establishment.* There is hereby established a Board of Zoning Appeals for the City of Willmar, which shall consist of seven members appointed by the Mayor with the approval of the City Council.

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(b) *Powers and Duties of the Board.* The Board shall have the power and duty of hearing and deciding, subject to appeal to the District Court of Kandiyohi County, appeals or requests in the following cases:

- (1) Appeals where it is alleged that there is an error in any order, requirements, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance.
- (2) Requests for variances from the literal provisions of this Ordinance in instances where their strict enforcement would cause undue hardship because of the circumstances unique to the individual property under consideration.

Sec. 14-221. – Appeals.

(a) *Authority.* The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance. Any appeal of a decision by the Planning Commission on a Conditional Use Permit, Rezone, or Text Amendment shall be filed directly with the District Court except that in the case of a Planning Commission's denial of a conditional use permit application, no appeal to the District Court shall be made without first applying to the City Council for reconsideration of the decision pursuant to Section 14-223(e).

(b) *Procedure.*

- (1) An appeal may be taken to the Board of Zoning Appeals by any person or by any Officer, Department, Board, or Commission of the City affected by a decision of the Zoning Administrator. Such appeal shall be taken within thirty (30) days of the decision by filing with the Zoning Administrator a notice of appeal, specifying the grounds for submitting the appeal. A non-refundable filing fee shall accompany the filing of the appeal. The Zoning Administrator shall transmit to the Board of Zoning Appeals all of the papers constituting the record which the action appealed from was taken.
- (2) An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board of Zoning Appeals after notice of appeal has been filed with him/her that by reasons of facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Zoning Appeals or by a court of record upon notice to the Zoning Administrator and on showing of due cause.
- (3) A public hearing shall be set, advertised, and conducted by the Board of Zoning Appeals in accordance with Section 14-226 of this Ordinance.
- (4) Within thirty days following the close of the public hearing, the Board of Zoning Appeals shall render a decision on the appeal.

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- (5) The decision of the Board of Zoning Appeals shall be the final decision of the City, and any appeal therefrom shall be to the District Court of Kandiyohi County. Any such appeal shall be made by any aggrieved person within a period thirty (30) days from the mailing of the notice to such person, or, if no such notice is mailed, within thirty (30) days of consideration of the Board minutes by the City Council.

Sec. 14-222. – Variances.

- (a) *Authority.* Except as otherwise provided in Section 14-220, the Board of Zoning Appeals may authorize such variances from the provisions of this Ordinance, and that there are practical difficulties or particular hardships in carrying out the strict letter of the provisions of this Ordinance as will not be contrary to the public interest. Variances may be authorized only in those specific instances enumerated in this Section, and then only when the Board of Zoning Appeals has made findings of fact as hereinafter required.

- (b) *Procedure.*

- (1) An application for a variance shall be submitted to the Zoning Administrator. A non-refundable application fee shall accompany each application.
- (2) The application shall contain the legal description of the property, the zoning district in which it is located, a brief statement of the applicant's interest in the property.
- (3) A public hearing shall be set, advertised, and conducted by the Board of Zoning Appeals in accordance with Section 14-226 of this Ordinance.
- (4) Within thirty (30) days following the close of the public hearing, the Board of Zoning Appeals shall render its decision granting or denying the variance. Such decision shall be accompanied by findings of fact, shall refer to any exhibits containing plans and specifications, and shall remain part of the permanent records of the Zoning Administrator. The findings of fact shall specify the reason or reasons for granting or denying the variance. The terms of relief shall be specifically set forth.
- (5) The decision of the Board of Zoning Appeals shall be the final decision of the City, and any appeal therefrom shall be to the District Court of Kandiyohi County. Any such appeal shall be made by any aggrieved person within a period of thirty (30) days from the mailing of the notice to such person, or, if no such notice is mailed, within thirty (30) days of consideration of the Board Minutes by the City Council.

- (c) *Standards for variances.*

- (1) A variance shall be granted only if it is established that it is in harmony with the general purpose and intent of this Ordinance, that it is consistent with the Comprehensive Plan, and that there are practical difficulties in carrying out the strict letter of the provisions of this Ordinance. The Board of Zoning Appeals shall make the following affirmative findings before determining that practical difficulties exist:

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- a. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.
 - b. The plight of the landowner is due to unique circumstances not created by the landowner.
 - c. The variance, if granted, will not alter the essential character of the locality.
 - d. The variance, if granted, will not be detrimental to nor endanger the public welfare.
- (2) Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- (3) Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, Section 216C.04, Subdivision 14, when in harmony with this Ordinance. The Board of Zoning Appeals may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The Board of Zoning Appeals may permit as a variance the temporary use of a one family dwelling as a two-family dwelling. Variances from the provisions of this Ordinance shall otherwise be granted by the Zoning Board of Appeals only in accordance with the preceding provisions, and may be granted by the Board of Appeals only in accordance with the preceding provisions, and may be granted only in the following instances:
 - a. To vary the applicable lot area, lot width, and lot depth requirements.
 - b. To vary the applicable bulk regulations, including maximum height, lot coverage, floor area ratio, and minimum yard requirements.
 - c. To vary the applicable off-street parking and loading requirements.
 - d. To vary the regulations relating to restoration of damaged or destroyed nonconforming structures.
- (4) Specific conditions and safeguards may be imposed upon the premises benefitted by a variance as considered necessary to prevent injurious effects upon other property in the neighborhood or upon public facilities and services. Violations of such conditions and safeguards shall be a violation of this Ordinance.
- (5) No variance permitting the erection or alteration of a building shall be valid for a period longer than one (1) year, unless a building permit for such erection or alteration is issued and construction is actually begun within that period and is thereafter diligently pursued to completion. The applicant may petition the Board of Zoning Appeals for an extension of time. Such extensions shall be requested in writing and be filed with the Zoning Administrator at least thirty (30) days before

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the expiration of the original variance. There shall be no charge for the filing of such petition. Such petition shall be presented to the Board for their review and decision. An extension shall be valid for not more than an additional six (6) months.

- (d) *Recording.* A copy of the variance decision shall be filed with the Kandiyohi County Recorder.

Sec. 14-223. – Conditional Use Permits.

- (a) *Application.* An application for a conditional use permit shall be submitted to the Zoning Administrator. A non-refundable application fee, as established from time to time by the City Council to cover administrative costs and costs of the hearing, shall accompany each application.
- (b) *Purpose.* The purpose of a conditional use permit is to provide the City of Willmar with reasonable degree of discretion in determining the suitability of certain designated uses relation to the general welfare, public health, and safety. Conditional use permits may be considered an issue by the Planning Commission in the following instances:
- (1) Where provided for in this Ordinance.
 - (2) Where a particular use sought or requested is not provided for or included in any district as set forth in this Ordinance.
 - (3) For government uses or other uses traditionally associated with a public use (e.g. schools, churches, etc.).
 - (4) For a temporary use not otherwise provided for in this Ordinance and which would be inappropriate or detrimental if permitted as a permanent use.
- (c) *Standards for Conditional Use Permits.*
- (1) A conditional use permit shall be granted only if the Planning Commission makes, where applicable, the following affirmative findings:
 - a. That the conditional use, with such conditions as the Commission shall determine and attach, conforms to the purpose and intent of this Ordinance, and is in conformity with the Comprehensive Land Use Plan of the City.
 - b. That there was no factual demonstration of a substantial/appreciable negative impact on values to properties in the neighborhood from the proposed conditional use.
 - c. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.

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- d. That the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district as zoned.
- e. That adequate utilities, access roads, stormwater management, and other necessary facilities have been, or are being provided.
- f. That adequate measures have been, or will be, taken to provide ingress and egress in such a manner as to minimize traffic congestion and maximize public safety in the public streets.
- g. The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area/neighborhood.

(d) Conditions.

- (1) The Planning Commission may impose conditions upon the conditional use if, in its opinion, specific circumstances of a request justify those additional controls to protect the health, safety, and welfare of the neighborhood and general public.
- (2) The Planning Commission shall impose a condition that the use at all times conforms to all applicable local, state, and federal laws and regulations.
- (3) The City Engineer shall approve any off-street parking lots and ingress and egress to the site prior to the issuance of a building permit.

(e) *Reconsideration.* Whenever an application for a conditional use permit has been considered and denied, a similar application for a conditional use permit affecting substantially the same property shall not be considered again by the Planning Commission for a period of six (6) months from the date of the denial unless a decision to reconsider such a matter is made by not less than six-eighths (6/8) vote of the City Council.

(f) *Lapse of Conditional Use Permit by Non-Use.* If, within one year after granting a conditional use permit, the work has not been substantially completed, then such permit shall become null and void unless a petition for an extension of time in which to complete the work has been granted by the Planning Commission. Such extensions shall be requested in writing and filed with the Zoning Administrator at least thirty (30) days before the expiration of the original conditional use permit. There shall be no charge for the filing of such petition. The request for extension shall state facts showing a good faith attempt to complete the work permitted in the conditional use permit. Such petition shall be presented to the Commission for their review and decision.

(g) *Termination.* The violation of any condition imposed upon the conditional use shall be cause for termination of use. In the event of termination, the Zoning Administrator shall notify the

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property owner of the decision to terminate. The owner shall have the right to appeal as provided for in Section 14-221 of this Ordinance.

(h) *Procedure.*

(1) A public hearing shall be set, advertised, and conducted by the Planning Commission in accordance with Section 14-226 of this Ordinance.

(2) Within thirty (30) days following the close of the public hearing, the Planning Commission shall render its decision and transmit it to the City Council. The decision of the Commission shall be final, unless an appeal is taken to the Board of Zoning Appeals as provided for in Section 14-221 of this Ordinance.

(i) *Recording.* A copy of the conditional use permit decision shall be filed with the Kandiyohi County Recorder.

Sec. 14-224. – Plan Reviews.

(a) *Applicability.* Certain uses do not require a conditional use permit, but do require review and approval of plans by the Planning Commission.

(b) *Standards.* The standards to be met are the same as those required for conditional use permits in Section 14-223(c) of this Ordinance.

(c) *Conditions.* The Planning Commission may impose the same conditions as stated in 14-223(d) of this Ordinance.

Sec. 14-225. – Amendments.

(a) *Authority.* The text of this Ordinance and the Zoning Map may be amended from time to time by Ordinance duly enacted by the City Council, provided, however, that no such amendment shall be enacted except in accordance with the procedure of this Division, and in compliance with the City Charter. In reviewing a proposal to amend the Zoning Ordinance or Zoning Map, the relationship between the proposed amendment and the Comprehensive Municipal Plan shall be considered.

(b) *Initiation.* Proposed changes or amendments may be initiated by the City Council, by the Board of Zoning Appeals, by the Planning Commission, or by any one or more owners of real estate in the City so as to affect the real estate of such owner(s).

(c) *Procedure.*

(1) When any proposed change or amendment is initiated by the City Council or by the Board of Zoning Appeals, such body shall transmit its proposal to the Planning Commission for a public hearing and report thereon.

(2) When any proposed change or amendment is initiated by an owner or owners of real estate in the City, an application for such amendment shall be filed with the

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Zoning Administrator. A non-refundable application fee shall accompany each application.

- (3) A public hearing shall be set, advertised, and conducted by the Planning Commission in accordance with Section 14-226 of this Ordinance.
- (4) Within thirty (30) days following the conclusion of the public hearing, the Planning Commission shall transmit to the City Council its recommendation regarding the proposed amendment.
- (5) Within forty-five (45) days of the receipt of the recommendation of the Planning Commission, the City Council shall refuse, or by Ordinance adopt, the proposed amendment.

Sec. 14-226. – Public Hearings.

- (a) *Setting of Hearing.* For all requests brought before the Planning Commission or Board of Zoning Appeals for which a public hearing is required by this Ordinance, the Zoning Administrator, in cooperation with the Chairperson of the respective Commission/Board, shall select a reasonable time and place for the public hearing on request.
- (b) *Notice of Hearings.*
 - (1) *Published.* Notice of public hearings shall be given not more than thirty (30) days and not less than ten (10) days before the hearing by publication at least once in the official newspaper of the City of Willmar. Such notice shall include the time and place of the hearing, a description of the contents of the request to be heard, and the address or location of the property to which the request applies.
 - (2) *Mailed.* For variances, conditional use permits, and amendments, in addition to the general notice to the public that is published, separate notice by letter shall be mailed at least ten (10) days before the hearing to all property owners residing within three hundred and fifty (350) feet of the subject property. Such notices shall be sent by the Zoning Administrator, and addresses taken from current City records shall be deemed sufficient for such notification.
- (c) *Conduct of Hearing.* Any person may appear and testify at a public hearing, either in person or by a duly authorized agent or attorney.

Secs. 14-227—14-230. - Reserved.

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DIVISION 11. – WIRELESS COMMUNICATION TOWERS AND ANTENNAS

Sec. 14-231. – Purpose and Intent. In order to accommodate the communication needs of residents and business while protecting the public health, safety, and general welfare of the community, the City Council finds that these regulations are necessary in order to:

- (a) Facilitate the provision of wireless telecommunication services to the residents and businesses of the City;
- (b) Minimize adverse visual effects of towers through careful design and siting standards;
- (c) Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements;
- (d) Maximize the use of existing properties from tower failure through structural standards and setback requirements;
- (e) Encourage intergovernmental and community cooperation in co-location and site sharing.

Sec. 14-232. – Definitions. The following definitions of terms and phrases used in this Division shall govern:

- (a) *Antenna*. Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure.
 - (1) *Antenna – building mounted*. Any antenna, other than an antenna with its supports resting on the ground, directly attached or affixed to a building, tank, tower, building mounted mast less than 10' tall, or structure other than a telecommunication tower.
 - (2) *Antenna – ground mounted*. Any antenna with its base, single or multiple posts, placed directly on the ground or a mast less than ten feet (10') tall and six inches (6") in diameter.
- (b) *Antenna array*. An antenna array is one or more rods, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include omnidirectional antenna (rod), directional antenna (panel), and parabolic antenna (disc.). The antenna array does not include the support structure.
- (c) *Certified engineer*. A licensed professional engineer who is registered to practice in the State of Minnesota.
- (d) *Co-location/site sharing*. Co-location/site sharing shall mean use of a common site by two or more wireless license holders or by one wireless license holder for more than one type of communications technology and/or placement of a tower on a structure owned or operated by a utility or other public entity.

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- (e) *Commercial wireless telecommunication services.* Licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.
- (f) *Equipment building/cabinet.* A cabinet or building used by telecommunication providers to house equipment at a facility.
- (g) *Exempt telecommunications facility.* Includes, but is not limited to, the following:
- (1) A single ground or building mounted receive-only radio or television antenna including any mast, for the sole use of the resident occupying a residential parcel on which the radio or television antenna is located, with an antenna height not exceeding forty feet (40');
 - (2) A ground or building mounted receive-only radio or television satellite dish antenna (TVRO) provided the dish is not located in the front yard of the parcel on which it is located and provided the height of said dish does not exceed the height of the ridgeline of the primary structure on said parcel;
 - (3) All citizens band radio antenna or antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service which existed at the time of the adoption of this Ordinance, or for which the height (post and antenna) does not exceed sixty-five (65) feet.
 - (4) Mobile services providing public information coverage of news events of a temporary nature;
 - (5) Hand held devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar devices as determined by the Zoning Administrator; and
 - (6) City government owned and operated towers supporting receive and/or transmit antennas, including supporting structures, for all public safety and service purposes, which existed at the time of the adoption of this Ordinance.
- (h) *Lattice tower.* A self supporting support structure, erected on the ground, which consists of metal crossed strips or bars to support antennas and related equipment.
- (i) *Monopole.* A wireless communication facility which consists of a single-pole structure, erected on the ground to support wireless communication antennas and connecting appurtenances.
- (j) *Public utility.* Persons, corporations, or governments supplying gas, electric, transportation, water, sewer, or land line telephone service to the general public. For the purpose of this Ordinance, commercial wireless telecommunication service facilities shall not be considered public utility uses, and are defined separately.

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- (k) *Telecommunication facility*. A facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking areas, other accessory development and related equipment.
- (l) *Telecommunication tower*. A mast, pole, monopole, guyed tower, lattice tower, free-standing tower, or other structure designed and primarily used to support antennas. A ground or building mounted mast supporting one or more antennas, dishes, arrays, etc. shall be considered a telecommunication tower if the total height exceeds ten (10) feet.
- (m) *Tower, multi-user*. A tower to which are attached the antenna of more than one commercial wireless communications service provider or governmental entity.
- (n) *Tower, single-user*. A tower to which is attached only the antenna of a single user, although the tower may be designed to accommodate the antennas of multiple users as required in this Ordinance.
- (o) *Tower height*. The vertical distance from a tower's point of contact with the ground to the highest point of the tower, including all antennas and other attachments. When a tower is mounted on another structure, "height" shall be the combined height of the structure and tower, including all antennas and attachments.

Sec. 14-233. – Existing Antennas and Towers. Antennas and towers and accessory structures in existence at the time of adoption of this Ordinance, which do not conform to or comply with this Ordinance, are subject to the following provisions:

- (a) Towers may continue in use for the purpose now used and as now existing but may not be replaced or structurally altered without complying in all respects with this Ordinance.
- (b) If such towers are damaged or destroyed due to any reason or cause, except for owner neglect, the tower may be repaired and restored to its former use, location and physical dimensions upon obtaining a building permit therefor, but without otherwise complying with this Ordinance.

Sec. 14-234. – Siting Priorities. The following establishes the order of priority for telecommunications facilities. A proposal for such facilities shall not be approved on any of the following locations unless the applicant shows and the City finds that the applicant is unable to locate the facilities on any location which has a higher priority.

- (a) Place antennas on appropriate existing structures such as buildings, communications towers, water towers and smokestacks.
- (b) Place antennas and towers on sites where other public facilities are located or planned.
- (c) Place antennas on new towers on other private property in this order: industrial districts, commercial districts, multi-family residential districts, and single-family residential districts.

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Sec. 14-235. – Co-location/Site Sharing. All commercial wireless telecommunication towers erected, constructed, or located within the City shall comply with the following co-location/site sharing regulations:

- (a) A proposal for a new commercial wireless telecommunication service tower shall not be approved unless the City finds that the telecommunication equipment planned for the proposed tower cannot be accommodated on an existing or approved tower within a one mile search radius (one-half mile for towers under 150 feet in height; one quarter mile for towers under 80 feet in height) of the proposed tower due to one or more of the following reasons:
 - (1) The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.
 - (2) The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified and licensed professional engineer and the interference cannot be prevented at a reasonable cost.
 - (3) Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer (to serve commercial and residential needs in corporate boundaries).
 - (4) Other unforeseen reasons that make it infeasible to locate the planned telecommunications equipment upon an existing tower or building.
- (b) Any proposed commercial wireless telecommunication service tower shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least two additional users if the tower is at least 140 feet in height, or for at least one additional user if the tower is between 100 and 140 feet in height. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.
- (c) It shall be the responsibility of the applicant to provide to the City, at no cost to the City, an inventory of available structures in the subject area.
- (d) The applicant is encouraged to allow the City access to the tower for City government owned and operated receive and/or transmit antennas for all public safety and service purposes to enhance communications for such purposes, provided that any attached communication equipment does not interfere with applicant's equipment.
- (e) As a condition of approval, the applicant shall make available unutilized space for co-location of other telecommunication facilities, including space for these entities providing

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similar competing services. A good faith effort in achieving co- location shall be required of the host entity.

- (1) Co-location will not be required in cases where the addition of the new service or facilities would cause quality of service impairment to the existing facility or if it becomes necessary for the host to go off line for a significant period of time.
- (2) The host is entitled to reasonable compensation from any co-locator for the use of its facility. Such compensation would include reimbursement for the cost of constructing the facility as it relates to any co-locator as well as a proportionate share of any rents paid by the host.
- (3) The failure of any applicant to make a good faith effort to allow for co- location shall constitute a breach of its agreement with the City. In the event of such a breach, the City shall provide at least sixty (60) days prior written notice to allow a cure of such breach. In the event the said breach is not cured within said period, the City shall be authorized to disassemble the subject tower at the applicant's cost.

Sec. 14-236. – Zoning District Allowances. Commercial towers and antennas shall be allowed as follows:

- (a) City government owned and operated towers supporting receive and/or transmit antennas for all public safety and government service purposes shall be a permitted use in all zoning districts subject to the following requirements:
 - (1) Such towers shall conform to the accessory structure setback for the zoning district in which they are located. Guy wires shall be set back no less than one foot (1') from property lines.
 - (2) Such towers shall be installed in accordance with the instructions furnished by the manufacturer of the tower model. Antennas mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.
- (b) Towers in residential, governmental/institutional, park, and agricultural zoning districts are prohibited except as follows:
 - (1) Towers supporting commercial antennas and conforming to all applicable provisions of the Zoning Ordinance shall be allowed as a conditional use, and only in the following locations:
 - a. Church sites, when camouflaged as steeples or bell towers. Antennas and all other associated structures shall also be camouflaged.
 - b. Park sites, when compatible with the nature of the park.
 - c. Government, school, utility and institutional sites.

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(c) *Towers in commercial zoning districts.*

(1) Towers supporting commercial antennas and conforming to all applicable provisions of the Zoning Ordinance shall be allowed as a conditional use in the Central Business Zoning District only in the following locations:

- a. Church sites, when camouflaged as steeples or bell towers. Antennas and all other associated structures shall also be camouflaged.
- b. Government, school, utility, and institutional sites.

(2) Towers supporting commercial antennas and conforming to all applicable provisions of the Zoning Ordinance shall be allowed a conditional use in the Limited Business and General Business Zoning Districts.

(d) *Towers in industrial zoning districts.* Towers supporting commercial antennas and conforming to all applicable provisions of the Zoning Ordinance shall be allowed as a permitted use with plan review in the Limited Industry and General Industry Zoning Districts.

Sec. 14-237. – Tower Placement, Setback and Height.

(a) *Towers in Residential, Government/Institutional, Park, and Agricultural Zoning Districts.*

- (1) *Placement.* Telecommunication towers shall be located in the rear yard or side yard without encroaching on the front yard area.
- (2) *Setbacks.* The minimum setback from any property line shall be not less than 50% of the tower height. However, the minimum setback from any property line abutting non-residential zoned property shall be not less than 25% of the tower height. The minimum setback from any residence shall be not less than 100% of the tower height. Equipment buildings or cabinets shall comply with the accessory building setbacks for the zoning district in which it is located.
- (3) *Height.* The maximum height for telecommunication towers (including antennas and other attachments) in Residential Zoning Districts shall not exceed 150 feet. The maximum height in Government/Institutional, Park, and Agricultural Zoning Districts shall not exceed 175 feet.

(b) *Towers in Commercial Zoning Districts.*

- (1) *Placement.* Telecommunication towers shall be located in the rear yard or side yard, without encroaching on the front yard area.
- (2) *Setbacks.* The minimum setback from any property line shall be not less than 25% of the tower height, or 20 feet, whichever is greater. The minimum setback from any residence shall be not less than 10% of the tower height. Equipment buildings or

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cabinets shall comply with the principal building setbacks for the commercial zoning district in which it is located.

- (3) *Height.* The maximum height for telecommunication towers (including antennas and other attachments) shall not exceed 175 feet.

(c) *Towers in Industrial Zoning Districts.*

- (1) *Placement.* Telecommunication towers shall be located in the rear yard or side yard, without encroaching on the front yard area.
- (2) *Setbacks.* The minimum setback from any property line shall be not less than 25% of the tower height, or 20 feet, whichever is greater. The minimum setback from any residence shall be not less than 50% of the tower height. Equipment buildings or cabinets shall comply with the principal building setbacks for the industrial zoning district in which it is located.
- (3) *Height.* The maximum height for telecommunication towers (including antennas and other attachments) shall be 200 feet.

(d) *Miscellaneous placement provisions.*

- (1) Towers shall not encroach upon any easements.
- (2) Towers shall be set back from public rights-of-way and from planned rights-of-way shown in the Comprehensive Plan of the City.
- (3) Towers shall not be located between a principal structure and a public street, with the following exceptions:
 - a. In industrial zoning districts, towers may be placed within a side yard abutting an internal industrial street.
 - b. On sites adjacent to public streets on all sides, towers may be placed within a side yard abutting a local street
- (4) Setbacks shall be measured between the base of the tower located nearest the property line and actual property line.
- (5) A tower's setback may be reduced or its location in relation to a public street varied, at the sole discretion of the City, to allow the integration of a tower into an existing or proposed structure such as a church steeple light standard, power line support device, or similar structure.

Sec. 14-238. – General Requirements. All new towers/antennas erected after the effective date of this Ordinance shall comply with the following provisions.

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- (a) *Building Permits.* All communications towers shall require a building permit and be anchored in a stationary position. Manufacturer's specifications for the antenna and supporting structure shall be attached to the building permit application.
- (b) *Structural Standards and Wind Loading.*
- (1) Each tower shall be designed and built to withstand an 80 mph baseline wind speed with a minimum of one-half inch radial ice. If industry standards increase these requirements, all new or rebuilt towers shall conform to the new standards.
 - (2) Tower designs shall be certified by a licensed professional engineer to conform to the latest structural standards and wind loading requirements of the Uniform Building Code/Minnesota State Building Code and its Electronics Industry Association.
 - (3) Towers and antennas shall be designed to conform with accepted electrical engineering methods and practices and to comply with the provisions of the National Electrical Code.
 - (4) All towers shall be constructed to conform with the requirements of the Occupational Safety and Health Administration.
 - (5) Towers must be self-supporting without the use of wires, cables, beams or other means. No guy wires shall be used without a Conditional Use Permit. The design should utilize an open framework or monopole configuration. Permanent platforms or structures exclusive of antennas that serve to increase off-site visibility are prohibited.
 - (6) Support structures shall be grounded, following manufacturer's specifications.
 - (7) The base of the tower shall occupy no more than 200 square feet and the top of the tower shall be no larger than 50 square feet.
 - (8) Metal towers shall be constructed of or treated with corrosive resistant material. Wood poles shall be impregnated with rot resistant substances.
 - (9) No part of any antenna or tower shall at anytime extend across or over any part of the right-of-way, public street, highway, sidewalk or property line.
 - (10) No ladder rungs shall be allowed within 15 feet of the ground.
- (c) *Antennas Mounted on Roofs, Walls and Existing Towers.* The placement of commercial wireless telecommunication antennas on roofs, walls, and existing towers and other structures may be approved by the Zoning Administrator subject to the following provisions:
- (1) The antenna must meet the requirements set forth in this Ordinance
 - (2) The existing structure upon which placement of an antenna is proposed must be conforming to all applicable provisions of the Zoning Ordinance

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- (3) A site and building plan as required by the City must be submitted.
 - (4) A report prepared by a qualified and licensed professional engineer approved by the City indicating the existing structure or tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure, is submitted and approved by the City. Complete details of all fixtures and couplings and the precise point of attachment shall be indicated.
- (d) *Visual Compatibility.* All telecommunication facilities, except exempt facilities defined in Section 14-232(a)(7), shall be construed and sited so as to minimize the visual effect of such facilities on the surrounding area. To that end, the following measures shall be implemented.
- (1) Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging treatment, except in cases where the color is dictated by federal or state authorities. Materials employed shall not be unnecessarily bright, shiny, or reflective and shall be of a color or type which blend with the surroundings to the greatest extent possible.
 - (2) No commercial telecommunication facility shall be installed at a public trail, public park or other outdoor recreation area, or on property designated as Park or Open Space, unless it blends with the surrounding existing natural and man-made environment in such a manner as to be effectively unnoticeable and a finding is made that no other location is technically feasible.
 - (3) No commercial telecommunication facility that is readily visible from off-site shall be installed closer than one-half mile from another readily visible uncamouflaged or unscreened telecommunication facility unless it is a co-located facility, situated on a multiple-user site, or blends with the surrounding existing natural and man-made environment in such a manner as to be effectively unnoticeable; or technical evidence acceptable to the City is submitted showing a clear need for the facility and the infeasibility of co-locating it on one of the existing sites.
 - (4) Facility structures and equipment shall be located, designed and screened to blend with the existing natural or built surroundings so as to reduce visual impacts to the extent feasible considering the technological requirements of the proposed telecommunication service and the need to be compatible with neighboring residences and the character of the community.
 - (5) The facility shall be designed to blend with any existing supporting structure and shall not substantially alter the character of the structure or local area.
 - (6) A visual analysis, which may include photo montage, field mock up, or other techniques shall be prepared and submitted by or on behalf of the applicant in conjunction with an application for a conditional use permit or a building permit,

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which identifies the potential visual impacts, at design capacity, of the proposed facility. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable telecommunication facilities in the area, and shall identify and include all feasible mitigation measures consistent with the technological requirements of the proposed telecommunication service. All costs for the visual analysis, and applicable administrative costs, shall be borne by the applicant.

- (e) *Lighting.* Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for the particular tower. When incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower.
- (f) *Signs/Advertising.* The use of any portion of a tower for signs other than warning or equipment information signs is prohibited. No advertising messages or identification visible off-site shall be placed on the tower, antennas, or other attachments.
- (g) *Accessory Buildings/Cabinets.*
 - (1) Accessory buildings/cabinets shall enclose transmission equipment, power equipment or any equipment located on the ground near the tower.
 - (2) All utility buildings/cabinets accessory to a tower shall be architecturally designed to blend in with the surrounding environment and shall meet the minimum setbacks established by this Ordinance.
- (h) *Screening and Landscaping.*
 - (1) Tower locations should provide the maximum amount of screening possible for off-site views of the facility.
 - (2) Existing on-site vegetation shall be preserved to the maximum extent practicable.
 - (3) Accessory buildings/cabinets and ground mounted equipment shall be screened from view from abutting public rights-of-way and from abutting residentially zoned property by suitable vegetation, at least 5 feet in height, except where the use of non-vegetative screening better reflects and complements the architectural character of the surrounding area.
 - (4) Security fencing at least 6 feet in height shall enclose the area on which the commercial use antenna tower is located.

Sec. 14-239. – Additional Submittal Requirements. In addition to the information required elsewhere in this Ordinance, applications for towers/antennas shall include the following supplemental information.

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- (a) *Engineering Report.* A report from a licensed professional engineer shall be required and shall at a minimum:
- (1) Describe the tower height and design including scaled drawings of cross section, elevation, site plan and landscaping plan.
 - (2) Document the height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas.
 - (3) Describe the tower's capacity, including the number and type of antennas that it can accommodate, and where such antenna may be mounted and assure that ANSI Standards are met.
 - (4) Document what steps the applicant will take to avoid interference with established public safety telecommunications.
 - (5) Include an engineer's stamp, signature, and Minnesota registration number.
 - (6) Include proof of ownership of the proposed site or authorization to utilize it.
- (b) *Letter of Intent.* For all commercial wireless telecommunications service towers, a letter of intent shall be required committing the tower owner and his or her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.

Sec. 14-240. – Abandoned or Unused Towers or Portions of Towers. Abandoned or unused towers or portions of towers shall be removed as follows:

- (a) All abandoned or unused towers or portions of towers and accompanying accessory facilities shall be removed within six months of the cessation of operations unless a time extension is approved by the City. If a time extension is not approved, the tower may be deemed hazardous, substandard and/or a nuisance pursuant to Minnesota Statutes, Sections 463.15-463.261, 561.01- 561.03, and 429.101, and applicable City ordinances. In the event a tower is determined to be a nuisance, the City may act to abate such nuisance and require removal of the tower at the property owner's expense.
- (b) The owner shall provide the City with a copy of the notice of the Federal Communication Commission intent to cease operations and shall be given six months from the date of ceasing operations to remove the abandoned or unused tower and all accessory structures. In the case of multiple operators sharing the use of a single tower, this provision shall not become effective until all users cease operations for a period of six months. The equipment on the ground is not to be removed until the tower structure has first been dismantled. After the facilities are removed, the site shall be restored to its original or to an improved condition.

Sec. 14-241. – Interpretation. It is not the intention of this Ordinance to interfere with, abrogate, or annul any covenant or other agreement between parties, provided, however where this Ordinance

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imposes greater restriction upon the use of premises for antennas or towers than are imposed or required by other ordinances, rules, regulations or permits, or by covenants or agreement, the provisions of this Ordinance shall govern.

Sec. 14-242. – Inspections and Violations. All towers, monopoles, antennas and the like must obtain a building permit and are subject to inspection by the City Building Official to determine compliance with UBC construction standards. Deviation from the original construction for which a permit is obtained is a misdemeanor.

Secs 14-243-14-246. – Reserved.

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DIVISION 12. – WIND ENERGY CONSERVATION SYSTEMS (WECS)

Sec. 14-247. – Purpose and Intent. The purpose of this Division is to establish standards and procedures by which the installation and operation of wind energy conversion systems and vertical axis wind energy conversion systems shall be governed within the City.

Sec. 14-248. – Definitions.

- (a) *WECS – Wind Energy Conservation System:* An electrical generating facility comprised of one or more wind turbines and accessory facilities, including but not limited to: power lines, transformers, substations, that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on-site or distributed into the electrical grid.
- (b) *Aggregated Project:* Aggregated projects are those which are developed and operated in a coordinated fashion, but which have multiple entities separately owning one or more of the individual WECS within the larger project. Associated infrastructure such as power lines and transformers that service the facility may be owned by a separate entity but are also included as part of the aggregated project.
- (c) *Commercial WECS:* A WECS of equal to or greater than 15 kW in total name plate generating capacity.
- (d) *Vertical Axis WECS:* A WECS of less than 14 kW in total name plate generating capacity.
- (e) *Feeder Line:* Any power line that carries electrical power from one or more wind turbines or individual transformers associated with the individual wind turbines to the point of interconnection with the electric power grid, in the case of interconnection with the high voltage transmission systems, the point of interconnection shall be the substation serving the WECS.
- (f) *Rotor Diameter:* The diameter of the circle described by the moving rotor blades.
- (g) *Substations:* Any electrical facility designed to convert electricity produced by wind turbines to a voltage greater than 35,000 volts for interconnection with high voltage transmission lines shall be located outside of the road right of way.
- (h) *Total Height:* The highest point, above ground level, reached by a rotor tip or any other part of the WECS.
- (i) *Tower:* Towers include vertical structures that support the electrical generator, or rotor blades.
- (j) *Tower Height:* The total height of the WECS exclusive of the rotor blades.
- (k) *Transmission Line:* Those electrical power lines that carry voltages of at least 69,000 volts (69 KV) and are primarily used to carry electric energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

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- (l) *Wind Turbine*: A wind turbine is any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind.

Sec. 14-249. – Application Procedures.

- (a) Application for WECS shall be reviewed and processed in accordance with the conditional use permit procedures established in Section-14-223. The following information is required in addition to the information required for a conditional use permit application:
- (b) The application for all WECS shall include the following information:
- (1) A description of the project including: number, type, name plate generating capacity, tower height, rotor diameter, and total height of all wind turbines and all means of interconnecting with the electrical grid.
 - (2) Property survey, including the location of property lines, wind turbines, electrical wires, interconnection points with the electrical grid, and all related accessory structures. The site layout shall include distances and be drawn to scale.
 - (3) Evidence that the applicant can obtain and maintain adequate liability insurance for the WECS and subject property.
 - (4) Licensed Professional Engineer's certification.
 - (5) Documentation of land ownership or legal control of property.
- (c) The application for commercial WECS shall also include:
- (1) The latitude and longitude of individual wind turbines. A USGS topographical map, or map with similar data, of the project site including boundaries of the project area, surrounding property within ¼ mile, and any other WECS within 10 rotor diameters of the proposed project.
 - (2) Location of wetlands, scenic, and natural areas (including bluffs) within one mile of the proposed WECS.
 - (3) FAA Permit Application.
 - (4) Location of all known Communications Towers within 2 miles of the proposed project. Provide proof that the WECS will not interfere with emergency or other microwave transmission.
 - (5) A noise study, prepared by a qualified professional that demonstrates that except for intermittent episodes, the WECS shall not emit noise in excess of the limits established in Minnesota Rules 7030 governing noise and Section 14-207 of Willmar Zoning Ordinance, as applicable.
 - (6) A shadow flicker model that demonstrates that shadow flicker shall not fall on, or in, any existing residential structure. Shadow flicker expected to fall on a roadway or a portion of a residentially zoned property may be acceptable if the flicker does not

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exceed 30 hours per year; and the flicker will fall more than 100' from an existing residence; or the traffic volumes are less than 500 vehicles (ADT). The shadow flicker model shall:

- a. Map and describe with a 1,000' radius of the proposed dispersed wind energy system the topography, existing residences and location of their windows, location of other structures, wind speeds and directions, existing vegetation and roadways. The model shall represent the most probable scenarios of wind constancy, sunshine constancy, and wind directions and speed.
 - b. Calculate the locations of shadow flicker caused by the proposed project and the expected durations of the flicker at these locations, calculate the total number of hours per year of flicker at all locations.
 - c. Identify problem areas where shadow flicker will interfere with existing or future residences and roadways and describe proposed mitigation measures, including, but not limited to, a change in siting of WECS, a change in the operation of the WECS, or grading or landscaping mitigation measures.
- (7) Decommissioning plan.
- (8) Description of potential impacts on nearby WECS and wind resources on adjacent properties.
- (d) Application procedures for aggregated projects:
- (1) Aggregated projects may jointly submit a single application and be reviewed under joint proceedings, including notices, hearings, reviews and as appropriate, approvals. Permits will be issued and recorded separately.
 - (2) One WECS shall be permitted per property in R-1 and R-2 Districts, aggregated shall be allowed in all other Districts as the conditional use permitting process allows.

Sec. 14-250. – District Regulations.

- (a) Vertical Axis WECS are permitted with a conditional use permit in the following districts:
 - (1) R-1, R-2, R-3, R-4, R-5, LB, CBD, SCD, GB, I-1, I-2, Ag, G/I
- (b) Commercial WECS are permitted with a conditional use permit in the following districts:
 - (2) LB, CBD, SCD, GB, I-1, I-2, Ag, G/I
- (c) Guyed Towers shall be prohibited in all districts
- (d) One tower shall be permitted per property in all residential districts, and multiple WECS per property shall be considered via a conditional use permit and the following standards:
 - (1) Proximity to another WECS and the property line.

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- (2) Aesthetics.
- (3) Design professional data shall be provided proving that the property can accommodate and safely facilitate more than one WECS.

Sec. 14-251. – Setback/Height Limits.

- (a) WECS shall adhere to the setbacks established as follows:
 - (1) Vertical Axis WECS and Commercial WECS shall be setback 1.25 times the total height from the property line.
- (b) WECS shall adhere to the height limits established in Section 14-21(a) regarding height limitations as follows:
 - (1) Commercial WECS shall not exceed 55 feet in height.
 - (2) Vertical Axis WECS in a residential area shall not exceed 35 feet in height.
- (c) WECS shall adhere to mounting parameters as follows:
 - (1) Lots that are equal to or exceed 100' in width can mount WECS in rear yards or on a structure.
 - (2) Lots that are less than 100' in width shall be limited to structure mounts only.
- (d) WECS unit blades shall be limited to 7' in diameter and unit height to 10' maximum.

Sec. 14-252. – Requirements and Standards.

- (a) Safety Design Standards.
 - (1) *Engineering Certification.* For all WECS, the manufacture's engineer or another qualified engineer shall certify that the turbine, foundation and tower design of the WECS is within accepted professional standards, given local soil and climate conditions.
 - (2) *Clearance.* Rotor blades or airfoils must maintain at least 12 feet of clearance between their lowest point and the ground.
 - (3) All electrical devices interconnected to the local grid must adhere to IEEE 1547 (standard for interconnecting distributed resources with electric power systems) as adopted by Willmar Municipal Systems.
 - (4) *Warnings.* For all Commercial WECS, a sign or signs shall be posted on the tower, transformer and substation warning of high voltage. Signs with emergency contact information shall also be posted on the turbine or at another suitable point.
- (b) Standards.
 - (1) *Tower Configuration.* All wind turbines, which are part of a commercial WECS, shall be installed with a tubular, monopole type tower.

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- (2) *Color and Finish.* All wind turbines and towers shall be white, grey or another non-obtrusive color. Blades may be black in order to facilitate deicing. Finishes shall be matte or non-reflective.
- (3) *Lighting.* Lighting, including intensity and frequency of strobe, shall adhere to but not exceed requirements established by Federal Aviation Administration permits and regulations. Red strobe lights are preferred for night-time illumination to reduce impact on migrating birds. Red pulsating incandescent lights should be avoided.
- (4) *Other Signage.* All signage on site shall comply with the City of Willmar Sign Ordinance. The manufacturers or owners company name and/or logo may be placed upon the nacelle, compartment containing the electrical generator, of the WECS.
- (5) *Feeder Lines.* All communications and feeder lines, equal to or less than 34.5 kV in capacity, installed as part of a WECS shall be buried where reasonably feasible. Feeder lines installed as part of a WECS shall not be considered an essential service. This standard applies to all feeder lines subject to City authority. No communication and feeder lines that are not part of a public project shall be allowed within public right-of-way, nor shall any such lines be the responsibility of any public entity for locates.
- (6) *Shadow Flicker.* Shadow flicker may not exceed 30 hours per year and shall not fall more than 100' from an existing residential property.
- (7) *Waste Disposal.* Solid and Hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site promptly and disposed of in accordance with all applicable local, state and federal regulations.
- (8) *Discontinuation and Decommissioning.* A WECS shall be considered a discontinued use after 1 year without energy production, unless a plan is developed and submitted to the Zoning Administrator outlining the steps and schedule for returning the WECS to service. All commercial WECS and accessory facilities, including the foundation, shall be completely removed within a year of discontinuation of use for commercial WECS projects. For non-commercial projects, the footings for the WECS may be left in place provided the slab remains in place.
- (9) Each Commercial WECS shall have a Decommissioning plan outlining the anticipated means and cost of removing WECS at the end of their serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a competent party; such as a Professional Engineer, a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the WECS and accessory facilities.

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- (10) *Orderly Development.* Upon issuance of a conditional use permit, all Commercial WECS shall notify the Energy Facility Permitting staff of Department of Commerce of the project location and details on the form specified by the Department.
- (11) *Noise.* All WECS shall not exceed 30 Db at the property line.
- (12) *Electrical Codes and Standards.* All WECS and accessory equipment and facilities shall comply with the National Electrical Code and other applicable standards.
- (13) *Federal Aviation Administration.* All WECS shall comply with FAA standards and permits.
- (14) *International Building Code.* All WECS shall comply with the International Building Code adopted by the State of Minnesota.
- (15) *Interference.* The applicant shall minimize or mitigate interference with electromagnetic communications, such as radio, telephone, microwaves, or television signals caused by any WECS. The applicant shall notify all communication tower operators within two miles of the proposed WECS location upon application to the City for permits. No WECS shall be constructed so as to interfere with any microwave transmissions.
- (16) *Right of Entrance.* By the acceptance of the conditional use permit, the owner/operator grants permission to the City of Willmar to enter the property to remove the WECS pursuant to the terms of the conditional use permit and to assure compliance with other conditions set forth in the permit.

(c) Avoidance and Mitigation of Damages to Infrastructure and Utilities

- (1) *Roads.* Applicants shall: identify all county, city or township roads to be used for the purpose of transporting commercial WECS, substation parts, concrete, and/or equipment for construction, operation or maintenance of the commercial WECS and obtain applicable weight and size permits from the impacted road authority(ies) prior to construction.
- (2) Be responsible for restoring or paying damages as agreed to by the applicable road authority(ies) sufficient to restore the road(s) and bridges to preconstruction conditions.
- (3) *Drainage System.* The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation or maintenance of the WECS.
- (4) The owner of the WECS is responsible for any damage to any below grade public or private utilities.

Secs. 14-253—14-256. - Reserved.

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DIVISION 13. – RENAISSANCE ZONE OVERLAY DISTRICT

Sec. 14-257. – General Provisions

- (a) *Title.* This Division shall be known as the “City of Willmar Renaissance Zone Ordinance”
- (b) *Intent and Purpose.* The intent and purpose of this Ordinance is to:
 - (1) Encourage urban commercial and residential development that transforms the Renaissance Zone into a self-sustaining economy that strengthens current businesses and continually attracts new commercial projects.
 - (2) Celebrate, protect and preserve Willmar’s cultural and economic diversity by ensuring there is a demographically representative variety of housing, retail, office space and community events.
 - (3) Maintain a regionally-demographically-pegged mixture of upper-, middle-, and low-income housing units, so the Renaissance Zone remains a place for everyone in relation to and within a 5 percent deviation from combined levels found within the city and its two- mile extraterritorial subdivision regulation enforcement jurisdiction.
 - (4) Ensure the Renaissance Zone reflects the cultural heritage and economic diversity of the area by attracting development that increases both the Renaissance Zone’s resident population and the number of visitors/patrons to the Renaissance Zone by
 - (a) utilizing a high-density, mixed-use design, (b) repositioning and reinforcing the Renaissance Zone as the cultural, health, and entertainment center of Willmar, and
 - (c) dedicating public spaces and commons areas for events.
- (c) *Jurisdiction.* The provisions of this Ordinance shall apply to the areas of the City’s Central Business District and adjacent lands identified as the Renaissance District on the official Zoning Map, as amended from time to time.
- (d) *Applicability and Relation to Other Provisions.* This Ordinance shall apply to all development within the Renaissance Zone that takes advantage of the alternative processes and provisions contained within this Ordinance. For such development, this Ordinance may impose restrictions on structures and land uses in addition to those applicable to the underlying zoning district. In many cases, this Ordinance provides greater flexibility relative to the regulations applicable to the underlying zoning district. Where this Ordinance expressly conflicts with any other provision of the Willmar Zoning Ordinance, this Ordinance shall prevail. Where there is no express conflict, provisions of this Ordinance and of the Willmar Zoning Ordinance shall be interpreted to give effect to both provisions to the greatest extent possible
- (e) *Definitions.* Unless specifically defined below, words or phrases used in this Ordinance shall have their common meaning and to give this Ordinance its most reasonable application.

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- (1) *Parking credit.* A reduction in the required number of off-street parking spaces required under City of Willmar Zoning Ordinance, Division 4.
- (2) *Pedestrian-oriented landscaping.* Landscaping focused on amenities for those walking, including but not limited to, seating, fountains, sculptures, plantings, tables, pedestrian coverings, and lighting.
- (3) *Renaissance zone application.* The City of Willmar Renaissance Zone Application, including the main application, the additional forms for specific programs, and any additional documents required by the Zoning Administrator.
- (4) *Local heritage designation.* Buildings, sites, uses, structure, objects and districts that are recognized for their historical, architectural, archaeological, or cultural importance, as designated by the City of Willmar pursuant to the Local Heritage Designation Ordinance in Article IV of this Chapter.
- (5) *Open Zoning.* A process of individual project review through which a proposed use that is not allowed under the zoning requirements of the underlying zoning district, but which promotes and encourages adaptive reuse of heritage-designated and existing infrastructure; contextual use and creativity; density; mixed-income housing; entertainment uses; a healthy, equitable, and resilient community; and pedestrian-scaled streetscapes, may be granted a conditional use permit under this Division 13.

Sec. 14-258. – Administration

- (a) *Applications.* In addition to any application usually required under the Willmar Zoning Ordinance, a Renaissance Zone Application must be submitted to the Zoning Administrator for all projects within the Renaissance Zone that take advantage of the alternative processes and provisions contained within this Ordinance.
- (b) *Zoning Administrator.* The Zoning Administrator shall accept all Renaissance Zone Applications, review for completeness, and act upon the application in accordance with the processes herein described.
- (c) *Variances.* Variances may be granted in accordance with Minnesota Statutes Chapter 462. The administrative procedures for variance applications contained in Section 9, Subsection D of the City of Willmar Zoning Ordinance shall be followed for variance applications within the Renaissance Zone.
- (d) *Conditional Use Permits.* The review of a conditional use permit application for a property within the Renaissance Zone shall follow the application procedure found in the City of Willmar Zoning Ordinance Section 12, if the proposed use is a conditional use pursuant to the applicable provisions of the City of Willmar Zoning Ordinance, Ordinance No. 1060, for the underlying zone. Any requests for conditional uses not permitted by the applicable provisions of the City of Willmar Zoning Ordinance, Ordinance No. 1060, for the underlying zone may apply for a conditional use permit using the Open Zoning provisions found herein.

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Sec. 14-259. – Performance Standards. Projects issued a conditional use permit under Section 14-260 below shall be exempted from the setback requirements and other performance standards established in the underlying zoning district. Such setback requirements or performance standards may be addressed in conditions of the conditional use permit customized to reflect the specific characteristics and impacts of the permitted project.

Sec. 14-260. – Open Zoning.

- (a) *Eligibility.* All projects within the Renaissance Zone not permitted by the underlying Zoning District, as defined in the City of Willmar Zoning Ordinance, Ordinance No. 1060, may apply for a Conditional Use Permit (CUP) under the Open Zoning process set forth in this Section 14-260.
- (b) *Open Zoning Process.* The open zoning process allows the consideration of a conditional use permit for any use within the Renaissance Zone that is evaluated pursuant to Subparagraph 4 herein to promote and encourage adaptive reuse of heritage-designated and existing infrastructure; contextual use and creativity; density; mixed-income housing; entertainment uses; a healthy, equitable, and resilient community; and pedestrian-scaled streetscapes, notwithstanding the underlying zoning district requirements.
- (c) *Application.* All projects wishing to apply for a conditional use permit under the open zoning process must submit a completed Renaissance Zone Application to the City Zoning Administrator, and provide all additional information requested by City staff, the Planning Commission, the Development Committee, and the City Council to support the application. When the Zoning Administrator determines the application is complete, the Zoning Administrator shall submit the application to the Planning Commission.
- (d) *Local Heritage Designation.* An Applicant may apply for Local Heritage Designation of any existing or proposed buildings, in accordance with the Willmar Local Heritage Designation program, Willmar City Code Chapter 14, Section 4, simultaneously with the open zoning application. If the project contains one or more Local Heritage Designated structures, structures on the list of potential heritage sites, or is in the Downtown Commercial Heritage District, the applicant must simultaneously submit an alteration/renovation/demolition review request in accordance with Article IV of this Chapter 14.
- (e) *Evaluations and Approvals.* The Planning Commission shall follow the procedure and criteria laid out in the conditional use process, Willmar Planning Code 9E2- 9E9 for the evaluation and approval of a conditional use permit under the open zoning process. The Planning Commission shall additionally consider the objective evaluation of the project's viability and furtherance of the following Renaissance Zone objectives, according to a uniform scoring system to be approved by the City Council:
 - (1) Whether the project exhibits creativity in addressing contextual, spatial and architectural relationships;
 - (2) Whether and the extent to which the project will include mixed-income housing;
 - (3) Whether and the extent to which the project will include retail and/or office space;

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- (4) Whether and the extent to which the project will complement and/or enhance the vitality and character of the Renaissance Zone;
 - (5) Whether and the extent to which the project will enhance the pedestrian experience;
 - (6) Whether the project meets a demand and/or fills a market gap;
 - (7) Whether the project is financially feasible and viable; and
 - (8) Whether the project is shovel ready.
- (f) *Ineligible Uses.* The following uses are ineligible for a CUP under the open zoning process:
- (1) Adult uses.
 - (2) Agricultural product processing plants.
 - (3) Gas bulk plants.
 - (4) Manufacturing of explosive or toxic materials.
 - (5) Meat packing/rendering plants.
 - (6) Power plants.
 - (7) Solid waste collection and recycling facilities for metals, glass, paper, wood, etc. (not including household garbage).
 - (8) Storage and/or sale of flammable liquids and gases, except as reasonably necessary in connection with the on-site retail sale thereof.
 - (9) Permanent concrete, bituminous, or gravel production businesses.
- (g) Appeals from decisions of the Zoning Administrator or Planning Commission regarding decisions made in accordance with this ordinance may be made to the Board of Zoning Appeals, by following the process and standards found in Section 14-221.

Sec. 14-261. – Parking

- (a) *Off-street parking requirements.* The off-street parking requirements of Division 4 of this Ordinance apply to all buildings, structures, and uses of land constructed, established, or authorized, except Parking Credits may be used to meet said requirements.
- (b) Upon submission of the Renaissance Zone Application and the Parking Reduction application, the Zoning Administrator may issue parking credits not to exceed 50% of the parking requirements under the Willmar Zoning Ordinance, for the following reasons:
 - (1) Construction or use of below grade contextual or camouflaged parking;
 - (2) Suitable number of public parking space if retail or office uses are included;
 - (3) Installation of bike parking;

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- (4) Installation of Electric Vehicle Charging Stations;
- (5) Shared car amenities provided by multifamily housing management for the use of multifamily housing residents.

Sec. 14-262. – Fees

- (a) Notwithstanding any other ordinance provision or the City of Willmar Fee Schedule, upon the approval of a Renaissance Zone Application requesting permit fee reductions an applicant shall not be charged a fee for any the following, except as provided in subparagraph 2 below:
 - (1) Building permit fees;
 - (2) Land use application fees;
 - (3) Sign permit fees;
 - (4) Sewer availability charge; or
 - (5) Water availability charge.
- (b) If a share of any of these fees or charges listed in subparagraph 1 above is due to the Federal Government, State of Minnesota, or another political subdivision, the Zoning Administrator shall charge the applicant the non-City portion of the fee.

Secs. 14-263—14-299. - Reserved.



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.C.
Agenda Section:	Regular Business	Originating Department:	Planning and Development
Resolution:	Yes	Prepared By:	Christopher Corbett, Planning and Development Director
Ordinance:	No	Presented By:	Christopher Corbett, Planning and Development Director
Item:	Consideration to Enter an Agreement with a Consultant to Rewrite the City of Willmar Zoning Ordinance		

RECOMMENDED ACTION:

Motion by: _____ Second by: _____ to authorize the City of Willmar to enter into an agreement, *using the City standard form agreement*, with TC² for professional services related to the rewrite of the City's Zoning Ordinance, in an amount 'not to exceed' \$100,000.00, inclusive of all costs and incidentals.

OVERVIEW:

As part of the implementation of the 2025 Comprehensive Plan, the Planning and Development Department, following City Council approval on Tuesday, September 2, 2025, issued a Request for Proposal to initiate a full rewrite of Willmar's zoning ordinance. This undertaking is a vital step in aligning the City's land use regulations with the goals and priorities outlined in the Comprehensive Plan, ensuring Willmar remains responsive to evolving community needs, economic development opportunities, and contemporary planning practices.

Interviews with the top four consulting firms, *Bolton & Menk*, *TC²*, *SRF Consulting*, and *CARDO + Studio Forme*, were conducted during the week of October 27, 2025. Based on those discussions, staff recommends entering into an agreement with TC² for professional services, not to exceed \$100,000. The proposed estimated cost is \$87,030.

Background

- Final RFP Posted and Available for Viewing September 3, 2025
- Questions Due September 19, 2025
- Proposals Due October 10, 2025
- Interview Selection Notice October 17, 2025

- Interviews October 27-29, 2025

Proposed Timeline

- City Council for Approval November 3, 2025
- Award Notice November 4, 2025
- Project Kick-Off December 2026
- Anticipated Project Completion Summer 2026

Project Estimates: Previously Shown at September 2, 2025 City Council Meeting

City	Project Scope	Estimated Cost	Notes
Becker, MN Pop. 5,187	Full zoning and subdivision code rewrite	\$60,000–\$80,000	Included public engagement, design guidelines, and unified development code
St. Louis Park Pop. 49,477	Zoning modernization to support mixed-use and TOD	\$100,000+ (multi-phase)	Focused on transit-oriented development and sustainability goals
Northfield, MN Pop. 21,177	Land development code overhaul	\$75,000–\$100,000	Integrated form-based code principles and historic preservation
Rochester, MN Pop. 122,413	Unified Development Code (UDC) rewrite	\$250,000+	Large-scale effort tied to Destination Medical Center initiative
Duluth, MN Pop. 88,318	Zoning code update for resiliency and equity	\$150,000–\$200,000	Included climate adaptation and affordable housing strategies

BUDGETARY/FISCAL ISSUES:

\$87,030 not to exceed \$100,000

ALTERNATIVES TO CONSIDER:

Request additional information

ATTACHMENTS:

1. Resolution Zoning Ordinance Rewrite 2025
2. Willmar Zoning Ordinance_TC2Contract
3. Willmar Zoning Ordinance Rewrite_TC2 Response Reduced
4. Bolton & Menk Submittal_Willmar_Zoning Ordinance Rewrite
5. SRF Proposal for Willmar Zoning Ordinance Rewrite
6. Cardo_251010_Proposal
7. City of Willmar_RFP Zoning Code_8.25.25

RESOLUTION NO.

**PROFESSIONAL SERVICE AGREEMENT BETWEEN THE CITY OF WILLMAR
AND TC^2**

Motion By: _____ Second By: _____

WHEREAS, the City Council of the City of Willmar desires to update and complete a comprehensive plan for the City of Willmar.

NOW THEREFORE, BE IT RESOLVED that the City Council authorizes the Mayor and City Administrator to enter into a professional services agreement with TC² for professional services related to the rewrite of the City's Zoning Ordinance, in an amount not to exceed \$100,000.00, inclusive of all costs and incidentals.

Passed and adopted by the City Council on this 3rd day of November 2025.

MAYOR

ATTEST:

CITY CLERK



October 31, 2025

Christopher Corbett
Planning and Development Director
City of Willmar
333 6th Street SW
Willmar, MN 56201

Subject: City of Willmar Zoning Ordinance Rewrite – TC2 Proposal

Dear Christopher:

TC2 is pleased to submit this proposal as a supplement to our proposal for the City of Willmar Zoning Ordinance Rewrite. Based on our understanding and conversations with city staff, the following scope of services was developed.

SCOPE OF SERVICES

We propose to carry out the work as described in the proposal submitted October 10, 2025 and discussed with Christopher Corbett. The specific scope of work and deliverables for each phase are detailed Attachment B. The scope of work includes the following phases:

- Phase 1: Existing Policy and Code Assessment
- Phase 2: Existing Development and Policy Context
- Phase 3: Establish the Framework
- Phase 4: Explore Code Updates
- Phase 5: Solidify Code Rewrites
- Phase 6: Prepare for Implementation
- Phase 7: Community Engagement
- Phase 8: Project Management

SCHEDULE

We are prepared to begin immediately and will complete this work within a mutually agreed-upon schedule.

BASIS OF PAYMENT/BUDGET

We propose to be reimbursed for our services on an hourly basis. Direct project expenses, such as data collection, supplies, etc., will be billed at cost and mileage will be billed at the current allowable IRS rate for business miles. Invoices are submitted on a monthly basis for work performed during the previous month. Payment is due within 30 days. Based on our understanding of the project, the overall project budget is not to exceed \$100,000.

The total budget includes the \$87,030 identified in our proposal and a contingency allocation of \$12,970 designated for potential future work. This contingency is not intended for immediate use and will only be accessed upon written approval from the City. Any utilization of the contingency funds must be formally documented and authorized in writing prior to commencement of the additional work.

CHANGES IN THE SCOPE OF SERVICES

It is understood that if the scope or extent of work changes, the cost will be adjusted accordingly. Before any out-of-scope work is initiated, however, we will submit a budget request for the new work and will not begin work until we receive authorization from you.

STANDARD TERMS AND CONDITIONS

This proposal is valid for 90 days from issuance. TC2 reserves the right to adjust the fee after 90 days from the date of this proposal. A complete list of TC2’s standard terms and conditions are listed in Attachment A.

ACCEPTANCE/NOTICE TO PROCEED

A signed copy of this proposal, mailed or emailed, indicates acceptance and notice to proceed. We appreciate your consideration of this proposal and look forward to working with you. Please feel free to contact me if you have any questions or need additional information.

Sincerely,



Craig Vaughn, PE, PTOE
Principal, Founder
Transportation Collaborative & Consultants, LLC

APPROVED:

(signature)

Name _____

Title _____

Date _____

ATTACHMENT A

TRANSPORTATION COLLABORATIVE & CONSULTANTS, LLC STANDARD TERMS AND CONDITIONS

1. Applicability: Basic Agreement. These Standard Terms and Conditions (these “Terms”) govern the purchase of engineering services (the “Services”) by Client from Transportation Collaborative & Consultants, LLC, a Delaware limited liability company (“TC2”). The Proposal for Professional Services to which these Terms are attached and these Terms (collectively, this “Agreement”) comprise the entire agreement between the parties, and supersede all prior or contemporaneous understandings, agreements, negotiations, representations and warranties, and communications, both written and oral. These Terms prevail over any of Client’s general terms and conditions of sale regardless whether or when Client has submitted its sales confirmation or such terms. This Agreement expressly limits Client’s acceptance to the terms of this Agreement. TC2 shall provide, or cause to be provided, the Services as described in this Agreement, and Client shall pay TC2 for such Services in accordance with the terms of this Agreement.

2. Payment Procedures. TC2 will prepare a monthly invoice in accordance with TC2’s standard invoicing practices and submit the invoice to Client. Invoices are due and payable within 30 days of receipt. If Client fails to make any payment due TC2 for services and expenses within 30 days after receipt of TC2’s invoice, the amounts due TC2 will be increased at the rate of 1.5% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, TC2 may, without liability, after giving seven days written notice to Client, suspend the Services under this Agreement until Client has paid TC2 in full all amounts due for Services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

3. Opinions of Construction Costs. Any opinions of costs, construction or otherwise, by TC2 represent its judgement as a design professional and are furnished for the general guidance of Client. Since TC2 has no control over the cost of labor, materials, market conditions, or competitive bidding, TC2 does not guarantee the accuracy of such cost opinions as compared to contractor or supplier bids or actual cost to Client.

4. Termination. Either party may terminate this agreement by providing written notice at least fourteen (14) days in advance of the termination date. Upon termination, Client shall pay TC2 all fees for Services performed through the termination date.

5. Client’s Responsibilities. During the term of this Agreement, Client shall (at its sole cost and expense): (a) provide TC2 with all information as to Client’s requirements for the Project and any other information related to the Project that TC2 reasonably requests; (b) designate in writing a person authorized to act as the Client’s representative, and Client or its representative shall receive and examine documents submitted by TC2, interpret and define Client’s policies and render decisions and authorizations in writing promptly to prevent unreasonable delay in the progress of the Services; (c) provide for full and free access for TC2 to enter upon all property required for the performance of TC2’s Services under this Agreement; (d) give prompt notice to TC2 whenever the Client observes or otherwise becomes aware of any defect in the Project or other event, which may substantially affect TC2’s performance of the Services; and (e) shall perform all of its responsibilities under this Agreement in a prompt manner so as not to prevent TC2 from performing the Services in a timely manner.

6. General Considerations.

(a) Standard of Services. TC2 shall perform the Services with the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. TC2 makes no other warranties, express or implied, under this Agreement or otherwise, in connection with TC2’s Services. TC2 and its consultants may use or rely upon the design services of others, including, but not limited to, consultants, subcontractors, contractors, manufacturers, and suppliers. Client shall be responsible for, and TC2 may rely upon, the accuracy and completeness of all requirements, programs, instructions, reports, data, and other information furnished by Client to TC2 pursuant to this Agreement. TC2 may use such requirements, programs, instructions, reports, data, and other information in performing or furnishing services under this Agreement.

(b) Engineering Designs.

(i) All design documents prepared or furnished by TC2 are instruments of service, and TC2 retains all right, title and ownership (including the copyright and the right of reuse) to such documents, whether or not the Project is completed. Client may not reuse such design documents and agrees to indemnify, defend and hold TC2 harmless from any and all damages, losses, liabilities, and expenses, including reasonable attorney’s fees, in connection with such unauthorized reuse. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

ATTACHMENT A

(ii) Copies of design documents that may be relied upon by Client are limited to the printed copies that are signed or sealed by TC2. Files in electronic media format of text, data, graphics, or of other types that are furnished by TC2 to Client are only for convenience of Client. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk.

(iii) When transferring documents in electronic media format, TC2 makes no representations as to long-term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by TC2 for the Project.

(iv) Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of this data's creator, the party receiving electronic files agrees that it will perform acceptance tests or procedures within sixty (60) days, after which the receiving party shall be deemed to have accepted the data thus transferred. Any errors detected within the sixty (60) day acceptance period will be corrected by the party delivering the electronic files. TC2 shall not be responsible to maintain documents stored in electronic media format after acceptance by Client.

(c) Indemnification. To the fullest extent permitted by law, Client and TC2 agree to indemnify and hold the other (and their respective officers, directors, partners, agents, consultants, and employees) harmless, from and against liability for all third party claims, costs, losses, and damages, including but not limited to all reasonable fees and charges of engineers, architects, attorneys, and other professionals, arising out of or relating to the Project, to the extent such third party claims, losses, damages or expenses are caused by the indemnifying party's negligent acts, errors or omissions. In the event such third party claims, losses, damages or expenses are caused by the joint or concurrent negligence of the Client and TC2, they shall be borne by each party in proportion to its negligence.

(d) Limitation of Liability. NEITHER PARTY SHALL BE LIABLE TO THE OTHER OR ANY OTHER THIRD PARTY FOR ANY SPECIAL, INDIRECT, PUNITIVE OR CONSEQUENTIAL DAMAGES OR LOST PROFITS OR REVENUE, EVEN IF SUCH DAMAGES WERE FORESEEABLE OR IF A PARTY WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. TC2'S AGGREGATE LIABILITY ARISING OUT OF THIS AGREEMENT SHALL NOT EXCEED THE TOTAL AMOUNTS PAID OR PAYABLE TO TC2 IN THE TWELVE MONTHS IMMEDIATELY PRECEDING THE EVENT GIVING RISE TO THE CLAIM OR \$500,000.00, WHICHEVER IS LESS.

(e) Insurance Coverage. TC2 agrees to provide and maintain insurance coverage for Professional, Comprehensive General, Automobile, Worker's Compensation and Employer's Liability in amounts in accordance with TC2's business requirements and applicable law. Certificates evidencing such coverage will be provided to Client upon request. For projects involving construction, Client agrees to require its construction contractor(s), if any, to include TC2 as an additional insured on its policies relating to the Project.

(f) Force Majeure. No party shall be liable or responsible to the other party, nor be deemed to have defaulted or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement (other than any payment obligations) when and to the extent such failure or delay is caused by or results from acts or circumstances beyond the reasonable control of the non-performing party including, without limitation, acts of God, flood, fire, earthquake, explosion, governmental actions, war, invasion or hostilities (whether war is declared or not), terrorist threats or acts, riot, or other civil unrest, national emergency, pandemic, epidemic or restrictive quarantine, revolution, insurrection, lockouts, strikes or other labor disputes (whether or not relating to either party's workforce), or restraints or delays affecting carriers or inability or delay in obtaining supplies of adequate or suitable materials, materials or telecommunication breakdown or power outage.

(g) Miscellaneous. This Agreement shall be binding on each party and their successors and permitted assigns. Neither party may sell, transfer or assign this Agreement to another party without the other party's prior written consent. This Agreement is to be governed by the laws of the State of Minnesota without regard to any conflicts of law principles of any state. Each party irrevocably submits to the jurisdiction of the federal and state courts located in the County of Hennepin, State of Minnesota for any litigation, or other proceeding as between the parties that may be brought, or arise out of, in connection with or by reason of this Agreement. In the event any provisions of this Agreement shall be held to be invalid and non-enforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provisions, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party. The relationship between the parties is that of independent contractors. Nothing contained in this Agreement shall be construed as creating any agency, partnership, joint venture or other form of joint enterprise, employment or fiduciary relationship between the parties, and neither party shall have authority to contract for or bind the other party in any manner whatsoever. Provisions of these Terms which by their nature should apply beyond their terms will remain in force.

PROPOSAL FOR **WILLMAR ZONING ORDINANCE REWRITE**



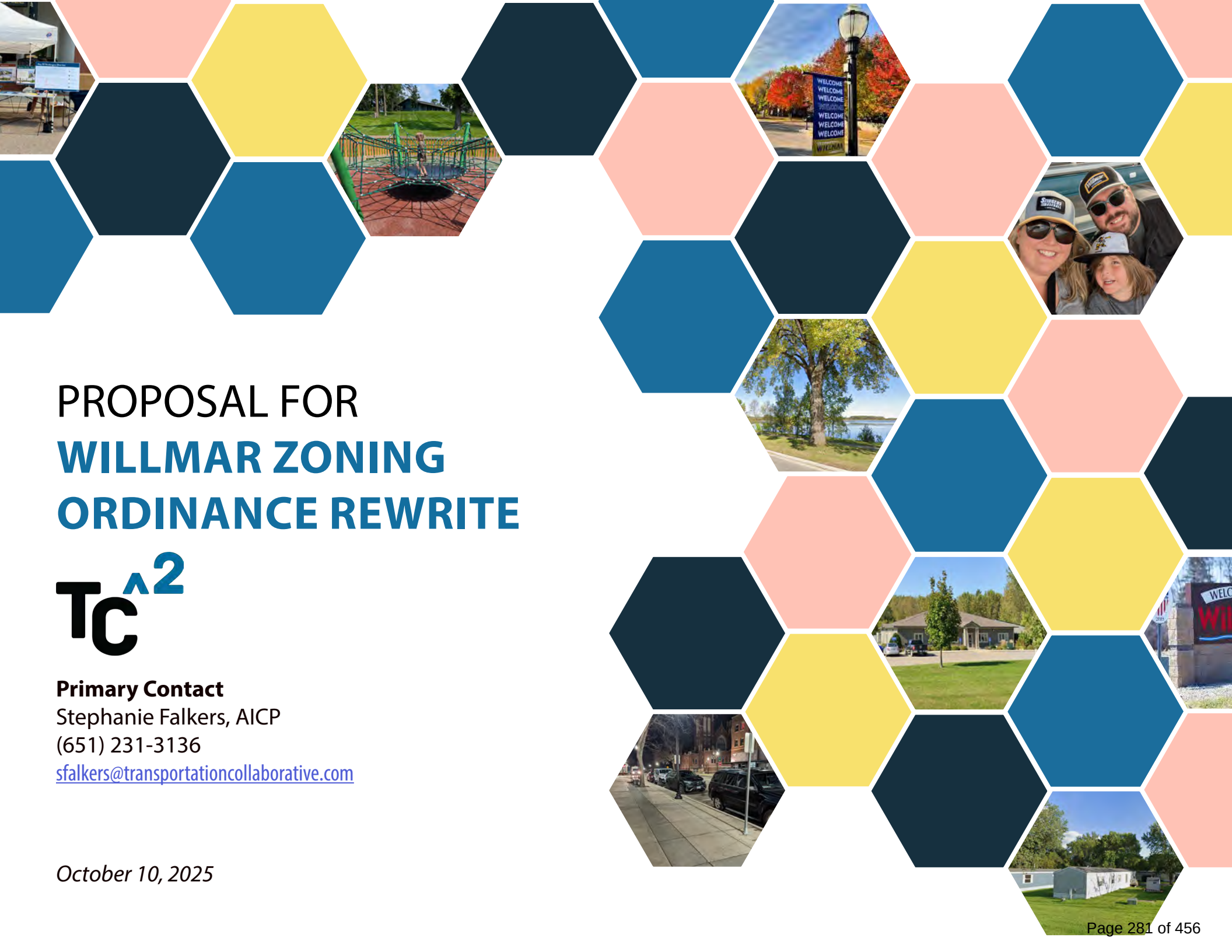
Primary Contact

Stephanie Falkers, AICP

(651) 231-3136

sfalkers@transportationcollaborative.com

October 10, 2025



October 10, 2025

Christopher Corbett
Planning and Development Director
City of Willmar
333 6th Street SW
Willmar, MN 56201

Click on a
tab to go to
that section



Subject: City of Willmar Zoning Ordinance Rewrite - TC2 Proposal

A community's zoning ordinance is the primary implementation tool for shaping the physical development of the community's long-range vision. Not only does the code establish policies and regulations to protect the health, safety, and welfare of community members, it supports the sense of place and community identity. This is an exciting time for the City of Willmar as it embarks on a code update to align with the WITH Willmar Comprehensive Plan. The TC2 team, with its diverse expertise, is eager to support the City of Willmar with your zoning ordinance update to align with the recent Comprehensive Plan and community needs. We are thrilled to collaborate with elected leaders, city staff, stakeholders, and community members to identify ordinance updates that will shape development activities in the city.

Our team has engaged with the Willmar community with projects and planning activities in recent years. **Stephanie Falkers, AICP** served as the Project Manager for the WITH Willmar Comprehensive Plan while with a previous firm, engaging with community, staff and stakeholders. **Lance Bernard** and **Sam Matuke, AICP** supported Stephanie and Christopher Corbett in preparing for and facilitating a charrette on Downtown Willmar strategies at the recent APA Conference in Willmar. Stephanie will serve as the Project Manager for the zoning ordinance update. Lance and Sam will support Stephanie as Lead Planners throughout the process, who each bring many experiences working with communities on comprehensive plans, zoning ordinances, and day-to-day activities.

We bring a wealth of skills and experience to support the approach outlined in this proposal. Our desire and ability to support the city can be summarized into the four key points:

- **Our team of experienced planners have the skills and experience to complete the task.** Our planners have spent their careers collaborating with communities through planning processes and implementation efforts. From the creation of a vision in the comprehensive plan to the administration of a zoning ordinance, our team has experience across all aspects. Our approach to zoning ordinance updates is built from this broad experience, focusing on implementable and purposeful outcomes.

- **We have an understanding of the key updates desired for the ordinance.** Through our previous work in Willmar, including the comprehensive plan update and transportation efforts, we have developed a strong understanding of Willmar's vision for the future. We are familiar with key priorities to modernize the code, improve the user experience, support a diversity of housing and commercial development types, and continue to enhance the sense of place. We also recognize that this effort marks the city's first step in implementing the comprehensive plan, and we are excited to help identify future actions through ongoing engagement and analysis.
- **Our knowledgeable Project Manager, Stephanie Falkers, AICP, brings her experience in Willmar and throughout the Midwest.** Stephanie brings over 15 years of planning experience with many counties and cities. Her approach focuses on implementation, ensuring that the zoning ordinance supports the long-range vision. Stephanie focuses on collaboration, providing opportunities to learn and grow through the process.
- **We are ready and qualified based on our experience.** Our team is ready, committed, and available for the opportunity to assist the City of Willmar with the initial implementation of the WITH Willmar Comprehensive Plan. We have assisted many communities through similar efforts, and our understanding of the city's goals and priorities makes us ready to get started. Our team brings expertise from decades of planning experience and the passion to create solutions for Willmar.

We look forward to sharing more about our team, experience, project approach, and the qualifications we bring to the City of Willmar. If you have any questions or need additional information, please feel free to reach me at sfalkers@transportationcollaborative.com or 651-231-3136.

Stephanie Falkers, AICP
Director of Community Planning

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PROJECT UNDERSTANDING

PROJECT UNDERSTANDING

Zoning and subdivision ordinances serve as key tools for carrying out the long-range vision outlined in the city's Comprehensive Plan. While the Comprehensive Plan sets the course for the next 20 years or more, zoning and subdivision ordinances define the specific rules and standards that guide development on the ground. The City of Willmar recently collaborated with community members and stakeholders to shape a refreshed vision, goals, and priorities. The next step is to translate this vision into the City's official zoning regulations.

The current code is outdated and in need of updates to support the community's desires. The Comprehensive Plan identified seven goals for the community that will guide the update process, and four guiding principles that will support innovative solutions.

ALIGNING WITH WILLMAR GOALS WITH THE ZONING ORDINANCE REWRITE ENGAGEMENT

Support a code that creates place and spaces that meet a variety of community needs.

INFRASTRUCTURE & SAFETY

Support connectivity across uses and safety for all.

RECREATION

Support uses that provide physical activity and places to work and play.

COMMUNITY

Support the maintenance of the community's character and sense of place, including neighborhood and corridor visions.

ECONOMY

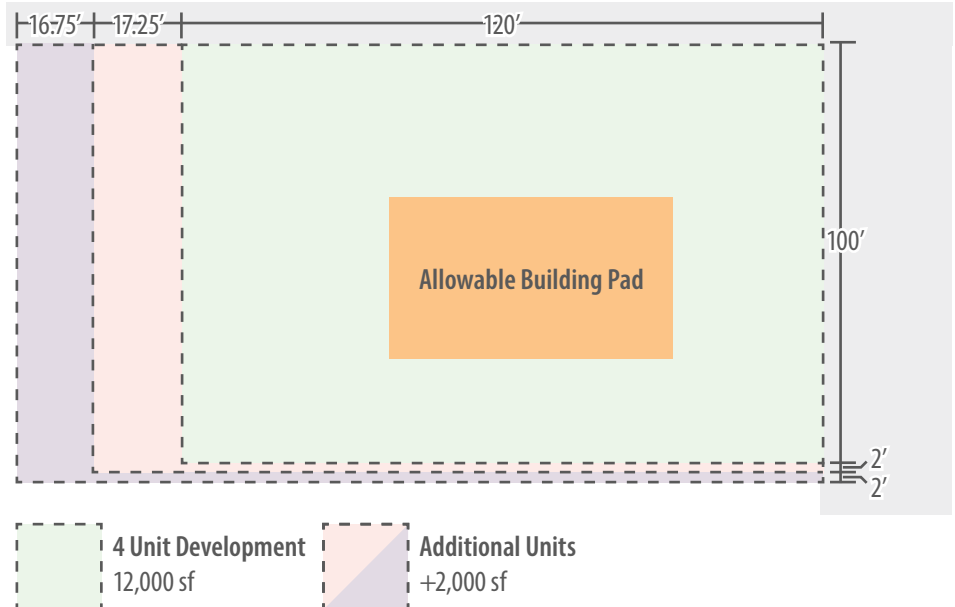
Support affordability and options for growth and investment.

The existing zoning ordinance includes language drafted in 1994 with minor updates occurring as needed. The current code utilizes a traditional Euclidean format to establish 14 core districts and overlay districts to regulate shoreland development. The existing code structure utilizes a traditional stacked district format, utilizing a narrative structure to outline regulations. There are a variety of structure/format updates that can be explored to improve the usability and understanding of the code, beyond responding to current planning best practices and development trends. Examples include:

Permitted Uses: The existing code includes lists of permitted uses, with specific uses identified. For example, the GB – General Business District lists 35 permitted uses with specifics such as Bait and Tackle Stores identified. The creation of use tables with generalized use categories can help to simplify the code and show the relationship between districts.

Dimensional Standards: Residential districts within the existing code include dimensional standards specific to the number of units within a development. Code updates can simplify the overall approach to dimensional standards and include simple graphics to illustrate code details.

Existing R-5, High Density Multi-Family Residential Dimensional Standards



ZONING REWRITE PRIORITIES

Based upon our understanding of the community, the recent WITH Willmar vision and goal development and review of the current code, we see a few priorities that can be refined to guide the process.



NEIGHBORHOOD AND CORRIDOR CONTEXT:

Provide greater flexibility to support new land uses and development that incorporates the existing built context, supporting both redevelopment and new growth.



USABILITY AND SIMPLIFICATION:

Update the zoning ordinance to create a user-friendly document that serves staff, decision-makers, residents, and developers alike.



MODERNIZATION:

Modernize the zoning ordinance to reflect current best practices. Utilize a modernized format and graphic inclusions to support the overall understanding and implementation.



EDUCATION AND INVOLVEMENT:

Ensure that the community has opportunities to learn what zoning is and why it is important, while building overall support for code updates and future action.



FORM AND FUNCTION:

Develop regulations that consider the overall form and function of the structures and their relationship to each other and the surrounding social and natural environment.



UPDATING POLICIES WITH WILLMAR

Engaging the community through a zoning ordinance update can be a challenging process, with the technical focus of the code and understanding of the code's purpose. We recognize the community's commitment to engaging community in all planning processes, building on the momentum of the WITH Willmar Comprehensive Plan. We have outlined an engagement approach in our work program that balances the engagement needs and opportunities to educate community, with the following goals in mind:

Legitimacy and Trust: When residents are involved early and often, they're more likely to trust the process and support the outcome—even if they don't agree with every detail.

Equity and Inclusion: Historically marginalized voices are often left out of planning decisions. Purposeful outreach helps ensure zoning updates don't reinforce existing inequalities.

Local Knowledge: Community members bring insights that planners might miss—like how a street floods after heavy rain or where kids actually play. That kind of lived experience is invaluable.

Better Outcomes: Engagement leads to more thoughtful, context-sensitive policies. It can also reduce opposition later by addressing concerns upfront.

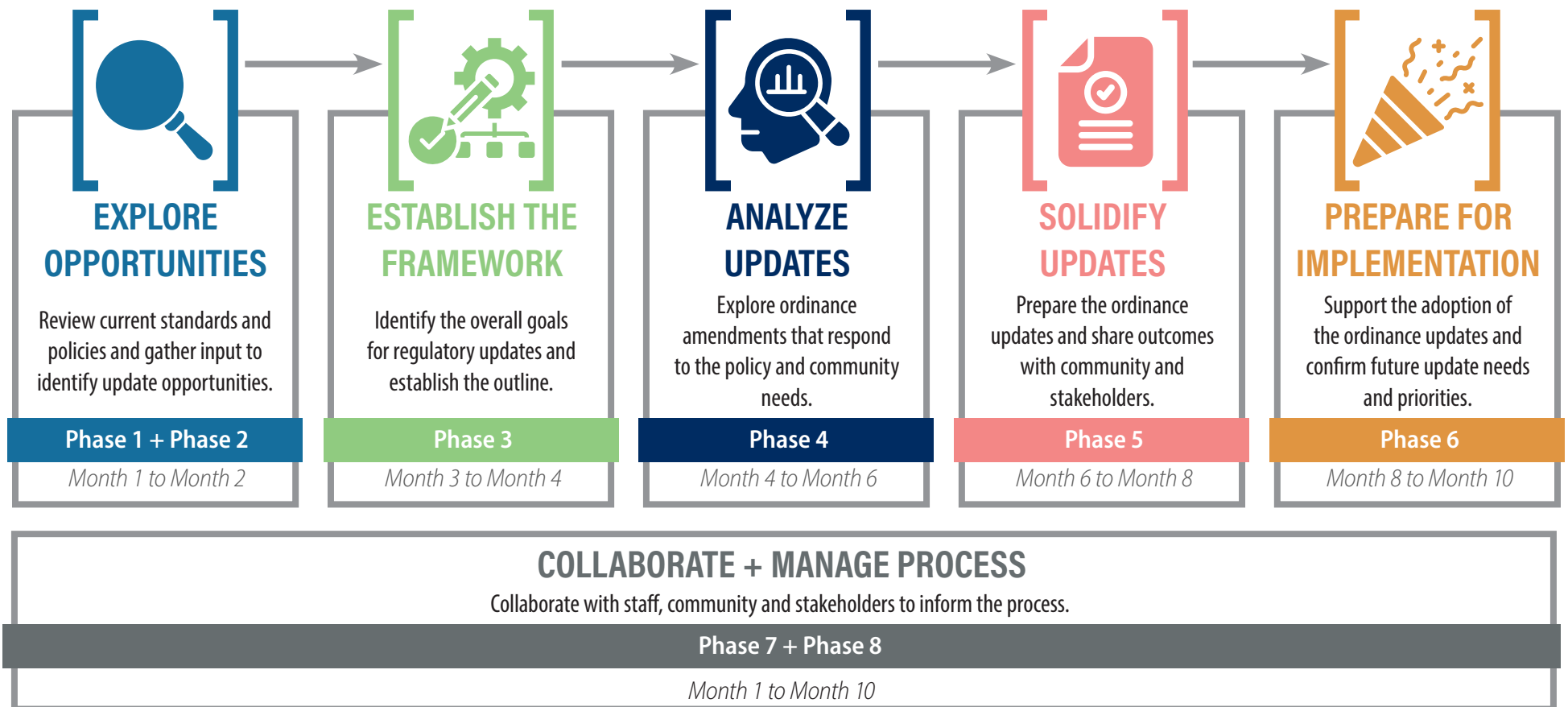
Ownership and Implementation: When people feel heard, they're more likely to champion the changes and help bring them to life.

APPROACH/WORK PROGRAM

Updating a zoning ordinance can feel overwhelming, often perceived as a complex and time-consuming process. However, we view it as an opportunity to streamline regulations, improve clarity, and create a more user-friendly approach for decision making. Our approach keeps it simple. We prioritize simplicity and practicality, ensuring that zoning updates align with the comprehensive plan’s vision and goals, while remaining easy to navigate for residents, developers, and decision-makers. Through thoughtful engagement, clear communication, and strategic revisions, we help cities and counties modernize their zoning codes to balance flexibility with predictability, support sustainable growth, and preserve community character.

ZONING ORDINANCE UPDATE PROCESS

The approach and work program described in the following pages can be summarized into five general steps. The following graphic provides an overview of the planning process with identified tasks and timelines. A detailed schedule is available on [page 25](#).



PHASE 1 – EXISTING POLICY AND CODE ASSESSMENT

PHASE 1 GOAL: ASSESS HOW PAST POLICIES AND DOCUMENTS HAVE SHAPED PAST PLANNING DECISIONS AND THE COMMUNITY TODAY.

Task 1.1: Project Kick-Off

To kick off the planning process, a kick-off summit will be held with City staff, Planning Commission and City Council. This initial in-person meeting provides an opportunity to communicate and confirm the community ordinance update goals and share the process with community and stakeholders. We will work with City staff to confirm the overall timeline and deliverables as part of the meeting presentation. The engagement activities that will be held throughout the planning process will also be shared. This kick-off will also serve as the soft launch of the update process with community, and the project website will be launched for this meeting.

In addition to sharing project information, we'll facilitate a conversation with staff and elected/appointed officials to inform the process.

Task 1.2: Ordinance Audit and Plan Review

Audit the existing zoning ordinance to identify opportunities and conduct a review of recent planning decisions and activities to assess current policies and code and identify opportunities for updates. Four key elements will be reviewed to establish the baseline assessment.

- **WITH Willmar Comprehensive Plan.** Conduct a review of recent planning decisions and compare them against the goals and policies outlined in the comprehensive plan. Review the identified actions and priorities and assess modifications based on recent actions and community/stakeholder input.
- **Zoning Ordinance.** Review the existing zoning ordinance and assess amendment needs. This assessment will include the identification of ordinance sections that align with the priorities identified within the comprehensive plan. Opportunities to modernize the ordinance, mend inconsistencies and gaps, and respond to new planning practices will also be identified.
- **Zoning Districts.** The future land use plan and zoning districts will be assessed to identify new designations that should be incorporated as part of the update. This assessment will identify the new designations within the comprehensive plan and then explore alignment with existing districts and opportunities to reformat the district structure.

- **Zoning Map.** A review of the existing zoning map and future land use plan will be completed to identify inconsistencies and opportunities for future zoning changes. This analysis will include the identification of future changes to align with any new districts developed.

Task 1.3: Existing Policy and Ordinance Summary

Assessments will be completed by the team with outcomes shared and discussed with city staff to establish the existing assessment. This assessment will focus on outcomes to inform not only the code development but will also inform the development of educational materials to communicate the role of zoning with the community.

Task 1.4: Phase 1 Engagement Activities

The goal of Phase 1 engagement activities is to bring awareness to the zoning ordinance update process, sharing the overall timeline, engagement opportunities, and general goals.

- **Community Kick-Off:** The community kick-off includes the distribution of promotional materials to bring awareness to the planning process. Materials will be shared via the project website.

Task 1 Deliverables:

Comprehensive Plan assessment; Existing code assessment; Zoning district assessment; Zoning map assessment; Kick-Off Meeting





PHASE 2 – EXISTING DEVELOPMENT AND POLICY CONTEXT

PHASE 2 GOAL: UNDERSTAND HISTORIC AND RECENT DEVELOPMENT PATTERNS TO CREATE CHARACTER AREA PROFILES THAT WILL INFORM NEEDED CODE UPDATES AND MODIFIED FRAMEWORKS.

Growth patterns, current code, and past policies have shaped the Willmar we see today. The character of Willmar is established by the varied neighborhoods, commercial corridors, industrial and research areas, and transitional areas throughout the community. This phase focuses on exploring and understanding the unique aspects of development by community area to understand alignment with the code. This will help us understand needed updates and amendments.

Task 2.1: Explore neighborhoods, corridors, and destination areas

Using a generalized neighborhood and destination assessment to define community areas, we will collect data and explore the details of each area. This data collection and analysis will include GIS review, virtual visits, and site plan review to explore physical characteristics and data. A profile outline will be developed ahead of field visits to ensure consistent information is gathered.

An analysis of these areas will allow a profile of each neighborhood to be create to describe the general character of the area, the form and function of development within it, the relationship to other uses and natural features, and the existing policies and regulations in place. The profiles will be analyzed to define opportunities for district updates and code modifications. This is an important step to identify what can be explored, but also to ensure that future updates do not create major non-conformities.

Task 2.2: Phase 2 Engagement Activities

The goal of Phase 2 engagement is to learn about community member's likes and dislikes of development and the community's built form. Engagement activities and materials will continue to inform community members of what the zoning ordinance does and the elements it influences, while building an understanding of community preferences.

- **Community Workshop:** A workshop will be held to engage the community in the planning process. This event will serve as a kick off for community engagement, inviting the community to learn about the existing code and share opportunities for updates.
- **Community Survey:** Learn about preferences with a visual preference survey.

- **Online Engagement Update:** The working character area profiles and assessment will be presented to the community to showcase the assessment. Opportunities to provide feedback will be hosted online to finalize the profiles.
- **City Council/Planning Commission Update:** The profiles will be shared with the City Council and Planning Commission via a memorandum to review the initial findings of the character area profiles and opportunity assessments.

Phase 2 Optional Task A: Focus Groups/Neighborhood Meetings: Meet with community members in their neighborhood to share project information and discuss the character of places. Walking tours may be incorporated as appropriate.

Task 2 Deliverables:

Character Area profiles; Opportunity assessments; Engagement materials, promotion, and summary

PHASE 3: ESTABLISH THE FRAMEWORK

PHASE 3 GOAL: THE ORDINANCE FRAMEWORK PHASE WILL UTILIZE THE OUTCOMES OF PHASE 1 AND PHASE 2 TO DEFINE THE OVERALL CODE FRAMEWORK, INCLUDING THE OVERALL CODE TYPE(S), DISTRICTS, AND OVERALL GOALS.



Task 3.1: Define format and update goals

Using the analysis and assessments of Phase 1 and Phase 2, we will establish the key goals of the ordinance development with alignment to the WITH Willmar goals. These goals will also establish the overall framework for upcoming code development activities.

Example goals may include:

- Understand the built form needs to maintain historic character downtown, while allowing for new growth
- Ensure open space and vegetation is incorporated into design of all use types
- Allow for varied housing types across districts
- Initially identified recommendations will also be outlined throughout this framework, specifically any inconsistencies or updates identified from the current code.

We will develop the ordinance outline in alignment with the framework to establish the overall ordinance structure. This outline will establish the new organization of the code and will consider which City Code Chapters outside of 155 can be woven into the code for consistency.

Formatting and graphic needs will be considered with the development of the outline to build efficiencies during the ordinance exploration phase.

Task 3.2: District Development

Using the identified format and update goals, we will begin the process with the creation of the intended district structure. This will include the identification of the draft number of residential, commercial, industrial, and general use districts. The details of these districts will be explored during following phases, but the identification of a general framework now aids in the process development.



RESIDENTIAL DISTRICTS: Areas designated primarily for housing, including single-family homes, apartments, and other dwelling types.



COMMERCIAL DISTRICTS: Zones intended for business activities such as retail, offices, restaurants, and services.



MIXED USE DISTRICTS: Flexible zones that allow a mix of compatible land uses, often combining residential, commercial, or civic functions.



INDUSTRIAL DISTRICTS: Districts set aside for manufacturing, warehousing, and other heavy-duty or production-related uses.



OTHER DISTRICTS: Districts that guide development for community uses including, parks and open space, institutional, etc.



SPECIAL USE DISTRICTS: Includes overlay or special districts to guide development of specific areas or uses.

- Task 3.3: Phase 3 Engagement Activities**
- The goal of Phase 3 engagement activities is to confirm the overall framework and direction for ordinance updates and analysis. This is primarily an information phase for community members as the process transitions into Phase 4 activities.
- City Council/Planning Commission Workshop:** The defined outline and district structure will be discussed with the City Council and Planning Commission in a workshop format.
 - Online Engagement Updates:** Provide the framework and goals for community consumption.

Task 3 Deliverables:

Zoning Ordinance update framework; District identification; Ordinance outline; Engagement materials, promotion, and summary

PHASE 4: EXPLORE CODE UPDATES

PHASE 4 GOAL: THE EXPLORATION PHASE WILL FOCUS ON ANALYZING CODE UPDATES TO MEET COMMUNITY GOALS AND INFORM THE ORDINANCE DEVELOPMENT.



- Task 4.1: Use Analysis**
- We will explore the desired uses for each district established within the framework. This effort must consider the overall form and function of development and how it aligns with the overall district intent. Efforts must consider how specific uses need to be aligned to meet community goals with the understanding of densities and building massing that will establish the community character.
- A use table will be created through this analysis to be refined and incorporated in the development of the ordinance.

- Task 4.2: Dimensional Standards**
- We will explore the dimensional standards and format to be incorporated within each district. This analysis will first explore the standards to be included (i.e., what should be regulated for which districts and what format should be used). The specific standards will then be analyzed for each district. Impacts to density, open space, build-ability, natural features, and more must be explored through this analysis. Fit tests will be utilized in this work to understand how dimensional standards would apply to existing lots, as well as a typical lot. This test provides an example of the resulting development potential and will identify potential non-conformities created with updated regulations.

Task 4.3: Ordinance Analysis and Alignment

In addition to dimensional and uses analysis, we will explore ordinance features to align with the overall goals and desired direction. This analysis may take many forms including:

- Review of other codes for best practices
- DNR Shoreland Ordinance alignment
- Parking requirements
- Design standards

To finalize the analysis of updates, we'll complete a review of Minnesota Statute requirements and community goals to ensure the update aligns with statutory requirements and the community's vision.

Task 4.4: Phase 4 Engagement Activities

The goal of Phase 4 engagement is to gather input on the outcomes of the ordinance analysis, sharing potential formats and development outcomes will provide insights into the specific ordinance elements.

- **Pop-up Events:** Engage with community members at a local event with interactive models and activities to test regulatory changes. Pop-up materials can also be shared with staff to host additional activities.
- **City Council/Planning Commission Workshop:** Two workshops will be held during this phase to review analysis and define preferred direction that will inform the next phase.
- **Online engagement:** Share updates and direction through analysis activities.

Phase 4 Optional Task Focus Groups: Meet with topical experts to discuss code and policy updates that will be solidified in the development of the code.



Task 4 Deliverables:

Use, dimensional standard, and ordinance analysis outcomes;
Engagement materials, promotion, and summary



PHASE 5: SOLIDIFY CODE REWRITES

PHASE 5 GOAL: DEVELOP A DRAFT ORDINANCE AND REFINE WITH CITY INPUT TO DEVELOP THE FINAL ORDINANCE UPDATES. INCORPORATE MAP UPDATES TO ALIGN WITH THE NEW STANDARDS.

Task 5.1: Draft Ordinance

We will draft the ordinance update section by section to support a coordinated review with staff. The ordinance will be drafted utilizing the defined outline and district structure created in Phase 3. The analysis completed in Phase 4 will be used to develop the language and resulting regulations. As each section is drafted, we will coordinate a review with city staff and the City Council/Planning Commission as appropriate. The review process will include:

REVIEW PROCESS

- ☐ TC2 TO SUBMIT SECTION + GRAPHICS FOR REVIEW
- ☐ CITY STAFF + OFFICIAL REVIEW - 2 WEEKS
- ☐ TC2 TO REVIEW + REVISE - 1 WEEK
- ☐ VIRTUAL MEETING TO DISCUSS CHANGES + EDITS
- ☐ REVISE SECTION TO CREATE FINAL DRAFT

Task 5.2: Finalize Ordinance

Once all sections have been drafted and reviewed, we will develop the final ordinance. This will include any needed revisions and formatting to ensure consistency.

Task 5.3: Zoning Map Updates

We will review the existing zoning map and future land use plan to develop an updated zoning map that aligns with the updated ordinance and future development goals. The fit tests used in Task 4.1 will be a helpful resource in this task to limit unintended non-conformities. An updated zoning map and list of properties will be developed.

Task 5.4: Phase 5 Engagement Events

The goal of Phase 5 engagement is to share the outcomes of the ordinance prior to adoption. Efforts will focus on informing the community about the changes to the code and how it will be implemented. Though the adoption process also includes public hearings, we find that engagement at this phase allows for education of the resulting code to support the adoption process.

- **Open House:** Share results of the ordinance update process through a presentation and activities to showcase results and outcomes with the community.
- **City Council/Planning Commission Workshops:** Hold one workshop during the review process to discuss draft ordinance outcomes. It is assumed that this meeting will be held virtually.
- **Online Engagement Updates:** Share the final draft ordinance with community ahead of the adoption process.

Task 5 Deliverables:

Draft ordinance; Final ordinance; Zoning map updates; Engagement materials, promotion, and summary





PHASE 6: PREPARE FOR IMPLEMENTATION

PHASE 6 GOAL: THE GOAL OF THE ADOPTION PHASE IS TO PREPARE FOR AND EXECUTE THE ADOPTION OF THE ORDINANCE THROUGH THE PLANNING COMMISSION AND CITY COUNCIL AND PREPARE FOR IMPLEMENTATION.

Task 6.1: Adoption Process

We will assist the city through the adoption process, including both the Planning Commission and City Council public hearings. We will prepare presentations, materials, meeting notices, and other information as needed to support the city through the adoption process.

Task 6.2: Factsheets + Implementation Tools

To assist in the implementation of the new code, we will prepare a series of fact sheets that provide general information at a glance about the code. These are intended to be educational tools that the public can use to understand the rules and regulations. The factsheets will be graphic heavy to illustrate code language with direct notation of where details can be found. Factsheet topics may include district, parking regulations, design standards, and other concepts.

Optional Task: Ordinance Training

Immediately following adoption, city staff, officials, developers, and community members will have a new code to reference. To aid in this transition, we will prepare an ordinance training to review updates and prepare for implementation. We will utilize a 2-part training with one section directed at staff to review and discuss administration of the updated code. The second section will be available to a broader audience, including interested community members and developers, to review and discuss the code's use.

Task 6 Deliverables: Adoption materials; Training materials and sessions; Factsheets



PHASE 7: COMMUNITY ENGAGEMENT

PHASE 7 GOAL: EDUCATE THE COMMUNITY ON THE ZONING ORDINANCE AND ITS PURPOSE. COLLABORATE TO DEFINE REGULATIONS AND RULES THAT MEET COMMUNITY GOALS AND PREPARE FOR IMPLEMENTATION.

Task 7.1 Engagement Plan

A Public Engagement Plan (PEP) establishes the engagement goals and activities that will be used to collaborate with the community in the development of the plan and the decision making process. The PEP will identify the specific engagement techniques, strategies, and promotional methods that will be used, along with the specific roles and responsibilities of the city and TC2 team. A draft PEP will be created and reviewed with city staff during the kick-off conversations.

The PEP will include the following elements:

- Engagement phases with clearly defined purposes to inform the overall planning process.
- Identification of a diverse set of engagement tools to gather feedback from a broad audience that will inform planning tasks.
- Promotional tools that will create awareness of the Zoning Ordinance Update and educate stakeholders of the process.
- Roles and responsibilities for the city, consultant team, and other stakeholders.

Task 7.2: City Council and Planning Commission Workshops

The Planning Commission and City Council utilize the zoning ordinance to make development decisions for Willmar and are in their roles to represent the community's interests. Regular workshops with both entities creates a format that shares process outcomes and allows for dialogue and input. We have found that this structure builds an understanding of the code with those who will be directly implementing it. Additionally, these meetings will be open to the public to align with open meeting laws, providing opportunities for the community to engage with the process. We will prepare meeting materials, presentations, and summaries for each meeting. The propose of each workshop is described within the scope for a total of five (5) workshops.

Task 7.3: Community Engagement

Community engagement is essential to a zoning ordinance update because it ensures that regulations reflect the **real needs, values, and aspirations** of the community. Zoning shapes the built environment around us, impacting our mobility, sense of place, and economic opportunities. Updating without community input creates risks of an ineffective or potentially harmful result. Engagement activities have been identified with each phase to meet the goals of that phase. The following tools are used throughout process, with details described in each phase.

- **Online Engagement:** An interactive online website serves as a central hub for sharing project updates, documents, timelines, and opportunities for feedback. It provides 24/7 access to information and can host interactive features like comment forms, maps, and surveys.
- **Kick-off Meetings:** Early conversations create an opportunity to introduce goals, timelines, and engagement opportunities. It sets the tone for transparency and invites early input.
- **Pop-up Events:** Tabling and engagement with community members who are already out engaging with community at a local event. These events allow us to meet people where they are and spend a short time sharing info and gathering feedback.
- **Focus Groups/Neighborhood Meetings:** Small, facilitated discussions with targeted groups or specific neighborhoods. These allow for deeper dialogue, uncovering nuanced perspectives and local knowledge that might not surface in larger forums. They're ideal for discussing localized impacts and fostering ongoing relationships.
- **Open House:** An opportunity to invite community to learn more about the process and provide feedback through presentations, stations, and displays. Staff are available to answer questions, and feedback is often collected through comment cards or interactive boards.
- **Community Surveys:** Structured questionnaires (online or paper) used to gather broad input from a wide audience. Surveys are great for identifying trends, preferences, and priorities. Demographic questions are also included to learn more about the survey results and ensure the survey is reaching a representative section of the community.

Task 7 Deliverables:

Engagement plan; Engagement events and materials; Workshop materials

PHASE 8: PROJECT MANAGEMENT

PHASE 8 GOAL: MANAGEMENT OF THE PROJECT TIMELINE AND BUDGET.



Task 8.1: General Project Management

Regular coordination with the project team, monitoring the budget and schedule, and providing updates will ensure the project aligns with the established scope and timeline. Stephanie will ensure open communication with city staff through bi-weekly updates via phone or email. Monthly progress reports will also be distributed to track the overall schedule and budget, identifying any potential issues or changes. We recognize the importance of communication between the consultant team and city staff to ensure the update is on-time and within-budget.

Task 8 Deliverables:

Progress reports; Monthly invoices; Bi-weekly check-ins



References

We have earned trust through authentic planning processes, always putting your community first. The following references can attest to our ability to deliver projects on time, within budget, and beyond expectations. TC2 was established in 2021 and references below include those from work completed with previous firms.

Reference	Tina Goodroad	Melissa Poehlman	L. Peyton Mastera
City			
Title	Community Development Director	Community Development Director	City Administrator
Phone	(952) 985-4421	(612) 861-9766	(218) 287-2313
Email	tgoodroad@lakevillemn.gov	mpoehlman@richfieldmn.gov	pmastera@cityofdilworth.gov
Project (Date)	Cedar Avenue Small Area Plan (on-going)	Missing Middle Housing Zoning Update (2025)	Downtown Reinvestment Framework & Growth Area Studies (2023)
Staff	Stephanie Falkers, Lance Bernard	Lance Bernard, Stephanie Falkers	Lance Bernard

QUALIFICATIONS AND EXPERIENCE

At TC2, our culture is rooted in collaboration, creativity, and a shared commitment to meaningful outcomes. We are a team of planners, engineers, “plangineers,” strategists, and communicators who believe that planning should be people-centered, inclusive, and fun. Our vision is to partner with others who share our values, cultivating diverse perspectives, empowering communities, and delivering work that reflects both technical excellence and human connection.

Founded in 2021, TC2 is a certified DBE firm with a team that brings over 100 years of combined experience across the Midwest. Our core service lines include community planning, transportation planning, traffic engineering, community engagement, and civil design. Whether we’re shaping long-range transportation plans or facilitating neighborhood visioning sessions, our work is grounded in data, driven by collaboration, and designed to serve communities today and into the future.



COMMUNITY PLANNING AT TC2

Stephanie Falkers, AICP recently joined TC2, bringing over 15 years of community planning experience to the crew. Her experience spans multiple community planning efforts, zoning ordinance updates, day-to-day planning, master plans, and impact assessments throughout the Midwest.

Stephanie is thrilled to join forces again with Lance Bernard and Sam Matuke, AICP at TC2. The three have been close collaborators on projects over the years and are elated to be together as a team at TC2. Prior to TC2, they have collectively provided a breadth of planning support for counties and municipalities, leading comprehensive plan updates, zoning code updates, and providing day-to-day planning support.

At TC2, our Community Planning work is grounded in collaboration, data, and design. We work closely with residents, stakeholders, and agency partners to explore community goals and co-create actionable strategies. From master plans to long-range plans, our approach blends big data analysis with inclusive engagement to shape places that reflect the values and aspirations of the people who live there. With experiences as public planners and day-to-day planners, our approach emphasizes the need for actionable outcomes and building of support for implementation. We believe that community education and collaboration is a cornerstone of this approach.

Project Team

The team assembled for this effort brings a wealth of experience and expertise, ensuring a thoughtful and actionable approach to Willmar's Zoning Ordinance Rewrite. Our qualifications include:

- **Public Sector Experience:** Many of our team members began their careers in the public sector with cities and county and continue to provide day-to-day planning assistance serving as implementers and communicators of codes. We understand the importance in having a code that advances the goals of the community but allows flexibility to align with specific needs and contexts.
- **Public Sector Experience:** Many of our team members began their careers in the public sector with cities and county and continue to provide day-to-day planning assistance serving as implementers and communicators of codes. We understand the importance in having a code that advances the goals of the community but allows flexibility to align with specific needs and contexts.
- **Focus on Collaboration:** Our team has worked with city stakeholders, community members, and elected/appointed officials to solidify and execute implementation plans that build momentum and set up strategies for success. Our facilitation methods focus on collaboration to drive outcomes that are meaningful to each organization.
- **Proven Leadership:** Stephanie Falkers, AICP has a strong resume of project management experience. Her approach focuses on collaboration, comprehensive analysis, and the definition of implementable outcomes. Stephanie will be supported by Lance and Sam who bring decades of experience facilitating planning processes and outcomes.
- **Technical Experience:** Our team is comprised of planners who have spent their careers collaborating with communities establishing and implementing policies and code. Our experience with other communities brings new ideas and concepts that can advance Willmar's priorities and create an understandable, flexible, and meaningful code.
- **Strong Community Engagement Expertise:** We prioritize inclusive and meaningful engagement, ensuring that all voices are heard and reflected in the process.

With this diverse expertise, we are excited to collaborate with the City of Willmar to update the zoning ordinance. Resumes for our team members are identified in the following pages.

TEAM ORGANIZATION

These are the people who will be guiding you through the planning process. ***Our team has the capacity and availability to support the City of Willmar.***

Core Leadership Team





STEPHANIE FALKERS, AICP Director of Community Planning

219 N Washington Avenue, Suite 402
Minneapolis, Minnesota 55401
Phone: 612-314-0030
Email: sfalkers@transportationcollaborative.com



PROJECT MANAGER



BACKGROUND

BACHELOR OF LANDSCAPE
ARCHITECTURE, NORTH DAKOTA STATE
UNIVERSITY (2010)

BACHELOR OF SCIENCE,
ENVIRONMENTAL DESIGN, NORTH
DAKOTA STATE UNIVERSITY (2010)

EXPERTISE

COMMUNITY PLANNING

Land Use Planning
Comprehensive Planning
Zoning Ordinances
Neighborhood Studies
Day to Day Planning Services
Small Area Plans
Implementation Plans
Strategic Frameworks

TRANSPORTATION PLANNING

Multimodal Planning
Corridor Studies
Streetscape and Placemaking
Impact Assessment

COMMUNITY ENGAGEMENT

Stakeholder Facilitation
Engagement Materials and Activities

Stephanie recently joined TC2 and brings over 15 years of experience leading a variety of community, transportation and environmental planning projects. She enjoys working closely with a community to explore goals and identify future actions and investments through collaboration with staff, residents and stakeholders. With thoughtful planning, sound community engagement, and appropriate analysis, the possibilities are endless. Stephanie's planning approach utilizes the exploration of big data to understand potential issues, confirming perspectives with community input, to inform the creation of strategies and solutions. She works with stakeholders and partners across a variety of projects to facilitate dozens of open houses, stakeholder meetings, and other engagement events. Stephanie's engagement approach focuses on providing everyone a seat at the table, creating opportunities to share ideas, and facilitating discussions of trade-offs and strategies to define a collaborative approach.

RELEVANT PROJECT EXPERIENCE

MISSING MIDDLE ZONING UPDATES, RICHFIELD, MN
Planner

CEDAR AVENUE LAND USE STUDY
Project Manager

ARRIVE + THRIVE SMALL AREA PLAN
Project Manager

SUPERIOR ZONING ORDINANCE UPDATES, SUPERIOR, WI
Project Manager

WITH WILLMAR COMPREHENSIVE PLAN, WILLMAR, MN
Project Manager

OUR WORTHINGTON COMPREHENSIVE PLAN,
WORTHINGTON, MN
Project Manager

WAYZATA BOULEVARD LAND USE AND CORRIDOR
STUDY, WAYZATA, MN
Project Manager

MARSHALL COMPREHENSIVE PLAN UPDATE,
MARSHALL, MN
Project Manager

IMAGINE ISANTI COUNTY 2045 COMPREHENSIVE PLAN
UPDATE, ISANTI COUNTY, MN
Project Manager

MILLE LACS COUNTY COMPREHENSIVE LAND USE
PLAN UPDATE, MILLE LACS COUNTY, MN
Project Manager

GRAND RAPIDS DOWNTOWN PLAN UPDATE, GRAND
RAPIDS, MN
Project Manager

FOCUS RIVER FALLS COMPREHENSIVE PLAN, BICYCLE
& PEDESTRIAN PLAN, AND OUTDOOR RECREATION
PLAN, RIVER FALLS, WI
Project Manager

SUPERIOR COMPREHENSIVE PLAN, SUPERIOR, WI
Project Manager

GROW GRAND RAPIDS COMPREHENSIVE PLAN, GRAND
RAPIDS, MN
Project Manager

Note: Projects include those completed with another firm

One of the best parts of my job is getting to know the people that make up each community we work in. I enjoy understanding what they love about the place they call home, and their ideas for how to make it even better. I also enjoy immersing myself in the community, serving as an extension of staff.



LANCE BERNARD

Director of Planning

Phone: 612-844-0602

Email: lbernard@transportationcollaborative.com



Lead Planner

BACKGROUND

BACHELOR OF ARTS, COMMUNITY DEVELOPMENT/URBAN AFFAIRS
ST. CLOUD STATE UNIVERSITY (2003)

EXPERTISE

COMMUNITY PLANNING

Land Use Planning
Comprehensive Planning
Neighborhood Studies
Redevelopment Plans
Strategic Frameworks

TRANSPORTATION PLANNING

Multimodal Planning
Corridor Studies
Asset Management
Financial Planning/Grant Assistance
Parking Studies
System Analysis

COMMUNITY ENGAGEMENT

Stakeholder Facilitation
Engagement Materials and Activities

RELEVANT PROJECT EXPERIENCE

MISSING MIDDLE HOUSING ZONING UPDATE,
RICHFIELD, MN
Project Manager

DAY-TO-DAY ZONING AND DEVELOPMENT REVIEW,
RICHFIELD, MN
Support Staff

COUNTY COMPREHENSIVE PLANS (E.G., SHERBURNE,
BENTON, KANABEC, OTTER TAIL, AND STEARNS
COUNTY)
Project Manager

DILWORTH SUB AREA STUDIES AND ZONING UPDATES
Project Manager

STEARNS COUNTY ZONING UPDATES
Lead Planner

BENTON COUNTY ZONING AND SUBDIVISION
ORDINANCE UPDATE
Project Manager

CARVER COUNTY PARKS AND TRAIL CAPITAL
IMPROVEMENT PROGRAM DEVELOPMENT AND
FUNDING STRATEGIST
Project Manager

MIXED USE ZONING DISTRICT UPDATES,
STILLWATER, MN
Project Manager

SCANDIA CITY CENTER STUDY, SCANDIA, MN
Transportation Planner

LOT D DEVELOPMENT FRAMEWORK, DULUTH, MN
Project Manager

Note: Projects include those completed with another firm





SAM MATUKE, AICP

Planning Lead

Email: smatuke@transportationcollaborative.com



Lead Planner

BACKGROUND

BACHELOR OF SCIENCE IN ARCHITECTURE, U OF MN (2016)

MASTERS DEGREE, CITY AND REGIONAL PLANNING, CORNELL (2019)

EXPERTISE

COMMUNITY PLANNING
Land Use Planning
Comprehensive Planning
Zoning Updates

TRANSPORTATION PLANNING

Transportation Plans
System Analysis
Multimodal Planning
Safe Routes to School

COMMUNITY ENGAGEMENT

Meeting Facilitation
Public Participation

GRAPHIC DESIGN

Content Creation
Logo & Visual Design
Web Design

Samantha joined the TC2 team in 2022 as a Lead Planner. She is experienced in community and transportation planning, public engagement, graphic design, grant writing, and urban design. With an educational background in Architecture and City Planning, she brings a unique perspective to all her projects. Sam believes her role as a planner is to bring tools and resources to communities, which they can utilize to shape their best future.

RELEVANT PROJECT EXPERIENCE

SUPERIOR COMPREHENSIVE PLAN
Planner

RIVER FALLS COMPREHENSIVE PLAN + OUTDOOR RECREATION PLAN
Planner

STEARNS CSAH 1 CORRIDOR STUDY
Lead Planner

RAMSEY COUNTY TRANSPORTATION PLAN
Lead Planner

WASHINGTON COUNTY TRANSPORTATION PLAN
Lead Planner

MAPO LONG RANGE TRANSPORTATION PLAN
Planner

WEST MISSISSIPPI REGIONAL TRAIL FEASIBILITY STUDY
Lead Planner

STEELE COUNTY TRANSPORTATION PLAN
Lead Planner

OTTER TAIL COUNTY TRANSPORTATION PLAN AND COMPLETE STREETS POLICY
Lead Planner

HENNEPIN COUNTY VEHICLE MILES TRAVELED STUDY
Planner

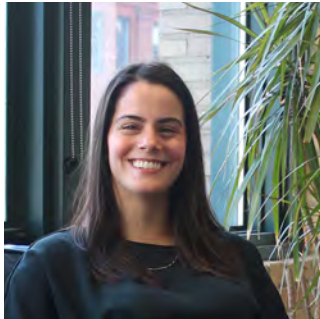
GRANT WRITING - OVER \$15 MILLION SECURED FOR CITY AND COUNTY CLIENTS
Planner

CSAH 54 CORRIDOR STUDY, LINO LAKES, MN
Planner

BLUE EARTH COUNTY TRANSPORTATION PLAN
Planner

Note: Projects include those completed with another firm





MAYA SHEIKH

Planner + Engager

TC²

BACKGROUND

Bachelor of Science, Psychology,
Loyola University Chicago (2018)

Master's Degree, Urban and Regional
Planning, University of Minnesota
(2023)

Master's Degree, Public Health,
University of Minnesota (2023)

EXPERTISE

COMMUNITY PLANNING
Land Use Planning
Zoning Updates

COMMUNITY ENGAGEMENT
Strategy Development
Public Participation

MULTIMODAL PLANNING
Pedestrian/Bikeway Systems
Safe Routes to School
Corridor Mobility Studies

GRAPHIC DESIGN
Concept and Visual Design
Web Design

Maya Sheikh joined the TC2 team in the summer of 2023 as a Mobility Planner. She is experienced in political communications, strategic development, transportation planning, public health, and community engagement with graphic design specialties. Maya's curiosity, positive attitude and work ethic help her advance projects and empower communities to make meaningful changes and address challenges.

RELEVANT PROJECT EXPERIENCE

THREE RIVERS PARK DISTRICT TRAIL CROSSING STUDY

CEDAR AVENUE RECONSTRUCTION ENGAGEMENT

RED LAKE NATION ENHANCING COMMUNITY CONNECTIONS
THROUGH TRAILS AND PARKS STUDY

CSAH 54 CORRIDOR MOBILITY STUDY

VIKING LAKES TRAFFIC STUDY

ROCHESTER WILLOW CREEK CAPITAL INVESTMENT STUDY

MAXIMIZING TRANSPORTATION ASSETS BY BUILDING COMMUNITY
CONNECTION THROUGH INNOVATIVE DEPLOYMENT OF RIGHTS OF
WAY AND AIRSPACE STUDY

Note: Projects include those completed with another firm



ALLY DE ALCUAZ

Analyst + Tools

TC²

BACKGROUND

Bachelor of Science, Environmental
Science, Santa Clara University (2016)

Masters Degree, Urban and Regional
Planning, University of Minnesota-
Humphrey (2019)

EXPERTISE

SYSTEM ANALYTICS
Performance Measures
Data Analytics
GIS Systems & Mapping
Web Based Dashboards

TRANSPORTATION PLANNING
System Analysis
Multimodal Accessibility

TECHNICAL SUPPORT
Graphics and Design

Ally joined the TC2 team in 2024 as a Transportation Planner. She is experienced in performance measurement and reporting, GIS, and multimodal accessibility analysis. She applies her interest in GIS and data-driven planning to her work and enjoys collaborating with others to find solutions. Ally also volunteers with the MN Chapter of the American Planning Association as an Emerging Planners (EPG) Co-Chair. EPG runs the annual mentor program which connects emerging and established planners throughout the state.

RELEVANT PROJECT EXPERIENCE

DOWNTOWN STILLWATER WAYFINDING PLAN

REGION 5 AND 7E TRANSPORTATION PLANS

WASHINGTON COUNTY TRANSPORTATION PLAN

SCANDIA CITY CENTER STUDY

RONDO RESTORATIVE NEIGHBORHOOD PLAN

MNDOT SYSTEM PERFORMANCE DASHBOARD

MNDOT PERFORMANCE REPORTING

MNDOT FREIGHT BOTTLENECK ANALYSIS FOR OFCVO

MNDOT SYSTEMWIDE VEHICLE SPEED AND HCAADT ANALYSIS

Note: Projects include those completed with another firm

WORK SAMPLES

TC2 planners have worked with municipalities and counties across the Midwest on a range of planning projects. From Comprehensive Plans and Zoning Ordinance Updates to Small Area and Transportation Plans, we help communities achieve their goals. The following pages showcase some of our recent work, including projects completed by TC2 planners while with other consulting firms.

WITH Willmar Comprehensive Plan Update

- **Location:** Willmar, MN
- **Client:** City of Willmar
- **Dates of Involvement:** 2024-2025
- **Project Cost:** \$25,000

Project Description:

Stephanie Falkers assisted the City of Willmar with the development of the WITH Willmar Comprehensive Plan as the Project Manager during her time with another firm. Located in west central Minnesota, Willmar is a regional center providing jobs, households, economic opportunities, natural resources, and activities for community members and visitors.

The WITH Willmar Comprehensive Plan is a community-driven roadmap designed to guide future development, investment, and policy decisions in Willmar, Minnesota. It reflects a shared vision: Willmar as a city of possibility and opportunity; diverse, thriving, and resilient; a place to Work, Innovate, Thrive, and call Home.

Community input was central to the planning process. Through charrettes, surveys, focus groups, and collaborative sessions, residents helped shape the plan's goals and strategies.

Project Contact:

Christopher Corbett, Community Development Director, (320) 797-9242

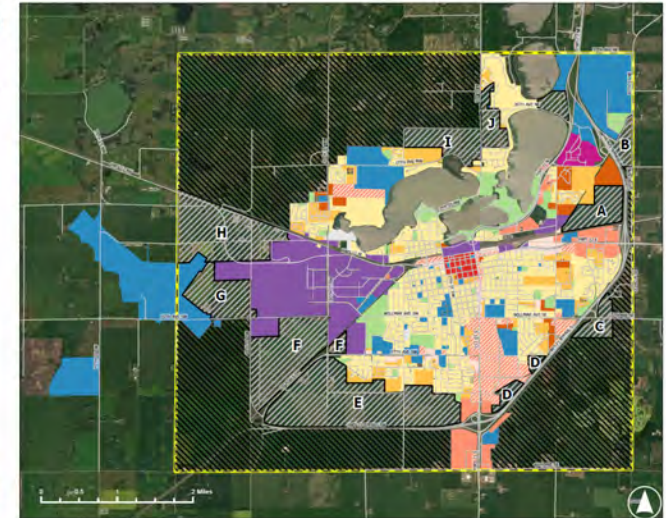
Services Provided:

Meeting facilitation, Comprehensive Plan development, Land use analysis, Public engagement

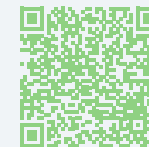


Urban Growth Boundary

- Urban Growth Boundary
- Urban Growth Boundary Development Area
- Urban Growth Boundary Reserve
- Low Density Residential
- High Density Residential
- Downtown
- Neighborhood Commercial
- Regional Commercial
- Parks and Open Space
- Industrial
- Institutional
- Technology District
- Mixed Use
- Cemetery



View the
Comprehensive
Plan!



**Project
Materials:**

Superior Comprehensive Plan + Zoning Ordinance Update

- Location: Superior, WI
- Client: City of Superior
- Dates of Involvement: Zoning Ordinance August 2024-January 2025; Comprehensive Plan 2021
- Project Cost: Zoning Ordinance - \$150,000

Project Description:

The City of Superior is currently updating their zoning ordinance to align with their Comprehensive Plan. Stephanie served as the project manager while with a previous firm. In this role she lead the facilitation of engagement activities and workshops with the Planning Commission/Steering Committee. She also lead the project team in the identification of character areas throughout the community. Stephanie produced graphical elements to showcase planning elements with a broad audience.

TC2 planners assisted the City of Superior with an update to their Comprehensive Plan. The planning process aligned with the requirements from Wisconsin Smart Growth Law, with the addition of Coastal Resources and Hazard Mitigation elements. Through the COVID pandemic, the community was engaged through surveys, online meetings, and socially distanced events to inform issues and opportunities facing Superior. These issues and opportunities were used to determine plan element analysis and strategy development that established the plan.

Project Contact:

Jason Serck, Planing, Economic & Port Director, (715) 935-7335

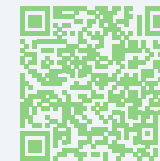
Services Provided:

Land use planning, Zoning ordinance development, Graphic design, Public engagement

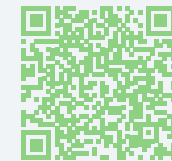


Project Materials:

View the Comprehensive Plan!



View the Zoning Ordinance Elements!



Missing Middle Zoning Ordinance Updates

- Location: Richfield, MN
- Client: City of Richfield
- Dates of Involvement: October 2024 - current
- Project Cost: \$40,000

Project Description:
TC2 is leading the rewrite of Richfield's zoning code to modernize its residential zoning districts. Acknowledging that outdated zoning regulations are a significant barrier to affordable housing, the City is focused on revising residential zoning districts to support a broader range of housing options, known as the "missing middle."

Missing middle housing refers to moderately dense housing options such as triplexes, quadplexes, and small apartment buildings. These types of homes provide affordable and diverse living options, filling the gap between single-family homes and large high-rise buildings.

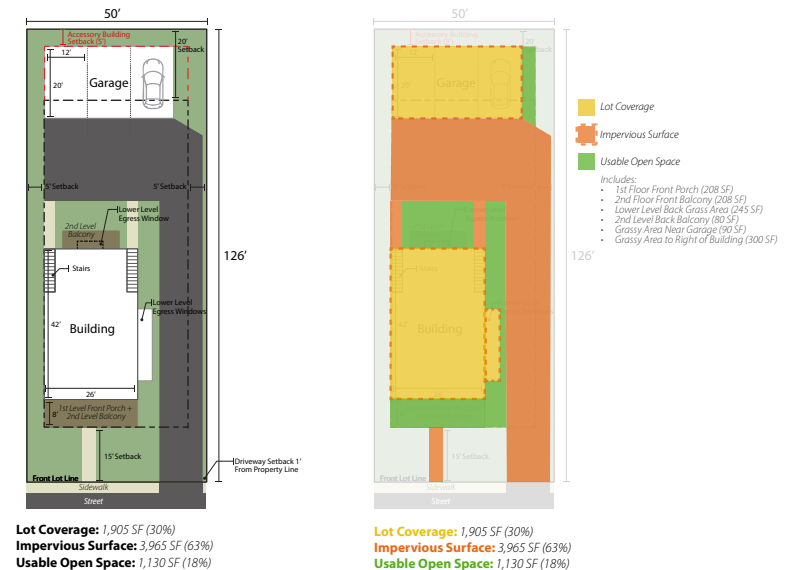
Graphics are being developed throughout the planning process to illustrate complex topics and to analyze potential updates. Additionally, fit tests are used to explore the impacts of the code modifications on typical Richfield lots.

Project Contact:
Melissa Poehلمان, Community Development Director, (612) 861-9766

Services Provided:
Land use planning, Zoning ordinance development, Graphic design, Meeting facilitation



Scenario 1: MR-2 | Single Lot with 3-4 Units | 6,300 SF | 0.14 Acres



Project Materials:



Dilworth Land Use & Zoning, and Corridor Studies

- **Location:** Dilworth, MN
- **Client:** City of Dilworth
- **Dates of Involvement:** 2022-2024
- **Project Cost:** \$100,000 (across projects)

Project Description:

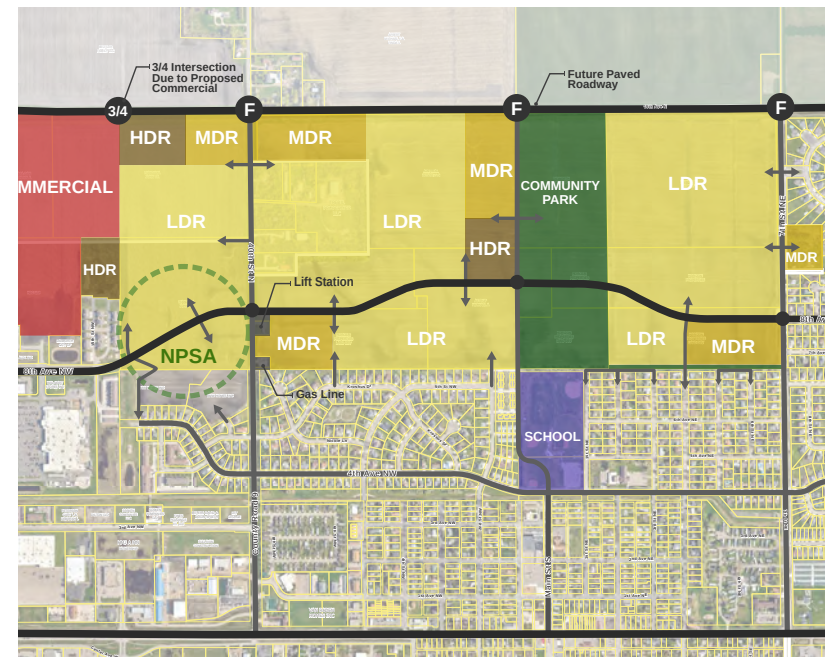
TC2 staff has been working with the City of Dilworth on a variety of projects over the past three years. These efforts have been driven by increasing development pressure and evolving roadway needs, leading to several subarea and corridor studies such as the Downtown Reinvestment Study, Highway 10 Corridor Study, and 8th Avenue Corridor Study.

Each of these studies has taken a closer look at development patterns and planning for future land use, while also rewriting the zoning code to better reflect current trends and best practices.

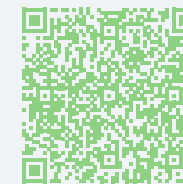
Land Use plans and graphics were critical elements of this planning work to communicate options with the community. Graphics were developed to provide the larger picture of the entire development area with subarea graphics to provide additional detail.

- **Project Contact:**
L. Peyton Mastera, City Administrator, (218) 287-2313

- **Services Provided:**
Land use planning, Site analysis, Graphic design, Public engagement



View
materials



Project
Materials:

New Ulm Zoning Ordinance Assistance

- **Location:** New Ulm, MN
- **Client:** City of New Ulm
- **Dates of Involvement:** 2020
- **Project Cost:** \$20,000

● **Project Description:**
Stephanie assisted the City of New Ulm through their Zoning Ordinance Update while with another firm. New Ulm Community Development and Planning staff led the update of their ordinance and Stephanie and her team collaborated with staff to complete the update. In this role they provided general review of draft language, graphic development, research, and document formatting assistance.

● **Services Provided:**
Zoning Ordinance development, Land use and regulation analysis, Graphic development

Rogers Day-to-Day Planning Assistance

- **Location:** Rogers, MN
- **Client:** City of Rogers
- **Dates of Involvement:** 2023
- **Project Cost:** \$40,000

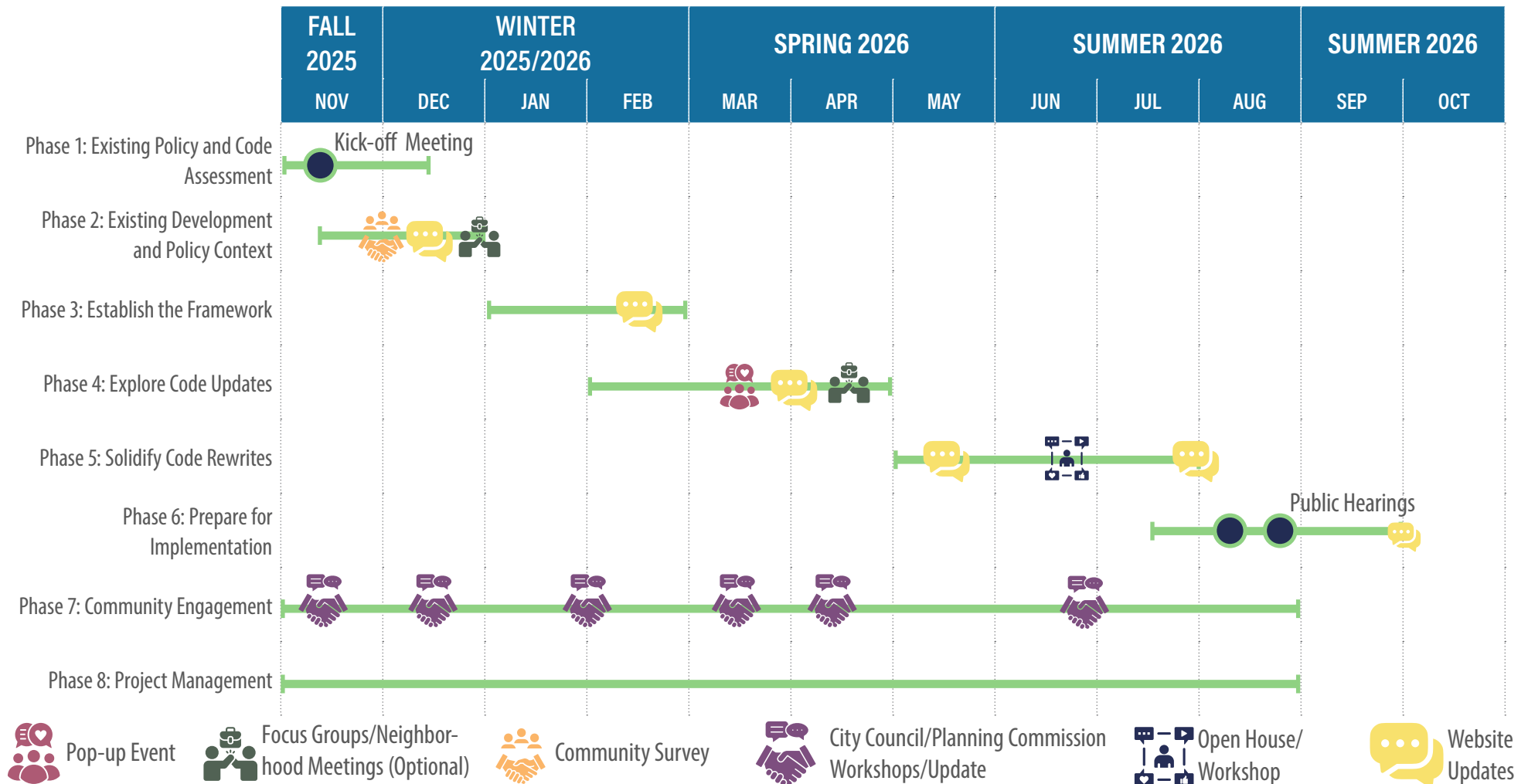
● **Project Description:**
During a time of staff transition within the City of Rogers, Stephanie provided day-to-day planning support while with another firm. In this role she lead planning functions within the community including zoning administration, application review, site plan review, and general planning inquiries.

Stephanie also continued zoning ordinance analysis and coordination with the Planning Commission during this time. Specific tasks included analysis to inform the development of a livestock ordinance with large lot residential areas of the community.

● **Services Provided:**
Zoning Ordinance analysis, Meeting facilitation, Day-to-day planning, Zoning Ordinance administration

Schedule

Based upon our approach and methodology and the RFP, we have identified a project schedule highlighting the key tasks and milestones expected throughout the duration of the planning process. We will regularly review the schedule to ensure that key tasks, deliverables, and engagement events are following the schedule and city expectations. We understand the goal of a six month timeline with project will kick-off in November of 2025 with an anticipated completion of June 2026. To ensure adequate time to review and update the code to reflect community desires and needs, we would suggest an extension of the schedule for an additional 4 months, primarily to ensure adequate review time. We recognize that this is an extension are happy to discuss schedule changes as needed.



Total Cost

We have developed a cost-effective work plan that aligns with the requirements outlined in the RFP and are happy to collaborate with city staff to refine the work program. Based upon the scope of work described within the proposal, **we calculated a not to exceed estimate of \$87,030.**

FEE ESTIMATE

	Task	Hours	Est.
LABOR	Phase 1: Existing Policy and Code Assessment	52	\$7,640
	Phase 2: Existing Development and Policy Context	92	\$13,052
	Phase 3: Framework for Change	72	\$10,752
	Phase 4: Explore Code Updated	124	\$18,856
	Phase 5: Solidify Code Rewrites	174	\$21,518
	Phase 6: Prepare for Implementation	36	\$4,314
	Phase 7: Community Engagement	24	\$3,060
	Phase 8: Project Management	30	\$5,850
	Total Labor	604	\$85,042
EXPENSES	Mileage: 3,620 Miles @ \$0.70/mile		\$2,534
	Materials: Printing and Reproduction at cost		\$250
	Meals: 20 Meals @ \$16/meal		\$320
	Total Expenses		\$1,988
Total Not to Exceed Estimate			\$87,030

PROJECT EXPENSES

Estimated expenses anticipated to be incurred during the project have been identified in the total cost. The rates identified align with IRS established rates for 2025. A total of nine in-person trips are estimated for workshops, adoption, and engagement activities. The number of trips may be modified in alignment with the city's goals and expectations.

OPTIONAL TASKS

We identified optional tasks within our scope of work. The fee estimates for these optional tasks are outlined below.

OPTIONAL TASKS

Task	Hours	Est.
Focus Group/Neighborhood Meeting	18	\$2,538
Ordinance Training	16	\$2,508

ENGAGEMENT ADD-ONS

We recognize there may be opportunities to enhance community engagement throughout the planning process. If desired, below are some examples of additional engagement activities we can provide.

ENGAGEMENT ADD-ONS

Task	Low	High
Virtual Listening Sessions	\$500	\$800
In-Person Listening Sessions	\$1,500	\$2,500
Community Meetings/Open Houses	\$5,000	\$7,000
Newsletters/Flyers	\$800	\$1,200
Mobile Tours	\$2,000	\$4,000
On-the-Street Engagement/Pop-Ups	\$3,000	\$5,000



ZONING ORDINANCE REWRITE

CITY OF WILLMAR

October 10, 2025



**BOLTON
& MENK**

Real People. Real Solutions.

CONTACT

Robin Cauffman

320-402-0854

Robin.Cauffman@bolton-menk.com

LOCATION

2040 Highway 12 East

Willmar, MN 56201

320-231-3956 | Bolton-Menk.com



WILLMAR



Real People. Real Solutions.

2040 Highway 12 East
Willmar, MN 56201
320-231-3956 | Bolton-Menk.com

October 10, 2025

Christopher Corbett
Planning and Development
Director
City of Willmar
333 6th Street SW
Willmar, MN 56201
planning@willmarmn.gov

RE: Proposal for Zoning Ordinance
Rewrite

Dear Christopher:

The City of Willmar has launched the Zoning Ordinance Rewrite project to modernize and unify its land use, development, subdivision, and zoning regulations. This initiative will replace the outdated 1994 zoning code and consolidate it with subdivision and other land use ordinances into a single, user-friendly code. The new ordinance will align with the city's 2025 Land Use Map and be shaped by stakeholder and public input. By streamlining review processes and improving usability, Willmar aims to support sustainable growth and a vibrant future. Like you, Bolton & Menk, Inc. believes all people deserve safe, sustainable, and beautiful communities.

EXPERIENCE AND RESOURCES TO MEET YOUR TIMELINE

Willmar's RFP calls for a comprehensive rewrite within six months. Our team has successfully transformed 1990s-era scanned zoning codes into modern, digital formats within six to nine months. We begin by formatting the existing code while simultaneously analyzing issues and engaging stakeholders. This allows two months for edits and feedback, followed by two months for public hearings and approval. Our team brings extensive expertise in updating similar codes across Greater Minnesota and understands the importance of timely completion.

ACCESSIBLE, SEARCHABLE, AND USER-FRIENDLY DOCUMENTS

The current zoning code is difficult to navigate and not integrated into Municode. We efficiently convert scanned PDFs into editable Word documents using OCR, applying style templates, and formatting content for clarity. We transform lengthy lists and narratives into easy-to-read tables and graphics, creating interactive documents that are accessible to staff, property owners, developers, and the public. Our approach includes digital formatting, cross-references, and visual aids to enhance transparency and usability.

MEANINGFUL PUBLIC ENGAGEMENT AND LOCAL EXPERTISE

Knowing and understanding Willmar's diverse community is essential to our approach. Our engagement strategy centers on practical input from Willmar staff in community development, public works, and engineering—many of whom we've collaborated with on previous projects. We also incorporate targeted focus groups to ensure broad representation. With team members who live and work in Willmar and central Minnesota, we bring deep local knowledge and trusted relationships that foster inclusive, informed, and meaningful participation.

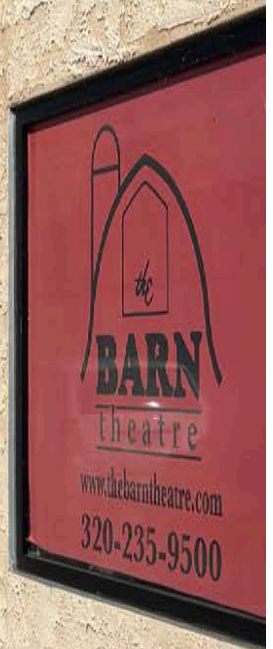
In continued service to the City of Willmar, we are excited at the opportunity to complete the Zoning Ordinance Rewrite. I will serve as your lead client contact and project manager. Please contact me at Robin.Caufman@bolton-menk.com or 320-402-0854 if you have any questions regarding our proposal.

Respectfully submitted,
Bolton & Menk, Inc.

Robin Caufman
Project Manager

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PROJECT UNDERSTANDING

In June 2025, the City of Willmar completed an update to its Comprehensive Plan. Per state law, cities must update their zoning code within three years of updating their plan. Willmar is now seeking to consolidate, modernize, and digitize its land use ordinances—including zoning, subdivision, and shoreland management regulations.

The current zoning code is a scanned 1994 document with more than 50 amendments that need to be integrated. The first step will convert the code into a digital, searchable, and editable format. This includes incorporating all amendments and reformatting the content into user-friendly land use matrices and standards tables.

Next, we will incorporate new rules, regulations, and legal updates. This includes aligning the shoreland ordinance with the Minnesota Department of Natural Resources' current model, updating group home and child care center requirements, addressing cannabis-related land use, and integrating native vegetation standards.

The third and most intensive phase will focus on aligning land use regulations with the 2025 Comprehensive Plan and addressing key issues. The plan's implementation chapter outlines a detailed work plan for this update. We will review and recommend changes in the following areas:

- **Land Use:** Align with the comprehensive plan, eliminate inconsistencies, streamline processes, introduce overlay districts, address growth management, and add mixed-use and streetscape design standards.
- **Housing:** Remove barriers to housing development and expand housing types and options.
- **Natural Resources:** Protect natural features, adopt the model shoreland ordinance, update the zoning map, review floodplain and park dedication ordinances, and incorporate Low Salt Design into development review.



COMMUNICATION WILL BE KEY

Frequent and effective communication will be essential to completing this project within the city’s six-month timeline. We propose monthly in-person check-ins with staff to review progress and confirm direction. Drafts or redlined documents will be shared in advance to allow for productive discussions. We also anticipate impromptu meetings on specific topics to maintain momentum.

The schedule on page 20 outlines the proposed steps and timeline for updating the zoning and subdivision ordinances.



STAKEHOLDER INPUT IS CRITICAL

Engaging stakeholders is vital for identifying issues, exploring opportunities, and building support for the final code. We recommend reconvening the steering committee from the comprehensive plan process, as they are already familiar with the city’s goals and challenges. This will allow us to begin with a productive kickoff meeting in January.

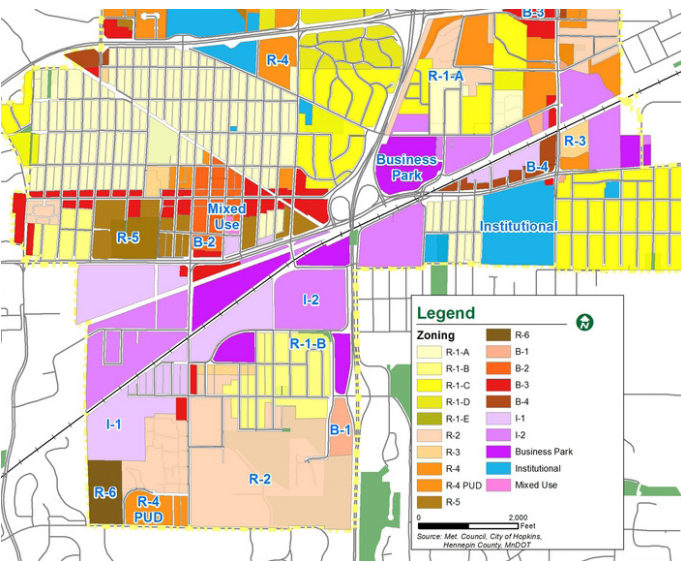
In addition to the steering committee, we will seek input from internal and external stakeholders who regularly interact with the code—such as public works staff, building inspectors, planners, developers, surveyors, business owners, property owners, and other agencies. Our proposed stakeholder engagement strategies are outlined on page 4.

SUBJECT MATTER EXPERTS

Having experts who understand the community’s challenges is invaluable. Our team has worked with cities and counties across Greater Minnesota on comprehensive plans, zoning and subdivision ordinances, and day-to-day planning. We’ve developed codes that address emerging trends like tiny homes, short-term rentals, native landscaping, and new legislative initiatives.

Our civil engineers, urban designers, surveyors, and architects bring real-world project experience that informs practical, implementable code updates. We will involve our subject matter experts to provide insights on:

- Architectural and design standards
- Short-term rentals
- Lot standards
- Landscaping
- Low-salt design
- Historic preservation
- Sustainability



We are proud to present staff that specialize in the key areas of Willmar’s guiding principles.

GUIDING PRINCIPLE	HOW LAND-USE CAN SUPPORT
Sustainability	Land-use can promote sustainable developments, reduce activities that generate excessive pollution, and shape development patterns that minimize reliance on automobiles.
Inclusivity	The Future Land-Use Plan can promote mixed land-uses that encourage multimodal transportation, supporting a diverse array of businesses and ensuring inclusive access to businesses, housing, and jobs.
Innovation	Land-use can shape policies that foster innovative districts dedicated to innovation, like the established Technology District.
Resilience	The Future Land-Use Plan can promote a diverse range of uses throughout the City, enhancing the resiliency and adaptability of Willmar’s economy.

PROJECT APPROACH - WORK PROGRAM

Bolton & Menk's approach to updating zoning and subdivision ordinances is both methodical and collaborative. Given the six-month timeline, we will work efficiently to transition Willmar's zoning code from an outdated scanned document to a modern, digital, and user-friendly format. To achieve this, we will assign tasks to a team with proven experience and expertise in zoning and subdivision ordinance updates.

We recognize that Willmar's code updates require a tailored approach—one that reflects the city's vision, goals, and priorities, and incorporates stakeholder and public input.

The following outlines our approach to the project, including specific tasks, activities, and deliverables. A detailed schedule can be found on page 20.

TASK 1: PROJECT MANAGEMENT

Bolton & Menk will manage the project and team to ensure successful delivery of the code update within the city's timeline. Your project manager, **Robin Cauffman**, will oversee staff, resources, and budget. She will serve as your primary point of contact and will be responsible for day-to-day coordination, communication, and schedule adherence. Robin will work closely with city staff to ensure that all project activities are clearly communicated, efficiently executed, and aligned with the city's expectations.

We will hold monthly check-in meetings to discuss the project, review drafts, monitor progress, and coordinate community and stakeholder engagement. The first meeting in January will serve as a kickoff to review the project scope, deliverables, timeline, and communication expectations.

In addition to monthly meetings, we anticipate ad hoc emails and phone calls to address questions and ensure the project remains on schedule.

TASK 1 DELIVERABLES

- Monthly check-in meetings with city staff, including a kickoff in January
- Meeting agendas, materials, and summaries
- Monthly status reports



TASK 2: STAKEHOLDER ENGAGEMENT

Bolton & Menk is committed to making this process inclusive, engaging, and accessible. Recognizing that zoning and subdivision regulations are often perceived as technical and dry, we will implement an engagement strategy that brings these topics to life and encourages broad participation. Our approach ensures that residents, business owners, developers, and community leaders all have a voice in shaping the future of land use and development in Willmar.



In addition to coordinating with city staff, we recommend forming a steering committee to provide insight and direction throughout the Zoning and Subdivision Ordinance Update. We will collaborate with the city to establish this committee early in the six-month project schedule, ensuring timely identification of members and scheduling of the initial meeting. Drawing from our successful experience with similar committees—such as the one formed for the comprehensive plan update—we propose three in-person workshops designed to be interactive and solution-oriented:

Steering Committee Workshops

- **Workshop 1:** Review current ordinances, identify pain points, and prioritize issues
- **Workshop 2:** Discuss findings from the code review and recommendations
- **Workshop 3:** Review draft codes and updated zoning map before public presentation

These workshops will be interactive and solution-oriented, ensuring the steering committee plays a meaningful role in shaping both the content and usability of the final ordinance.

Activity	Roles and Goals
General communication	Distribute project information in various formats (fact sheets, table toppers, posters) to raise awareness
Website (creation and three updates)	Develop a graphics-based Story Map to inform the public, gather input, and announce meetings—like our SS4A Safe Streets for All website 
Social posts/emails/articles (three)	Share project updates and engagement opportunities via email and social media
Survey (one)	Collect feedback on issues, priorities, and options
Steering committee	Provide insight and direction throughout the project
Focus groups (up to four)	Engage key stakeholders (developers, businesses, property managers, housing advocates) in small group discussions to identify issues and review potential changes
Internal stakeholder group	Coordinate with city staff and internal stakeholders
Public meeting (one)	Present draft updates for public input prior to the public hearing; additional meetings can be added for an extra fee
Optional Add-On: Online interactive comment map	Use INPUTiD™, an interactive map with built-in Google Translate, to gather multilingual public input and display comments

TASK 2 DELIVERABLES

- Project website and updates
- Communication materials (fact sheet, social media posts, articles)
- Three in-person steering committee meetings
- Meeting agendas, materials, and summaries
- Survey and response summary

TASK 3: SUBDIVISION AND ZONING CODE DIAGNOSIS

Our team will conduct a comprehensive diagnostic review of Willmar's existing zoning and subdivision ordinances, associated maps—including the official zoning map—and relevant planning documents. This step ensures that the updated code is grounded in a clear understanding of current conditions, community goals, and regulatory gaps.

Our review will include

- The **Willmar Comprehensive Plan** adopted in June 2025, focusing on vision and goals
- The **Comprehensive Plan Implementation Matrix** to identify zoning-related action items
- **Current ordinances and amendments** (e.g., cannabis regulations, floodplain standards)
- **Future land use and current zoning maps** to assess alignment and identify inconsistencies
- Other relevant planning documents and community plans
- **Variances** granted over the past three to five years to identify recurring issues

We will convert the scanned ordinance document into a formatted, indexed, and editable Word document. This will allow us to integrate more than 50 amendments, perform word searches, update outdated terms, and revise references to state rules and statutes. We will also convert land use lists and lot standards into user-friendly tables to facilitate comparison and identify opportunities for district consolidation or updates.

Findings will be summarized in one or more memos outlining recommended updates, areas for consolidation, and opportunities for improved clarity and usability. These memos will be reviewed with city staff and the steering committee early in the process.

There are deficiencies in the ordinances, and we can leverage our expertise and knowledge of the city to address critical issues such as stormwater management, utilities, parks, road safety, and low-salt design.

TASK 3 DELIVERABLES

- Single Word document with all zoning code sections and amendments
- Zoning and subdivision code diagnosis memo
- Summary of variance trends
- Zoning map review summary and recommendations

TASK 4: UPDATE ORDINANCES

Following the diagnostic phase, our team will begin updating the zoning and subdivision ordinances. Based on our initial review and the comprehensive plan's action items, we anticipate the following key updates:

- Convert land use lists and standards into tables (completed in Task 3)
- Reformat and renumber sections for consistency (completed in Task 3)
- Eliminate inconsistencies
- Streamline processes for variances, CUPs, IUPs, plats, and rezoning
- Modernize definitions
- Update codes to reflect recent laws (e.g., cannabis, native vegetation, signs, group homes, day care)
- Revise shoreland and floodplain management standards
- Align zoning map and districts with the future land use map
- Add overlay districts with design standards for key areas
- Address growth management and expansion standards
- Incorporate graphics and illustrations for clarity
- Update zoning map to reflect new districts and overlays
- Identify and remove barriers to housing; expand housing types
- Review park dedication ordinances

Draft sections will be reviewed with city staff as they are completed, followed by a full draft review prior to formal adoption.



Optional Add-On: Low Salt Design Standards

We specialize in integrating winter safety and sustainability into design standards. If desired, we can incorporate Low Salt Design standards into the zoning or subdivision ordinance now—as recommended in the comprehensive plan—saving you the cost of doing it later.

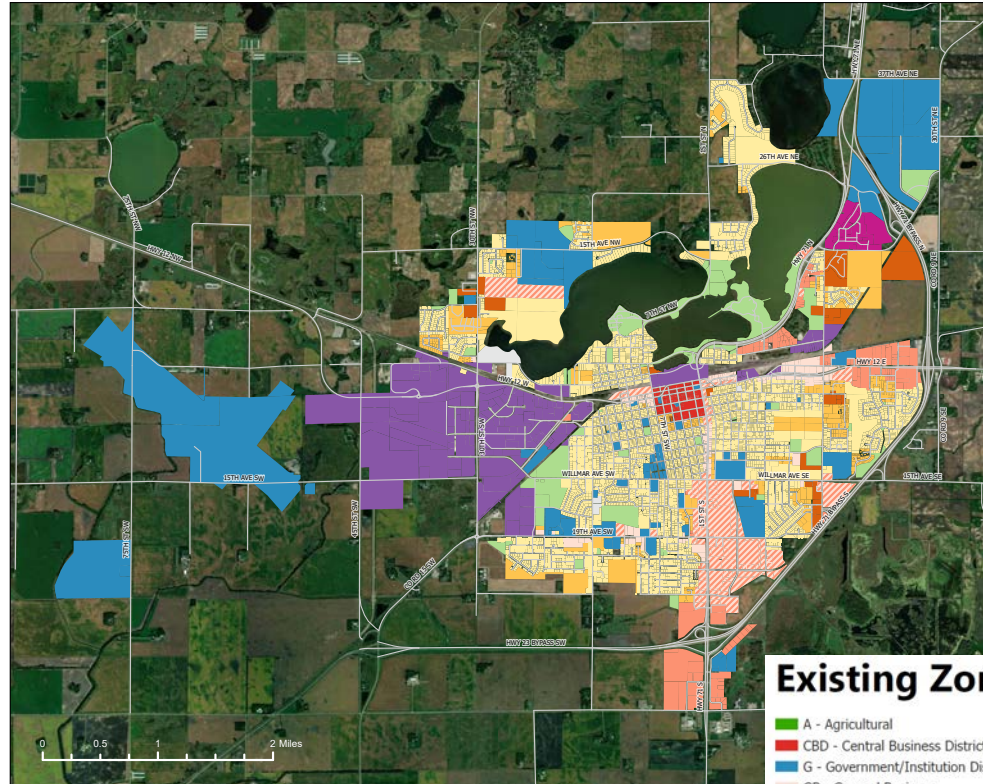


TASK 4 DELIVERABLES

- Cohesive redline draft of the updated code
- Formatted land use tables, standards tables, and illustrations
- Summary memo of code changes and rationale
- Updated official zoning map in GIS and PDF formats

Future Land Use Map

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Downtown
- Neighborhood Commercial
- Regional Commercial
- Parks and Open Space
- Industrial
- Institutional
- Technology District
- Mixed Use
- Cemetery



Existing Zoning

- A - Agricultural
- CBD - Central Business District
- G - Government/Institution District
- GB - General Business
- I-1 - Limited Industry
- I-2 - General Industry
- LB - Limited Business
- P - Park District
- R-1 One Family Residential
- R-2 - One & Two Family Residential
- R-3 - Low Density Multiple Family
- R-4 - Medium Density Multiple Family
- R-5 - High Density Multiple Family
- SC - Shopping Center
- T - Technology District
- N/A
- Roads

We will review the zoning districts and provide recommendations to consolidate and update them in alignment with the future land use map, while streamlining the land use code.

TASK 5: FINALIZE CODE AND APPROVAL

As the project nears completion, Bolton & Menk will work closely with city staff to finalize the code and prepare it for formal adoption. This phase includes a comprehensive review of the full draft ordinance and zoning map, incorporation of final feedback, and preparation of all materials required for the public hearing and approval process.

We will prepare the final ordinance package for the planning commission public hearing and city council adoption, including

- Final ordinance text and zoning map
- Staff reports
- Public hearing notice for publication
- Resolution
- Notification of adoption for publication
- Presentations at planning commission and city council
- Public meeting materials, including a summary of engagement and how input was incorporated

Our team will be available to present the final ordinance, respond to questions, and support the city through the formal adoption process.

TASK 5 DELIVERABLES

- Redlined updated ordinances
- Clean copy of the updated ordinances
- Staff memorandum of changes
- Public hearing notice for publication
- Resolution approving the updates
- Presentation at planning commission and one city council meeting
- Notification of adoption and summary for publication

REFERENCES

As practicing planners, we regularly perform minor code updates, including Cannabis and Subdivision Code Updates. The following is a representative project list summarizing Bolton & Menk's Zoning Ordinance experience from the past two years. Client satisfaction through quality deliverables, cost-effective rates, and timely project delivery are top priorities for Bolton & Menk on all projects. Please contact the following references to evaluate our performance.

The proposed team has contributed to the following ordinance updates:

Project	Client	Contact
Zoning Code Review and Update	City of Dassel, MN	Renee Eckerly 320-275-2677 renee.eckerly@dassel.com
Comprehensive Plan and Zoning Code Update	City of St. Augusta, MN	Bill McCabe 320-654-0387 bmccabe@staugustamn.com
Zoning Code Review and Update	City of Rockville, MN	Bobbi Kessel 320-251-5836 administrator@rockvillecity.org
Zoning Code Update	City of Waverly, MN	Carrie Kreinke 763-658-4217 ckrienke@waverlymn.gov
Zoning and Subdivision Ordinance Update (in process)	Sherburne County, MN	Mitch Glines 763-765-4466 mitch.glines@co.sherburne.mn.us
Zoning and Subdivision Ordinance Update (in process)	City of Owatonna, MN	Greg Kruschke 507-774-7317 Greg.Kruschke@owatonna.gov
Comprehensive Land Use Plan and Zoning Code Update	Becker County, MN	Kyle Vareberg 218-846-7314 kyle.vareberg@co.becker.mn.us

Below is a list of additional zoning code updates completed by other Bolton & Menk team members:

Project	Client	Contact
Zoning and Subdivision Code Update Greenvale Township	Dakota County Community Development Agency	Maggie Dykes 651-675-4464 mdykes@dakotacda.state.mn.us
Zoning Code Update Castle Rock Township	Dakota County Community Development Agency	Maggie Dykes 651-675-4464 mdykes@dakotacda.state.mn.us
Zoning Ordinance Update Parking Chapter and ADU Ordinance	City of New Brighton, MN	Ben Gozola 651-638-2059 Ben.Gozola@newbrightonmn.gov
Zoning Ordinance Update	City of Spring Valley, MN	Deb Zimmer 507-346-7367 debzimmer@springvalley-mn.com
Zoning and Subdivision Ordinance Update	City of Taylors Falls, MN	Elizabeth Haas 651-465-5133 ext. 22 zoning@taylorsfalls.org
Zoning And Subdivision Code Update	City of White Bear Lake, MN	Jason Lindahl 651-429-8562 jlindahl@whitebearlake.org
Subdivision and Zoning Code Update	Cerro Gordo County, IA	Tom Meyer 641-421-3061 tmeyer@cgcounty.org

Additional complete zoning/subdivision code updates:

Project	Client	Contact
Zoning and Subdivision Review and Update	City of Chatfield, MN	Beth Carlson 507-867-3810 Bethcarlson@ci.chatfield.mn.us
Zoning and Subdivision Review and Update	City of Plainview, MN	David Todd 507-710-4327 d.todd@plainviewmn.com

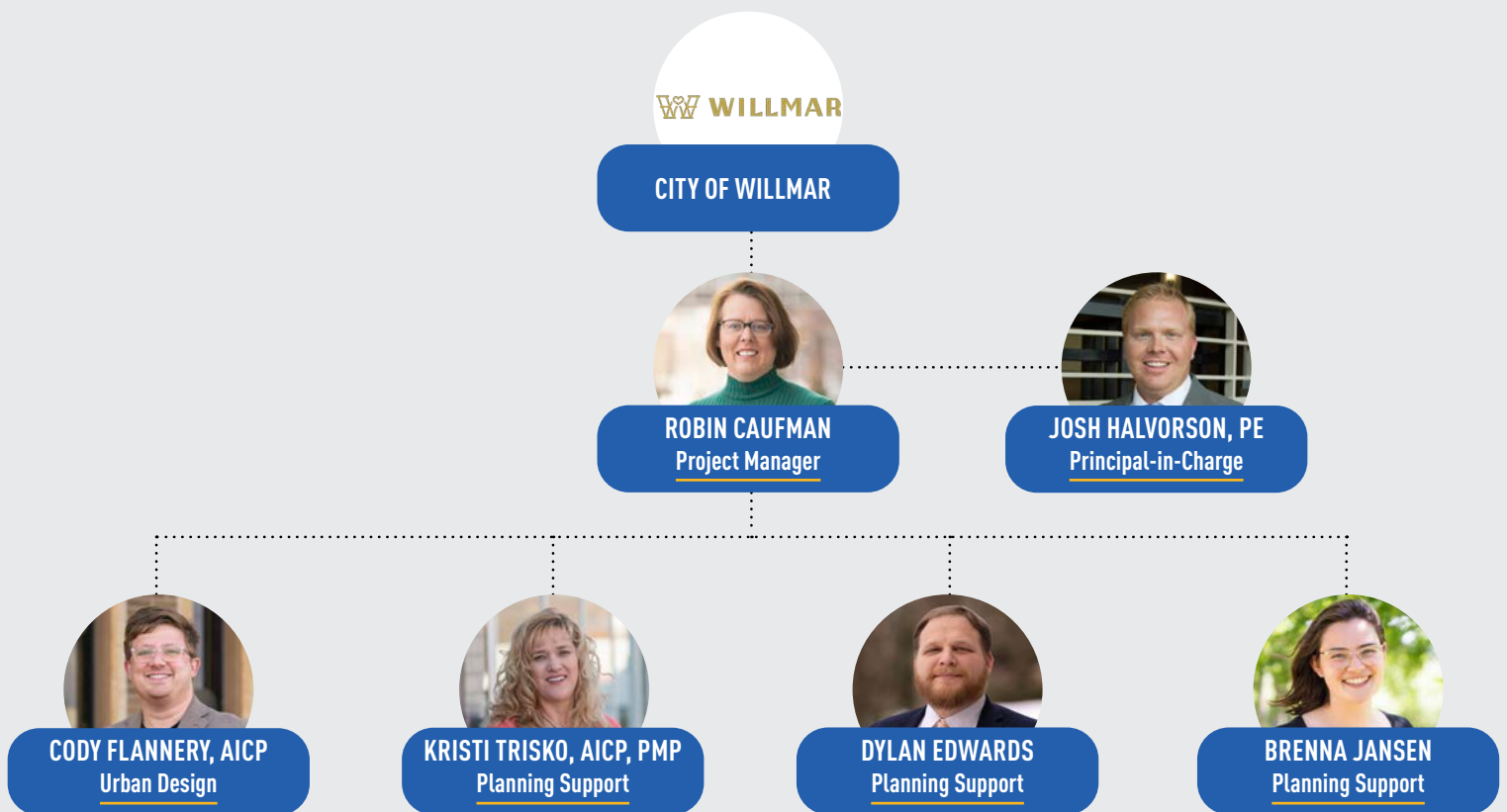
Additional partial or specific city code updates:

Project	Client	Contact
Liquor, Mining, and Nuisance Ordinance, Outdoor Wood Burners, Floodplain Management, and Signs	City of Wabasha, MN	Wendy Busch 651-565-4568 clerk@wabasha.org
Chapter 4 Alcoholic Beverages, Chapter 19 Outdoor Solid Fuel Burners, Floodplain Management, and Signs	City of Chatfield, MN	Beth Carlson 507-867-3810 Bethcarlson@ci.chatfield.mn.us
Floodplain Management, Shoreland Ordinance	City of Waverly, MN	Carrie Kreinke 763-658-4217 ckrienke@waverlymn.gov
Zoning Ordinance Updates for 8+ Years of Consulting Planning Services	City of Nicollet, MN	Vanessa Drill 507-232-3474 citynic@outlook.com
Reviewed and Recommended Updates to Zoning Ordinance and Comprehensive Plan	City of Lewiston, MN	Ragini Varma 507-523-2257 rvarma@lewistonmn.gov
Zoning Ordinance Scanned and Reorganized for Digital Reuse and 10+ Year Review	City of Kenyon, MN	Scott Lehner 507-789-6415 slehner@cityofkenyon.gov
Drafted River Corridor Overlay Zone for Zumbro River and Lake Zumbro	Oronoco Township, MN	Paige Collins 507-261-4478 Paige15@aol.com
Updated Several Zoning Ordinance Sections During 6+ Years of Consulting Planning Support	City of Eyota, MN	Tammy Meyers 507-545-2135 eyota@cityofeyota.com
Zoning Code Update	City of Lanesboro, MN	Mitchell Walbridge 507-467-3722 MWalbridge@lanesboro-mn.gov

PROJECT TEAM EXPERIENCE AND QUALIFICATIONS

Bolton & Menk understands the importance of developing design solutions that can be supported by stakeholders and implemented efficiently. We have provided a brief background and description of key individual roles. These individuals have track records of successful projects and, just as importantly, are enthusiastic and committed to meeting and exceeding your expectations.

Full résumés can be found at the end of this proposal.





ROBIN CAUFMAN

COMMUNITY PLANNING PROJECT MANAGER



EDUCATION

Bachelor of Science - Natural Science
University of Minnesota - Twin Cities

Master of Urban and Regional Planning - Urban and
Regional Planning
University of Minnesota - Twin Cities

AWARDS

2010 Business Advocate of the Year - Midway
Chamber of Commerce

2023 Program Extraordinaire - University of
Minnesota Alumni Association

2009 Rosa Parks Diversity Leadership Award - WTS
Minnesota Chapter

2024 Resilience and Sustainability Award (awarded
for the St. Cloud Historic Preservation Guidelines)
- MnAPA

Project Manager

Robin will serve as your primary point of contact. She has the qualifications, experience, motivation, and work ethic to effectively manage and coordinate each project phase. Robin will be responsible for overall team management and all schedule, cost, public outreach, and scope management processes.

Since beginning her career in 1994, Robin has filled multiple roles on regional infrastructure plans and projects, including transportation corridors, wastewater plans, environmental studies, and streetscape designs. As a community planning project manager, her primary areas of expertise include community engagement, metropolitan area comprehensive planning, and land use analysis. Prior to joining Bolton & Menk, Robin spent 21 years between Metropolitan Council and Metro Transit where she was responsible for working with local governments and communities on comprehensive planning, regional infrastructure planning, and engineering and construction of large transit projects. Robin uses her expertise in listening to project partners and community stakeholders and communicating technical information to ensure that there is clear understanding by all parties of project needs, purpose, benefits, and impacts.

EXPERIENCE

Comprehensive Plans and Zoning

- Comprehensive Plan and Zoning Code Update, City of St. Augusta, MN
- Comprehensive Plan and Zoning Code Update, City of Rockville, MN
- Zoning and Subdivision Ordinances Update, Sherburne County, MN
- Zoning and Subdivision Ordinances Update, City of Owatonna, MN
- Zoning Ordinance Update, City of Waverly, MN
- Comprehensive Plan Update, City of Ely, IA
- Comprehensive Land Use Plan Rewrite, Becker County, MN
- Comprehensive Plan Update, Crow Wing County, MN
- Zoning and Subdivision Code Update, Sherburne County, MN

Land Use and Urban Planning

- US 2 and US 169 Corridor Study, Grand Rapids Economic Development Authority, MN
- Downtown Master Plan, City of West Fargo, ND
- Planning and Annexation Agreement/Merger, City of Rogers and Hassan Township, MN
- Local Planning Handbook, Metropolitan Council
- Central Corridor/METRO Green Line, Metropolitan Council

Historic Preservation and Design Guidelines

- Historic Preservation Guidelines, City of St. Cloud, MN

Economic Development and Community Engagement

- Business/Economic Development Experience, Metro Transit — Recognized as Business Advocate of the Year by Midway Chamber of Commerce in 2010

Housing Studies

- Rental Housing Needs Assessment Study, City of North Branch, MN
- Housing Study, City of Paynesville, MN
- Housing Study, Chippewa County and Cities of Montevideo and Clara City, MN

Planning Services

- Planning Services, City of St. Augusta, MN
- Planning Services, City of Waverly, MN
- Planning Services, City of Rockville, MN
- Planning Services, City of Dassel, MN



JOSH HALVORSON, PE

MUNICIPAL PROJECT MANAGER | PRINCIPAL



EDUCATION

Bachelor of Science - Civil and Environmental Engineering
North Dakota State University

REGISTRATION

- Professional Engineer, MN

CERTIFICATIONS

- University of Minnesota
- Certified Pipelayer

Bolton & Menk Authorized Trainer

- Low Salt Design Strategies - LSID™

Principal-in-Charge

Josh has a proven track record of delivering city projects on time and is eager to build on that success with this initiative. He will collaborate closely with Robin to effectively manage the budget and project resources, ensuring a successful outcome.

Josh is a municipal project manager, overseeing municipal improvement projects from conception through construction. He started his engineering career in 2003, and his responsibilities include planning, designing, scheduling, and prioritizing tasks that lead to quality construction projects and client satisfaction. Josh is a champion for our client communities, enjoying the collaboration with them that helps establish project financing. His success is due to his experiences, application of knowledge, attention to detail, strong work ethic, and overall dependability.

EXPERIENCE

Parks, Trails, and Transit Projects

- Parking Lots Reconstruction, City of Willmar, MN
- Park Street Neighborhood Reconstruction, City of Ortonville, MN
- Lake Wobegon Regional Trail Phase III, Todd County, MN
- Trailblazer Transit Facilities, City of Buffalo, MN
- Southside Trail Extension, City of Annandale, MN
- Rolling Meadows Park Master Plan, City of Montrose, MN
- Central Park Phase I, City of Howard Lake, MN

Sewer and Wastewater Projects

- Wastewater Treatment Facility, City of Willmar, MN
- Southern Interceptor, City of Willmar, MN
- Southern Interceptor, Forcemain, and Outfall, City of Willmar, MN
- Forcemain and Gravity Sewer, City of Willmar, MN
- Wastewater Pump Stations, City of Willmar, MN
- Jennie-O Turkey Store Pretreatment System, City of Willmar, MN
- Decommissioning of Existing Wastewater Treatment Facility, City of Willmar, MN
- Ortenblad and Arby's Lift Station Decommissioning and 21st Street SW Sewer Extension, City of Willmar, MN
- Western Interceptor Sewer, City of Willmar, MN
- Sperryville Lift Station, City of Willmar, MN
- Country Club Drive Lift Station, City of Willmar, MN

- Westwood Court Lift Station and Radio Tower Forcemain, City of Willmar, MN
- Arcadian Townhomes Sanitary Sewer Service Improvements, City of Princeton, MN
- CSAH 7 Storm Sewer Analysis, City of Montevideo, MN
- Sanitary Sewer Distribution Construction, City of Sunburg, MN
- Hennepin Avenue Storm Sewer Improvements, City of Isle, MN
- TH 47 Sewer and Water Improvements, City of Isle, MN
- Wastewater Treatment Expansion, City of Murdock, MN

Development and Construction Projects

- Dairy Queen and Central Lakes Property Development, City of Willmar, MN
- D8 Facility Expansion, MnDOT
- Subdivision Construction, Shakopee Mdewakanton Sioux Community
- CSAH 19 Bikeway Construction, City of Hanover, MN



CODY FLANNERY, AICP

PLANNER II



EDUCATION

Bachelor of Arts - Political Science
University of Wisconsin - Madison

Master of Public Administration - Urban and
Regional Planning
University of Minnesota

CERTIFICATIONS

American Institute of Certified Planners
• Certified Planner - AICP

Urban Planner

Cody will lead urban design efforts.

Cody is a planner at Bolton & Menk whose professional career began in 2020. His responsibilities include assisting in the research for and developing planning studies and reports for communities looking to update or create new plans and programs. He also assists in liaising with community partners, agencies, and officials about their project goals and expected outcomes. Cody's passion for the field stems from his belief that everyone deserves to live in communities that are healthy, sustainable, equitable, prosperous, and beautiful.

EXPERIENCE

Zoning and Code Updates

- Unified Development Code,
City of Brooklyn Center, MN
- Zoning And Subdivision Code Update,
City of White Bear Lake, MN
- Zoning Ordinance Update,
City of New Brighton, MN

Planning Services

- Planning Services, City of Forest Lake, MN
- Planning Services, City of Newport, MN

Vision Plans

- Downtown Redevelopment Vision Plan,
City of Savage, MN
- Rice Street Visioning Study,
Ramsey County, MN
- Topeka Riverfront Vision Plan,
City of Topeka, KS

Grant Applications

- IIJA Grant Applications, MnDOT Metro
- MAGIC RAISE Grant Application,
Ward County, ND

District and Area Plans

- Cahill Area District Plan, City of Edina, MN
- Dinkytown/Marcy-Holmes Business District
Planning, City of Minneapolis, MN
- Northwest Area Plan,
City of Brooklyn Park, MN
- Northwest Central Commons Small Area Plan,
City of Eagan, MN

Studies and Evaluations

- Highway System Harms Study,
Metropolitan Council
- Historic Preservation Manual,
City of St. Cloud, MN
- Measuring the Livability Framework,
MnDOT Metro
- Sanitary Sewer Collection System Evaluation,
City of Perry, IA
- St. Paul I-94/I-35E Downtown Commons Study,
MnDOT

Comprehensive Plans

- Comprehensive Housing Study,
City of Montevideo, MN
- Comprehensive Plan Update, City of Perry, IA

Master Plans

- Downtown Master Plan, Ames Main Street
- Downtown Master Plan,
City of Monticello, MN
- Downtown Master Plan, City of Urbandale, IA
- Master Plan Update, City of Storm Lake, IA
- Opportunity Site Master Plan,
City of Brooklyn Center, MN
- Parks, Trails, and Open Space Master Plan
Update, City of Forest Lake, MN
- Summit Avenue Regional Trail Master Plan,
City of Saint Paul, MN
- US 2 and US 169 Corridor Study, Grand Rapids
Economic Development Authority, MN



KRISTI TRISKO, AICP, PMP

COMMUNITY PLANNING SENIOR PLANNER



EDUCATION

Bachelor of Arts - Urban and Regional Planning
Utah State University

CERTIFICATIONS

American Institute of Certified Planners

- Certified Planner - AICP

Project Management Institute

- Project Management Professional - PMP

Planning Support

Kristi will support the team with analysis and updates.

Kristi is a community planning senior planner who began her career in 1992. She is experienced in municipal planning, including long-range master plans and comprehensive plans, as well as city ordinance development and review, zoning administration, and public involvement. Additionally, she has experience designing, coordinating, and managing multiphased land development projects from conceptual design to final construction. Kristi is passionate about completing long-range planning efforts for her clients and assisting them in planning for their future. She is also an experienced CAD and GIS user. Prior to joining Bolton & Menk, Kristi provided planning consulting services to several communities in Minnesota and Wisconsin.

EXPERIENCE

Municipal Comprehensive Planning

- Comprehensive Plan, City of Plainview, MN
- Comprehensive Plan, City of Nicollet, MN
- Comprehensive Land Use and Zoning Code Update, Becker County, MN
- Comprehensive Plan Update, City of Rochester, MN
- Park and Recreation Master Plan, City of Chatfield, MN
- Mayo Support Center, Master Plan, Mayo Clinic, MN
- Comprehensive Plan, City of Chatfield, MN
- Comprehensive Plan, City of Eyota, MN
- Comprehensive Plan, City of Wabasha, MN
- Park and Recreation Plan, Land Use Plan, City of Chippewa Falls, WI
- Land Use Plan, Phasing Plan, Urban Expansion Plan, Village of Deforest, WI
- Redevelopment Plan, City of Oshkosh, WI
- Land Use Plan, Town of Albion, WI
- Land Use Plan, Town of Christiana, WI
- Land Use Plan, City of Waunakee, WI
- Downtown Land Use Plan, City of Onalaska WI
- Union Community General Plan, Salt Lake County, UT
- White City General Plan, Salt Lake County, UT
- Kearns Community General Plan, Salt Lake County, UT

Ordinance Development and Review

- Recodification of Subdivision and Zoning Ordinances, City of Eyota, MN
- Recodification of Subdivision and Zoning Ordinances, City of Wabasha, MN
- Floodplain Management Code Revisions, City of Wabasha, MN
- Floodplain Management Code Revisions, City of Chatfield, MN
- Temporary Housing, Opt-Out Code Revision, City of Eyota, MN
- Temporary Housing, Opt-Out Code Revision, City of Chatfield, MN
- Temporary Housing, Opt-Out Code Revision, City of Wabasha, MN
- Solar Gardens/Farms Code Revisions, City of Eyota, MN
- Solar Gardens/Farms Code Revisions, City of Chatfield, MN
- Solar Gardens/Farms Code Revisions, City of Wabasha, MN
- Pool Safety Process Analysis, Development, and Permitting, City of Chatfield, MN
- Mixed Use Zoning District, City of Chatfield, MN
- Right-of-Way Review and Code Revision, City of Chatfield, MN
- Sign Ordinance Review, Code Revision, and Permitting, City of Chatfield, MN
- Variance Review and Code Revision, City of Chatfield, MN
- Non-conforming Review and Code Revision, City of Chatfield, MN
- Urban Chicken Code Analysis, Development, and Permitting, City of Chatfield, MN



DYLAN EDWARDS

PLANNER



Real People. Real Solutions.

EDUCATION

Bachelor of Arts - Political Science
Youngstown State University

Master of Public Administration - Public
Administration
Ohio State University

NOTABLE ACCOMPLISHMENTS

St. Cloud Area Chamber of Commerce Leadership
Program

Planning Support

Dylan will support the team with all planning efforts.

Dylan is a planner on the Bolton & Menk team who began his professional career in 2020. He is responsible for working with a collaborative team to assist communities with their planning needs through public engagement, comprehensive and land use planning, as well as other specialized services. Dylan enjoys working as a liaison between community members and stakeholders to ensure the public's goals are advocated for in the planning process. His passion stems from his love of helping communities achieve their goals and making sure all voices are heard.

EXPERIENCE

Comprehensive Plans and Zoning Ordinance

- Comprehensive Plan Update, Crow Wing County, MN
- Comprehensive Land Use Plan and Zoning Ordinance Update, Becker County, MN
- Comprehensive Plan and Zoning Code Update, City of St. Augusta, MN
- Comprehensive Plan Update, City of Rockville, MN
- Short-Term Rental Ordinance, City of Brainerd, MN
- Parking Ordinance, City of Brainerd, MN
- Comprehensive Plan and Zoning Code Update, City of St. Augusta, MN

Housing Studies

- Rental Housing Needs Assessment Study, City of North Branch, MN
- Housing Study, City of Paynesville, MN
- Housing Study, Chippewa County and Cities of Montevideo and Clara City, MN

Public Engagement

- Regional Future Arterial and Collector Planning, St. Cloud APO
- SS4A Comprehensive Safety Planning, St. Cloud APO
- Safety Action Plan, City of Willmar, MN

Planning

- Downtown and Commercial Corridor Parking Study, City of Brainerd, MN
- Community Development Department Application and Service Fee Study, City of Brainerd, MN
- Daily Planning Services, City of Faribault, MN
- US 2 and US 169 Corridor Study, Grand Rapids Economic Development Authority, MN



BRENNA MCCONNEL JANSEN

PLANNING INTERN



Real People. Real Solutions.

EDUCATION

Bachelor of Arts - Statistics and Environmental & Human Culture - University of Minnesota - Morris

Master of Urban and Regional Planning - University of Minnesota (Currently enrolled, anticipated graduation date May 2026)

Planning Support

Brenna will support the team with all planning efforts.

Brenna supports planning initiatives at Bolton & Menk through research, community engagement, and technical assistance for comprehensive plans, land use analysis, and zoning ordinance development across Greater Minnesota. Her role involves contributing to the foundational work that informs planning decisions, ensuring that community voices and data-driven insights are integrated into long-term development strategies. Brenna is passionate about planning as a tool for fostering dialogue around community values, needs, and aspirations. She believes in its power to build resilience and promote well-being by creating spaces where individuals and organizations can support one another. She enjoys engaging with communities of varying sizes and regions and exploring how the private sector contributes to public planning processes.

EXPERIENCE

Zoning and Subdivision Ordinances

- Zoning and Subdivision Ordinances Update, Sherburne County, MN
- Zoning and Subdivision Ordinances Update, City of Owatonna, MN
- Zoning Ordinance Update, City of Waverly, MN

Housing Studies

- Comprehensive Housing Study, City of Montevideo, MN
- Housing Study, City of Paynesville, MN

General Planning Services

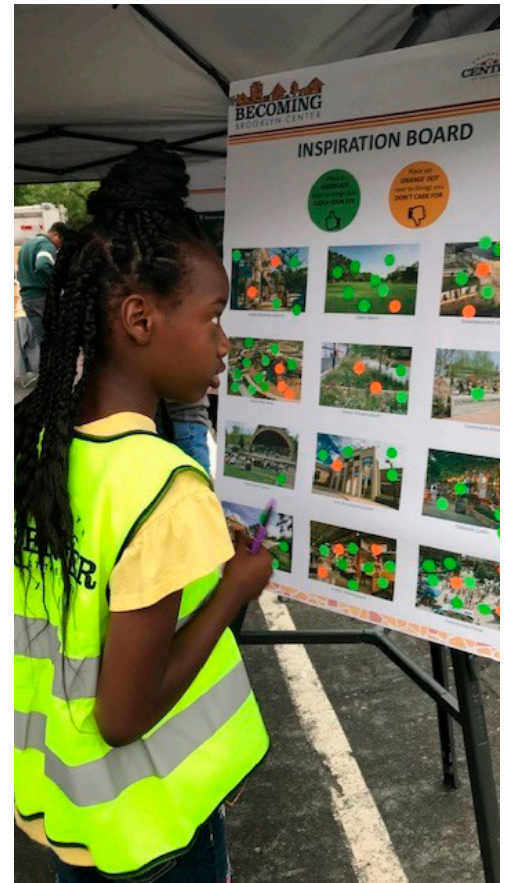
- Planning Services, City of Two Harbors, MN

Comprehensive Plans

- Kindred Comprehensive and Transportation Plan, Fargo-Moorhead Metropolitan Council of Governments
- Comprehensive Land Use Update, Le Sueur County, MN
- Comprehensive Plan and Zoning Code Update, City of Rockville, MN
- Comprehensive Plan Update, City of Lanesboro, MN
- Land Use Plan Update, Brown County, MN

EXPERIENCE/WORK SAMPLES

The planning team has developed a variety of standards and ordinance-related planning documents across Greater Minnesota. Each effort shared a common goal: to update standards in alignment with current regulations, reflect the community's vision and values, and ensure the documents are user-friendly to effectively guide development—supported by Bolton & Menk.



click here to view the project website



Contact:

Bobbi Kessel

City Administrator

320-251-5836

administratorclerk@rockvillecity.org

COMPREHENSIVE PLAN AND ZONING CODE UPDATE

City of Rockville, Minnesota



The City of Rockville's comprehensive plan, last updated in 2003, needed revisions to reflect major community changes—most notably the Highway 23 bypass and a decline in agriculture. These shifts created a dual need: to support commercial development while preserving agricultural land. Bolton & Menk partnered with the city to update both the comprehensive plan and zoning code.

We facilitated working sessions with the planning commission and city council, conducted community surveys, and held focus groups with businesses, property owners, and farmers to gather input. The resulting plan introduced goals, policies, zoning districts, and maps that support agriculture, economic development, and diverse housing options. A key milestone was collaborating with the Minnesota Department of Natural Resources to update the shoreland management overlay. Zoning districts were consolidated, standards simplified, and procedures clarified. The city council adopted the updated plan and zoning code on October 8, 2025.

The process took longer than anticipated due to scheduling challenges, a change in mayor and two council members following the 2024 election, and the need for additional discussions around agricultural land uses and rural residential development. To strike the right balance between preservation and growth, we held seven working sessions with the planning commission and city council, two focus groups with farmers and property owners, and two small-group meetings to finalize lot standards and appropriate accessory uses.

UPDATE HIGHLIGHTS

Two key goals of updating the plan were to

- **Make it easier to use**
- **Eliminate redundancies and inconsistencies**

As a result

- The **zoning code** was reduced by over 60 pages
- Bulleted lists and lengthy narratives were replaced with **easy-to-use tables**
- The **shoreland ordinance** was simplified by adding **section/township/range identifiers** for public water basins and watercourses—making it easier to locate, especially for **unnamed features**

Subdivision 3. CLASSIFICATION

The provisions of this ordinance apply to the shorelands of the public water bodies as classified by the Department of Natural Resources pursuant to Minnesota Statutes, Section 10.35.

A. Classified Lakes				
No.	Name	Section(s)	Classification	Public Water Category
73-51	Pleasant Lake	1, 2	Recreational Development	Public Water Basin
73-52	Rockville Lake	10, 11	Natural Environment	Public Water Basin
73-55	Grand Lake	21, 26, 29	General Development	Public Water Basin
73-57	Rausch Lake	25, 27	Natural Environment	Public Water Basin

B. Natural Public Watercourse				
Watercourse Name	Classification	Kille Number	from (T-4-5)	to (T-4-5)
Sauk River	Agricultural	M-074	123	123
Hill Creek	Natural	M-074-003	122-1-29	123-9-29

C. Classified Wetlands		
No.	Name	Section(s)
73-24	Unnamed	12, 13
73-53	Unnamed	10, 11
73-54	Unnamed	15
73-56	Unnamed	22
73-58	Unnamed	34
73-17	Unnamed	10
73-18	Unnamed	23, 26
73-80	Unnamed	25
73-63	Unnamed	13, 23
73-04	Unnamed	1
73-85	Unnamed	11
73-86	Unnamed	11
73-32	Unnamed	21
73-34	Unnamed	12

Subdivision 4: TABLE OF USES

The following permitted, conditional, interim uses in Rockville are set forth in the table below, organized by general use types and zoning district. Said table and all the notations, references, and other information shown thereon shall have the same force and effect as if fully set forth herein and thereby made a part of this Ordinance by reference.

Uses which were legally existing uses as of _____, 2025, the date of adoption of this Ordinance. Any expansion, intensification of use, additions or rebuilding of structures, except as those permitted by existing special use permits, relating to such businesses will require the issuance of a Conditional Use Permit.

Use Type	A40	A41	R1	R2	OT	HC	I
Accessory Buildings per Section 9, Subd. 2	P	P	P	P	P	P	P
Accessory Solar Energy System per Section 9, Subd. 10	P	P	P	P	P	P	P
Agricultural buildings that are accessory to an Agricultural Operation	P	P					
Agricultural Operations	P	P					
Agriculture-oriented businesses	C	C					
Airports, airstrips	C	C					
Alcohol fuel plants	C	C					P
Animal Breeder	P	P	C	C	C		
Animal Feedlot per Section 9, Subd. 25	C	C					
Animal Hospital	C	C				C	C
Apartment						P	
Aquaculture	C	C					
Auto body repair shops						C	C
Bed shops, recreational equipment rental shops, and similar tourism-related facilities/activities						P	P
Bandstands or stages	P	P	P				
Bed and breakfast inns	C	C	C	C	C		
Boarding and renting of rooms to not more than two (2) persons				P	P		
Brick, tile, and terra cotta manufacturing							P
Building material, sales, and storage							P
Bulk liquid storage	C	C					P
Business and professional space					P	P	
Cabinet Shops							P
Camera and photographic supplies manufacturing							P
Car wash					C	C	
Cannabis cultivator	IUP	IUP	IUP				
Cannabis delivery service	IUP	IUP	IUP				IUP
Cannabis event	IUP	IUP	IUP			IUP	IUP

[click here to view an example pdf](#)



Contact:

Wendy Busch
City Clerk/Planning Assistant
651-565-4568
clerk@wabasha.org

ORDINANCE UPDATES

City of Wabasha, Minnesota



Since 2014, Bolton & Menk has provided weekly planning services to the City of Wabasha. Our ongoing responsibilities include supporting city staff, researching and updating city code, and preparing and presenting reports to city commissions and the city council. Over the past 11 years, we've updated numerous sections of Wabasha's zoning, subdivision, and mining ordinances, and conducted research for revisions to the city's liquor license and short-term rental ordinances. We also assisted in reformatting the entire city code for inclusion on the American Legal website, improving public accessibility. A particularly impactful update involved reorganizing the zoning ordinance by consolidating land uses into a single table and placing key zoning processes and standards at the beginning of the document. This reorganization has made the code easier to navigate, and residents seeking land use entitlements have praised the clarity and simplicity of Wabasha's processes. As a result, applicants are submitting more complete materials, which streamlines staff review and fosters productive commission and council discussions—ultimately leading to better land use decisions.



KRISTI'S PLANNING CONTRIBUTIONS

Kristi has played a pivotal role in updating most of the city's ordinances—both as part of special projects and through her ongoing work as the city's daily planner. She has also streamlined the land use application process by designing user-friendly forms that

- Include relevant code references
- Clearly outline the submission process
- Provide a checklist of required items for a complete submittal

Planning & Zoning Contacts:

Kristi Trisko, AICP, PMP
Senior Planner-Bolton & Menk

Wendy Busch
City Clerk-City of Wabasha

Subdividing or Combining Lots

- ☐ Administrative Lot Split
- ☐ Preliminary Plat
- ☐ Final Plat
- ☐ Minor Plat

[click here to view the project website](#)



Contact:

Rob Mattei
Community Development Director
218-326-7622
rmattei@grandrapidsmn.gov

US 2 AND US 169 CORRIDOR STUDY

Grand Rapids Economic Development Authority



The Grand Rapids Economic Development Authority (EDA) and MnDOT conducted a corridor study of US 2 and US 169 through Grand Rapids, Minnesota. The study evaluated existing conditions (traffic volumes, operations, and safety) and future conditions that accounted for growth and anticipated development in Grand Rapids. The city had made significant public investment and aesthetic improvements to the blocks near the intersection. However, there was still work to be done to improve economic development, activate underused properties, improve walkability, and make it easier and safer to get through the city. Bolton & Menk partnered with the Grand Rapids EDA and MnDOT to lead robust public engagement, offering residents, businesses, and stakeholders multiple ways to share input—including online surveys, walking tours, and public meetings. The final report, adopted at the August EDA meeting, documents existing conditions, identifies key issues and opportunities, and outlines recommendations for corridor reinvestment and redevelopment.

Engagement for this project was highly successful, with more than 2,000 community members subscribing to receive regular project updates and more than 1,000 responses collected through public surveys. These efforts reflect strong community interest and involvement throughout the planning process.

We used a variety of engagement tools—including online surveys, interactive mapping, and in-person events—to gather meaningful input.

The **final plan** presents clear, easy-to-understand concepts designed to guide the **city, EDA, developers, and property owners** in the thoughtful redevelopment of the **Highway 2 corridor**.



[click here to view the project website](#)



Contact:

Matt Glaesman

Community Development Director

320-650-3110

matt.glaesman@ci.stcloud.mn.us

HISTORIC PRESERVATION MANUAL

City of St. Cloud, Minnesota



The City of St. Cloud is home to more than 4,500 historic structures, four residential historic districts, and the St. Cloud Commercial Historic District—listed on the National Register of Historic Places in 1998 and locally designated in 2002. To protect and enhance these assets, the city developed the Downtown and Residential Preservation Design Manuals (2003 and 2005) and partnered with Bolton & Menk to release the 2024 Historic Preservation Manual. This updated manual supports economic development and housing demand while preserving St. Cloud's unique character. It offers best practices for improving historic buildings and provides city staff with clear, objective criteria for evaluating applications. Bolton & Menk prioritized clarity by using plain language, a glossary, illustrative sketches, and color-coded keys to highlight appropriate solutions. It also recommends energy-efficient replacement materials and technologies. Residents and business owners found the new format easier to understand and appreciated the inclusion of cost-friendly materials, which may encourage more property restorations.

A Complete Application Includes:

- Property owner names and contact information;
- Applicant contact information (if different from owner);
- Property owners and applicant signatures
- Address of property;
- Type of Project – house, garage, shed, fence, or other;
- Description of work to be done, detailed location of the project on the property, and how work will affect the historic architecture of the building;
- Description of existing materials;
- Description of proposed exterior building materials such as samples and paint chips of proposed colors;
- Explanation of removal of architectural detail or ornamentation, if proposed; and
- Description of how project meets the Design Guidelines or rationale for why the project is not consistent with the Design Guidelines.

Required Supplemental Materials for All Projects:

- Current photo of the exterior sides of the building or site where the work will take place;
- Exterior construction design plans depicting design of roof, windows, storefronts, and façade treatments, drawn to scale on sheets no larger than 11" x 17";
- Sample of physical replacement materials;
- Product catalog entry for chosen product; and
- Photo of exact product which will be installed.

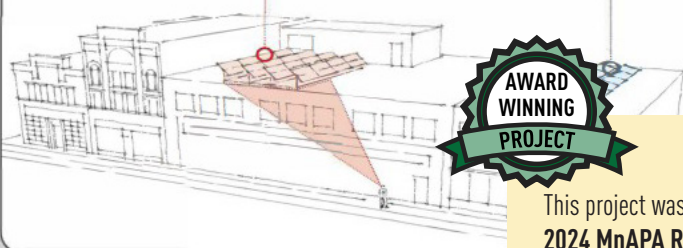
Required Supplemental Materials Only for New Builds:

- Sketches;
- Renderings; and
- Construction drawings.

Commercial Solar Panels

Inappropriate: Large or obstructive panel placement or design that is visible from the street.

Appropriate: Low-profile rooftop solar panels setback from front lot line / parapet edge.



AWARD
WINNING
PROJECT

This project was honored with the **2024 MnAPA Resilience and Sustainability Award**, recognizing its forward-thinking approach and strong community-driven outcomes.

SCHEDULE

We have developed a schedule detailing the anticipated work tasks, task relationships, critical path timeline, deliverable due dates, and completion dates. This schedule is based on our review of the project background, description, and scope of services included in the Request for Proposals and our experience on other similar projects. Upon selection, Bolton & Menk will work with city staff and other project partners to revise and update this schedule as needed to ensure successful delivery of this project.

		2026					
		January	February	March	April	May	June
1.0	Task 1: Project Management						
1.1	Monthly check-in meetings with city staff						
2.0	Task 2: Stakeholder Engagement						
2.1	Website						
2.2	Articles/social media posts (three posts each)						
2.3	Steering committee meetings (three)						
2.4	Focus group (four)						
2.5	Internal stakeholder group						
2.6	Community survey						
2.7	Public hearing/open house						
3.0	Task 3: Subdivision and Zoning Code Diagnosis						
3.1	Comprehensive reformatting of current code						
3.2	Zoning and subdivision code diagnosis memos						
3.3	Analyze variance trends						
3.4	Zoning map review memo and recommendations						
4.0	Task 4: Update Ordinances						
4.1	Edit and redline code						
4.2	Formatted land use table, standards table, and illustrations						
4.3	Updated official zoning map in GIS and PDF formats						
4.4	Prepare summary memo of changes						
5.0	Task 5: Adoption - Finalize Code Approvals						
5.1	Finalize ordinance, edits based on public input						
5.2	Planning commission public hearing						
5.3	City council						

TOTAL CONSULTANT COST

The following table outlines the estimated hours and cost breakdown for each major work task. The proposed fee encompasses labor, general business operations, and customary expenses associated with professional services. Unless otherwise specified, the fee includes vehicle and personal expenses, mileage, telephone usage, survey stakes, and routine expendable supplies. These items will not be billed separately.

Additional expenses that fall outside the agreed scope of services—such as large quantities of prints, extra report copies, outsourced graphics or photographic reproductions, document recording fees, and external professional or technical assistance—will be invoiced separately. Bolton & Menk, Inc. will perform the described scope of services for an estimated fee of \$120,122. Billing will follow our standard hourly rates, and we will not exceed the estimated fee without prior written authorization from the city.

Client: City of Willmar Project: Zoning Ordinance Rewrite		Bolton & Menk, Inc.									
Task No.	Work Task Description	Principal-in-Charge	Project Manager	Planning Support	Planning Support	Planning Support	Urban Planner	GIS	Low Salt	Total Hours	Total Cost
1.0	Project Management	4	28	5	17	2	4	0	0	60	\$10,934
2.0	Stakeholder Engagement	0	55	0	48	23	13	0	0	139	\$22,758
3.0	Subdivision and Zoning Code Diagnosis	0	21	24	14	80	0	0	4	143	\$18,716
4.0	Update Ordinances	0	93	65	75	16	65	16	0	330	\$56,410
5.0	Adoption - Finalize Code Approvals	4	18	0	26	24	5	0	0	77	\$11,304
Total Hours		8	215	94	180	145	87	16	4	749	
Average Hourly Rate		\$207.00	\$216.00	\$172.00	\$138.00	\$90.00	\$168.00	\$152.00	\$230.00		
Subtotal		\$1,656	\$46,440	\$16,168	\$24,840	\$13,050	\$14,616	\$2,432	\$920		
Total Fee										\$120,122	

Add Ons	Hours	Cost
INPUTiD™ interactive survey	32	\$5,000
Additional public meetings (per meeting)	12	\$2,000
Low Salt Solutions	26	\$5,000



Zoning Ordinance Rewrite

CITY OF WILLMAR





Christopher Corbett
Planning and Development Director
City of Willmar
333 6th Street SW
Willmar, MN 56201

October 10, 2025

Subject: City of Willmar Zoning Ordinance Rewrite

Dear Christopher and Members of the Selection Committee:

After the successful and unanimous adoption of the WITH Willmar Comprehensive Plan, we have been eagerly awaiting the next steps to assist the City in implementing its goals and vision for the community. Updating the City's zoning ordinances is the next logical step in that process, and we are excited to propose our services in response to the RFP. Rewriting the zoning ordinance will be integral to the success of implementing land use recommendations from the comprehensive plan, and will be used by staff more than any other planning document. SRF has a robust and knowledgeable land use and zoning practice, headed by Project Director Scott Harmstead, AICP, MPA. Under his direction, Project Manager Mitchell Brouse, AICP, and Deputy Project Manager Ayden Schaffler, AICP Candidate, will craft a zoning ordinance that is modern, streamlined, and more flexible than the current 1994 code. We bring a unique understanding of community needs and priorities through our experience working in partnership with the City to complete the WITH Willmar Comprehensive Plan.

THE SRF TEAM BRINGS:

- *A core project team with broad experience developing and implementing ordinances from both public and private sector perspectives.*
- *A thorough knowledge of land use law, Minnesota statutes, model ordinances, and best practices and trends in zoning reform.*
- *A flexible approach to community engagement for ordinance work, including virtual and in-person meetings, one-on-one interviews, and community engagement activities.*
- *An organized approach and attention to detail.*
- *A strong familiarity with the City of Willmar and its community from our experience partnering with the City to complete the Comprehensive Plan.*

We look forward to talking with you further about our team, experience, scope of work, and qualifications for this project. Please feel free to contact Mitchell Brouse at mbrouse@srfconsulting.com.

Sincerely,

Mitchell Brouse, AICP
Project Manager

Scott Harmstead, AICP, MPA
Project Director



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FIRM BACKGROUND



SRF CONSULTING GROUP

www.srfconsulting.com

3701 Wayzata Boulevard, Suite 100
Minneapolis, MN 55416-3791

Phone: 763.475.0010

Fax: 1.866.440.6364

60



Years of Achievements
(Since 1961)

400+



100% Employee Owners
(ESOP)

8



Offices in MN (2), IL, ND (2),
WI, NE, and FL

10k+



Successful
Projects Delivered

100+



Awards

SRF brings practical and pragmatic planning experience to this project. Our team leadership has experience on “both sides of the counter,” having worked as both public sector planners and consultants. Our experience in the public sector, coupled with the fact that we continue to serve in that role for some of our clients, provides us with an understanding of what it’s like to serve as local planning staff.

SRF’s planners, engineers, and designers collaborate with our clients and their stakeholders to facilitate an inclusive and innovative process to determine sustainable strategies and solutions. We understand the important role that a zoning and subdivision ordinance plays in supporting a thriving community and supporting a high quality of life. We emphasize the importance of engagement throughout all of our projects in an effort to deliver products that support the vision and goals of the community.

The SRF team’s experience and skills go well beyond document preparation as we work together to create vibrant communities. Our award-winning projects range from designing roadways, bikeways, parks, and development sites to visualizing improvements to the public and private realms. SRF’s comprehensive planning and design services include the following:

- ✓ Community, land use, transportation, and environmental planning
- ✓ Stakeholder and community engagement
- ✓ Civil, structural, water resources, traffic, and electrical engineering
- ✓ Landscape architecture and urban design
- ✓ Visualization
- ✓ Site Development

SRF’S ZONING PRACTICE

Practical Experience and Approach. SRF brings very feasible and practical, yet creative zoning experience to this project. Our planning team has experience working in both the public and private sectors. Our experience in the public sector provides us with an understanding of what it’s like to serve as local planning staff – charged with the role of interpreting, administering, and enforcing the zoning ordinance.

Focus on Simplicity. The simpler the code, the easier it is to explain and interpret. Our team prides itself on providing straight-forward code language that can be easily read and understood. We recognize the value of tables, graphics, and vignettes as components of the Zoning Code that greatly aid in the public’s understanding of the code.

Understanding Local Needs. Our experience working with the City of Willmar in updating the comprehensive plan gives a unique head start in understanding community needs. Beyond that, our approach includes numerous opportunities to work with City staff and the community to understand Willmar’s specific circumstances. We will conduct interviews and work directly with a project Steering Committee to ensure that the final product adequately addresses community priorities from a wide range of perspectives.

Zoning Review and Diagnostic Analysis. Our team strives to begin each project with a sound foundation of knowledge. A diagnostic review of existing documents, such as the existing Zoning Code and the adopted Comprehensive Plan, gives us a better understanding of the community’s on-going and future needs, along with potential conflicts between goals and policies.

PROJECT UNDERSTANDING

Willmar's Zoning Ordinance Rewrite comes at a crucial time for the City as it seeks to implement the actionable solutions recommended by the recently-adopted WITH Willmar Comprehensive Plan. The SRF team partnered with Willmar on the development of the Plan, including writing the land use, housing, economic development, natural resources, parks, and implementation, an effort that uniquely positions us to continue this work into the Zoning Ordinance Rewrite. Our team is prepared and excited to help Willmar take the next step towards its vision of being a wonderful place to work, innovate, thrive, and call home.

COMMUNITY VISION

Willmar is a city of possibility and opportunity — diverse, thriving, and resilient — a desired place to Work, Innovate, Thrive, and call Home.

The WITH Willmar Comprehensive Plan adopted a new vision for what the community will prioritize for the next 20 years. This vision was created in partnership with community organizations, elected officials, and the general public, and represents the increasing diversity of Willmar and its status as a regional hub for Central Minnesota. To implement the vision, four major guiding principles were outlined, all of which will inform an updated Zoning Ordinance:



The SRF team will carry the community vision and guiding principles into the Zoning Ordinance, providing the City with opportunities to integrate sustainability, resilience, innovation, and inclusivity into its planning efforts. **As a continuation of the Comprehensive Plan, the Zoning Ordinance will be developed WITH the community and staff, rather than for them.**

COMMUNITY IDENTITY

The City of Willmar is a regional hub for Central Minnesota, with a wide variety of industries and businesses that call the City home. The top three industries within the City are health care, retail, and manufacturing, employing over 50% of the City's residents (Source: 2022 ACS). The City has become an increasingly diverse and multicultural community, with the percentage of BIPOC residents growing from 12% in 2000 to 41% in 2023 (Source: 2000 Census and 2023 ACS). This is represented by Willmar's renewed community vision and goals established in WITH Willmar, which forecast a city that is diverse, thriving, and resilient. As is explored in more detail below, Willmar's Zoning Ordinance is outdated and no longer reflects community priorities, which makes this zoning rewrite crucial for the future of the City.

PREVIOUS AND ONGOING EFFORTS

The City of Willmar has worked diligently and passionately to adopt new plans and standards that reflect a new vision for the City: one that is inclusive, innovative, walkable, and sustainable. The SRF team understands that no plan stands independently from the other, and all plans must reflect common goals and strategies to be effective. We have reviewed Willmar's recent planning efforts and will integrate the recommendations into the Zoning Ordinance rewrite.

WITH Willmar Comprehensive Plan

The WITH Willmar Comprehensive Plan was adopted in June 2025 and will directly inform the Zoning Ordinance rewrite. Specific implementation actions from WITH Willmar can be addressed through rewriting the zoning ordinance. For instance, the following zoning updates would be consistent with implementation actions in the Comprehensive Plan:

- DNR shoreland regulations can be directly implemented into zoning standards for land that surrounds lakes and wetlands.
- Inclusion of renewable power sources in specific zoning districts as by-right uses.
- Expansion of permitted uses in low-density districts to include factory-built homes, duplexes, and townhomes.
- Integration of form-based code elements into districts the City is eyeing for mixed-use development, including the mall area and downtown.

The SRF team is committed to bringing forth the vision and guiding principles from WITH Willmar into every aspect of the zoning code that we can. SRF worked in partnership with the City in the development of the WITH Willmar Comprehensive

Plan, including by developing the land use, housing, economic development, and implementation sections intended to support the zoning ordinance rewrite and overall vision for the community in twenty years.

Ayden Schaffler, AICP Candidate, served as project manager for the final four months of the planning process, bringing the plan to completion and demonstrating his commitment to delivering a quality product to the City.

Urban Growth Boundary



The WITH Willmar Comprehensive Plan identified an Urban Growth Boundary, denoting area where development is discouraged. The Urban Growth Boundary represents the City of Willmar's commitment to sustainable and responsible growth. The Plan focuses on encouraging infill and redevelopment, supplemented by a few greenfield parcels that

were recommended to be developed within the next twenty years. SRF understands that future land uses were not identified within these greenfield parcels, and will draft the zoning ordinance in a manner that encourages sustainable development to occur.

Rental Housing Ordinance

The SRF team understands that City of Willmar staff will be updating the City's Rental Housing Ordinance in tandem with the Zoning Ordinance update. The SRF team will collaborate with City staff to ensure consistency between the two ordinances and that they both work to achieve a more inclusive and sustainable future for the City.



Willmar Wye

In 2021 and 2022, US-12 and MN 40 were reconfigured and realigned to allow for the construction of a new railroad spur that completed the wye of two railroad lines that converge near downtown. The completion of the wye has allowed for additional rail-dependent industrial uses on the western side of the City. An updated zoning code will guide development along the spur for uses that compliment or utilize railways for transportation of goods.



Willmar Airport Relocation

The SRF team understands that the Willmar Municipal Airport was recently relocated west of the City along 15th Avenue. The relocation of the airport has created new opportunities for industrial uses on the western side of the City, both near the new airport and where the old airport was located. The Zoning Ordinance rewrite will promote industrial uses in these locations with an emphasis placed on innovative industrial uses and shovel-ready sites.

Fiber Optic Internet

The City of Willmar is actively working to develop Willmar Connect, a city-official open-access fiber optic network. The City intends to own the infrastructure, offering a new option for residents and businesses. The Zoning Ordinance rewrite can indirectly support the development of fiber optic infrastructure through modernization and streamlining.

Streamlined Permitting Process

In 2025, the City of Willmar launched a streamlined permitting process that makes it easier to complete permit applications and track the status of applications. The Zoning Ordinance will be streamlined into an easy-to-read document, creating consistency and ease for anyone who wants to build or develop within the City.

Downtown Revitalization

The SRF team acknowledges that the City of Willmar has intentions to transform its downtown into a walkable, sustainable, innovative destination for community members and guests. This process was launched through the rebranding of Downtown Willmar, which is reflected by new banners placed throughout downtown. The SRF team intends to assist with the revitalization of downtown through zoning, including by establishing a form-based, mixed-use district that emphasizes walkability and character through streamlined standards. The SRF team plans to build upon the City's existing Renaissance Overlay District and Heritage District to further encourage economic development and reduce barriers to building adaptive reuse, redevelopment, and new development downtown. The SRF team is passionate about downtowns and is committed to working with the City to develop a downtown zoning district that embodies the City's overall vision.



Housing

The SRF team understands that the City of Willmar has a housing shortage, especially for medium-density housing and multi-generational housing. The Zoning Ordinance can be altered to allow for the construction of medium-density housing and 5-7 bedroom homes in all residential zoning districts, promoting more inclusive and adaptable neighborhoods. Through engagement efforts with the community, the SRF team will determine what level of density the community supports and where additional housing density should be located.



PROPOSED APPROACH & WORK PLAN

The following section outlines our approach to the project and details the proposed scope of work. Development of a new zoning ordinance requires participation from the entire community. Our approach to the project includes a variety of key committees and teams.

Throughout the project approach, we will reference participation from the following key groups that we recommend should have a consistent role in the process.

Willmar Project Management Team (PMT). Includes the City Project Manager and other core City staff. The PMT is responsible for project management.

Steering Committee. Committee comprised of community representatives and stakeholders from a variety of backgrounds reflecting a range of perspectives in Willmar, including the City's partners in planning, frequent code users, and the development community.

Planning Commission. The Willmar Planning Commission will serve as a key guidance committee for the development of the new ordinance. Timing of work sessions are identified in the schedule on page 21.

City Council. The Willmar City Council will be given opportunities to share their recommendations and provide direction for the code update. Timing of work sessions are identified in the schedule on page 21.



PHASE 1: PROJECT STARTUP AND STRUCTURE

Phase 1 of the project will explore existing rules, regulations, and policies that inform land use and zoning decisions today. A diagnostic review of the existing code will be developed to gain an understanding of what is working well and where improvements are needed.

TASK 1.1: Project Kickoff

An initial kick-off meeting will be held virtually with the PMT to discuss project roles and responsibilities, gather background data and information, and establish an agenda and dates for the initial round of orientation meetings. Specific topics will include:

- Public Involvement Plan
- Ongoing Project Management
- Document and Data Collection

TASK 1.2: Orientation Meetings

To gain an understanding of City-wide priorities, we will hold a series of meetings with staff from City departments that interact with the zoning code, and host a kick-off meeting with the Planning Commission and City Council. Topics will include:

- Overall project goals;
- Ongoing City activities that may impact the ordinance rewrite;
- Initial strategies for public engagement; and
- Key issues for the new zoning ordinance.

We will also assemble the orientation meeting questions into an initial staff survey to provide an opportunity for individuals who could not make the meetings to offer their thoughts and feedback.

Meeting and survey responses will be summarized into an orientation meeting summary that highlights common themes as well as more detailed issues and opportunities that emerged from the conversations and feedback.

TASK 1.3: Public Involvement Plan and Key Engagement Activities

In contrast to comprehensive planning projects, code updates often involve detailed technical discussions. It takes skill and timing to present complex materials in an engaging and understandable way, and to avoid "technical topic burnout." We will prepare a public involvement plan (PIP) for each code update project to detail who should be involved and how we can reach them for each project task.

Level of public involvement varies depending on the specific needs of the community. We seek to develop a community engagement plan that uniquely fits the needs of Willmar and will work with the City to determine the appropriate plan. As such, the following describes a base set of engagement activities that meets the minimum standards identified in the RFP, and a set of optional add on tasks for consideration by the City of Willmar. The cost of each item, both base and add-on is included in the "Total Consultant Cost" below.

- **Steering Committee** – Three virtual Steering Committee Meetings including two SRF planning team members.
 - » Phase 2 – Zoning Issue Assessment Overview

- » Phase 3 – Draft Ordinance Review
- » Phase 4 – Adoption Draft Ordinance Review
- » *Optional – Convert meetings to in person including 2 SRF planning team members*
- » *Optional – Additional virtual meetings*
- **City Council and Planning Commission Joint Work Sessions** – Prior to entering the adoption process, four Joint Work Sessions with the City Council and Planning Commission
 - » Phase 1 – Orientation Meeting, in-person meeting including two SRF planning team members.
 - » Phase 2 – Zoning Issue Assessment Overview, including one in-person and one virtual SRF staff members
 - » Phase 3 – Draft Ordinance Review, including one in-person and one virtual SRF staff members
 - » Phase 4 – Adoption Draft Ordinance Review, including one in-person and one virtual SRF staff members
- **Community Survey**
- **Open House**
- **City Led Pop-Up Events** – The budget includes 20 hours throughout the life of the project to provide documentation support for City-Led Pop-Up and other engagement events.
- **Optional Add-On Tasks** – If added to the scope, the following add-on tasks will need to be negotiated into the contract. Base costs are included in the “Total Consultant Cost” below:
 - » Technical Advisory Committee (TAC) – Advisory group including representatives from all code-using departments.
 - » Focus Groups – Meetings with ordinance stakeholders to solicit their priorities for the updated zoning ordinance. Stakeholder groups could include, but is not limited to, the development community, housing advocates, and/or environmental and conservation groups. Four in person meetings scoped via one trip to Willmar.
 - » Additional Open House(s)
 - » Additional Community Survey(s)
 - » Pop-Up Event(s)

TASK 1.4: Ongoing Project Management

Effective project management is an essential component of getting to adoption. Our team has a track record of completing projects on time and within budget. We know that getting to the finish line requires communication with our clients throughout the project and the ability to make purposeful scheduling and drafting adjustments when necessary. We will schedule a twice-monthly status call with the Project Management Team (PMT) to provide project status updates, review drafts, and discuss next steps.



PHASE 2 – ZONING ISSUE ASSESSMENT

Building on information gathered during the project startup tasks, we will prepare a detailed assessment of the current zoning and subdivision ordinances, covering three topics:

- Current ordinance content analysis and recommendations;
- Community character analysis for the purposes tailoring development standards to the needs of the City; and
- Options and recommendations for organization of the new ordinances.

TASK 2.1: Ordinance Issues Assessment – Staff Review Draft

The Ordinance Issues Assessment report will be used to guide the development of the updated zoning ordinance. It will include the following three components:

Current Ordinance Audit. The Current Ordinance Audit will incorporate and address the following topics as needed:

1. An assessment of how the current regulations respond to the community objectives identified in the Comprehensive Plan and other relevant plans;
2. A summary of the issues raised in the Task 1 orientation meetings;
3. Conceptual options for updates to the standards or procedures to better meet the City’s development goals; and
4. Recommendations on approach when multiple approaches are likely to be effective.

Current Plan Analysis. Under the Current Plan Analysis, the consultant team will review all existing planning documents to understand plan recommendations. The following plans will be evaluated:

- WITH Willmar Comprehensive Plan
- Willmar Safe Streets and Roads for All Plan (SS4A)
- Housing Analyses

Character Analysis (Optional). Building from our work on assisting in the development of the Comprehensive Plan, we will prepare an analysis of community character to ground the new ordinances in existing conditions and start a conversation about future transformations to development patterns. Exploring and identifying the range of community character types (e.g., early plats and historic areas, compact traditional neighborhoods, post-war suburbs, and the urban/rural interface) is important to drafting zoning districts, incorporating land use compatibility measures, and tailoring development standards to match surrounding or proposed development.

This assessment will include exploration of areas where form-based or form-oriented standards can help the community achieve development scale and design goals.

Organizing Concept. There are multiple organizing concepts or platforms to use for basic code organization (e.g., Euclidean (conventional), form-based, performance standards, negotiated). Regardless of the organization, creating a user-friendly code is a priority. We will discuss organizing options with staff to determine a consensus approach. With this information in place, we will create a summary of the formatting, styles, and graphics types that will be used in the drafting process.

Staff Review Draft. The purpose of Ordinance Issues Assessment first draft is to allow staff to review and provide substantive feedback on the report. Following staff preparation of one round of written comments, we will revise the report and prepare for outreach meetings.

FORM BASED REGULATION:

Modern zoning codes often include form elements. Depending on the specific needs of the community, special or form-based zoning districts and/or development standards may be appropriate. While conventional zoning tools continue to work well for stable neighborhoods, where no substantial change is anticipated under the new Comprehensive Plan, form based, or hybrid codes can be valuable in areas where mixed use or diverse housing types are preferred.

TASK 2.2: Ordinance Issues Assessment – Public Review and Elected Official Update

We will prepare only one public version of an issues assessment. Spending time “perfecting” the issues assessment delays the start of substantive drafting, where additional issues arise despite any extra work on the issues assessment. To document additional changes and ideas, we will add on the Ordinance Issues Assessment with summaries from the outreach. Consistent with the timing of the Public Involvement Plan, we will work with the City to provide opportunities for public review and comment. Feedback will be summarized for consideration by the Steering Committee.

PHASE 2 PUBLIC INVOLVEMENT ITEMS:

- Virtual Steering Committee Meeting
- City Council and Planning Commission Joint Work Session
- Community Survey



PHASE 3 – PREPARE DRAFT ORDINANCE

With the Ordinance Issues Assessment and comment process completed, and decisions made on code organization, we'll start drafting the new ordinance. Our approach to ordinance development typically occurs over three steps, with opportunities for City and public review at each phase. For the new Willmar ordinance, we propose creating a full technical draft during the first half of the project and doing outreach for a full public review draft during the second half of the project.

TASK 3.1: Technical Draft Ordinance

Following completion of the Ordinance Issues Assessment, the SRF team will begin working on the new draft zoning, subdivision, sign, and associated ordinances, according to the content, sequencing, and formatting identified through the Ordinance Issues Assessment process. The updated ordinances will include the agreed-upon substantive elements and emphasize the use of graphics, tables, and charts to explain zoning and land use concepts, instead of voluminous text.

To ease the review process, we recommend dividing the drafting into three manageable installments based on related material. Each installment will include commentary and footnotes to explain changes in regulations and practice and the rationale behind each new provision. The commentary and footnotes will also demonstrate how the revised code addresses the issues noted in the Ordinance Issues Assessment.

Drafting Organization

Installment 1 – Districts, Uses, and Form Elements. This installment focuses on updating the current lineup of zoning districts to align with relevant City plans and policies. The consultant team will work closely with City staff to ensure that the identified zoning districts align with the City's growth and development goals and policies, particularly with respect to mixed-use development, middle housing types, and encouraging infill/redevelopment. Updates to the use regulations will also be included in this step, including revising use categories, specific use types (e.g., permitted use, special use), use-specific standards, and form elements.

Installment 2 – Development Standards and Subdivision Regulations. This installment focuses on the development standards and Subdivision Regulations. This will include topics such as building and design, the sign ordinance, infrastructure use and improvements, landscaping, low impact development, access and circulation, sensitive area protection, and exterior lighting. Context-sensitive design standards for infill and redevelopment will be considered and will be integrated and reconciled with any standards drafted during the zoning districts step.

Installment 3 – Administration and Procedures. This installment focuses on streamlining the current procedures for development review applications. Our team understands the need for clear, effective procedures and we are experienced in establishing procedures that are easy to understand, are based on a consistent and predictable foundation, and apply objective approval criteria, while offering flexibility where appropriate. This step will also include the general provisions of the zoning and subdivision ordinances, which contain important elements to ensure the new code functions effectively (e.g., legal authority to regulate land development, relationship to other codes, nonconformities, and enforcement of the code).

Drafting Sequence

We will prepare the technical draft iteratively, first sharing all content for the current installment with the PMT. When a full installment has been reviewed, we will work with the PMT to identify appropriate updates and keep a list of issues for community or policy-maker discussion. As we move into the second and third installments, we will maintain this review schedule and add the new installments to a consolidated draft that includes the content from the earlier installments. The proposed scope of work includes one full staff review of each installment and a full staff review of the completed draft prior to the Public Review Draft Ordinance.

PHASE 3 PUBLIC INVOLVEMENT ITEMS:

- Virtual Steering Committee Meeting
- City Council and Planning Commission Joint Work Session



PHASE 4: PUBLIC REVIEW DRAFT ORDINANCE

TASK 4.1: Public Review Draft Ordinance – Community Review

The public review draft will be posted on the project website for comment. While the public review draft is open for review, we will facilitate three live and online learning sessions about the various contents of the ordinance. Each of the learning sessions will be recorded and posted on the project website for later viewing. Concurrently with the live learning sessions, we will facilitate a Steering Committee discussion of those chapters of the draft to help identify issues and potential changes identified by the Steering Committee. We also anticipate providing two project updates to the Plan Commission and City Council in this timeframe.

TASK 4.2: Adoption Draft Ordinance

We will organize the comments received from the Steering Committee, Plan Commission, City Council, and the general public for a discussion with the PMT about which revisions to incorporate in the Adoption Draft Ordinance. As with the Technical Draft and Public Review Draft, we will first prepare a PMT review draft of the Adoption Draft Ordinance.

After one round of consolidated feedback on the PMT draft, we will prepare the Adoption Draft to be carried forward into the adoption process. This draft will include final versions of illustrations, charts, tables, and revised text, and will address any outstanding issues noted in earlier tasks.

PHASE 4 PUBLIC INVOLVEMENT ITEMS:

- Virtual Steering Committee Meeting
- City Council and Planning Commission Joint Work Session
- Open House



PHASE 5: ADOPTION SUPPORT AND NEW ORDINANCE IMPLEMENTATION

TASK 5.1: Adoption Meeting Support and Final Ordinance

Following posting and the distribution of the adoption draft, we will participate in presentations of the new ordinances to the Plan Commission and City Council for the number of meetings specified in the final budget. As needed, we will also support the PMT with supplementary materials or revised ordinance language.

TASK 5.2: Implementation Support (Optional)

We have found that providing ordinance implementation support has been helpful with other communities, however, this is an optional task. This support will start with the completion of the Technical Draft and continue through the first six months of Ordinance implementation. We agree that putting a new code in place is critical to achieving the intended outcomes and we will provide resources to assist staff with implementation of the updated Ordinance. Examples of the types of resources we have provided previous clients include the preparation of administrative manuals, procedural checklists for development review, crosswalks between old and new regulations, and training sessions to familiarize staff and developers with the updated zoning and subdivision ordinance.



REFERENCES

WILLMAR COMPREHENSIVE PLAN

CITY OF WILLMAR, MINNESOTA

Reference: Christopher Corbett, Director of Planning & Development Services, City of Willmar | 320.214.5184, ccorbett@willmarmn.gov

SUPERIOR COMPREHENSIVE PLAN AND ZONING ORDINANCE

CITY OF SUPERIOR, WISCONSIN

Reference: Jason Serck, Planning, Economic Development & Port Director, City of Superior | 715.395.7335, serckj@ci.superior.wi.us

CALUMET COUNTY COMPREHENSIVE PLAN

CALUMET COUNTY, WISCONSIN

Reference: Matthew Halada, County Planner, Calumet County | 920.849.1493, matthew.halada@calumetcounty.org

MARSHALL COMPREHENSIVE PLAN

CITY OF MARSHALL, MINNESOTA

Reference: Jason Anderson, Director of Public Works, City of Marshall | 507.537.6051 | Jason.Anderson@ci.marshall.mn.us



PROJECT TEAM EXPERIENCE & WORK SAMPLES

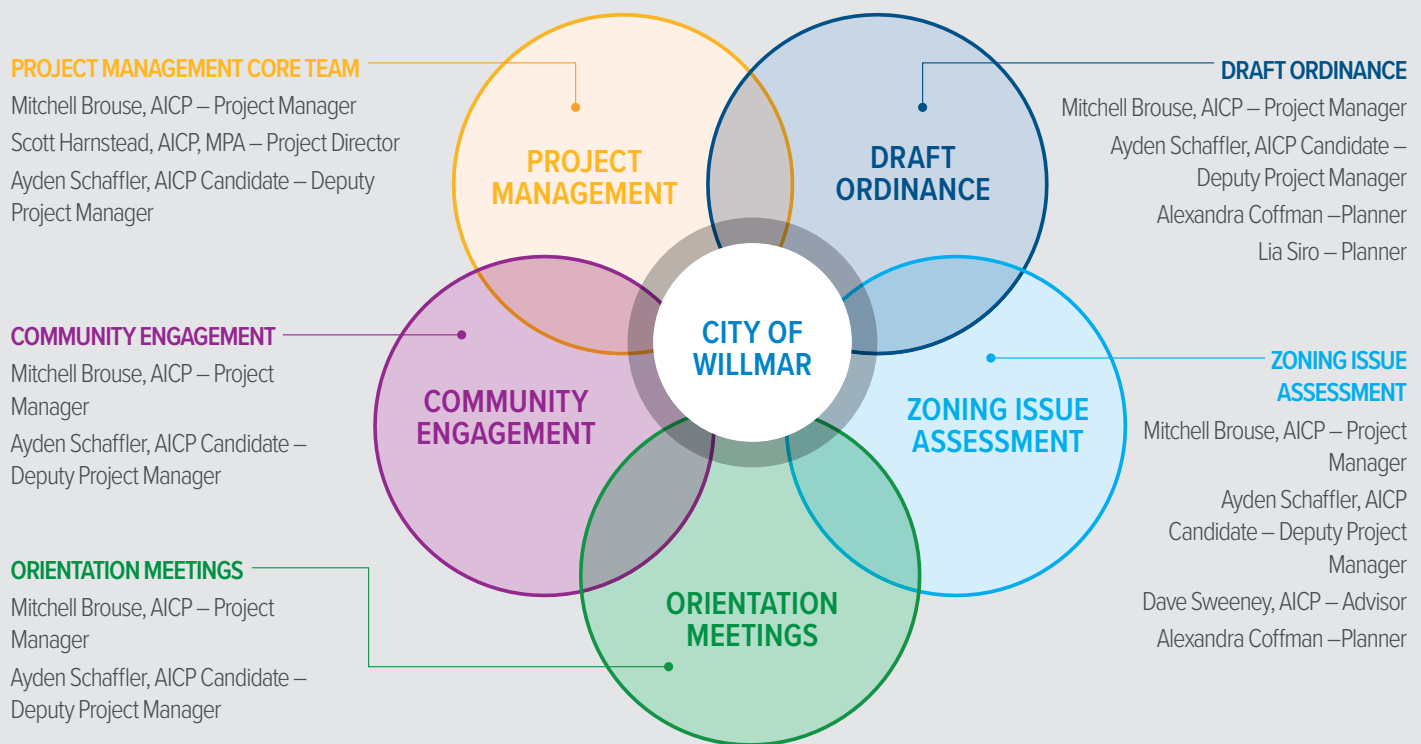
KEY PERSONNEL

The SRF Team is comprised of seasoned professionals who understand the complexities and opportunities the City of Willmar is facing in updating the Zoning Ordinance, have extensive experience in day-to-day administration and code development, and have the expertise to successfully engage the community and stakeholders.

Our team members are skilled at facilitating meaningful discussions amongst the public to gain constructive feedback that can be addressed and incorporated into the final deliverables. Each team member contributes select expertise and prior experience to match the scope of work identified in this proposal. The team and their respective roles are highlighted in the org chart below.

Resumes, highlighting applicable project experience for the very capable planners and designers that will participate in the planning process are included in the following pages.

Our team will be led by **Mitchell Brouse, AICP**, a community planning leader in our Madison Office. With 10 years of planning experience in both the public and private sectors, Mitchell understands and enjoys the complexities that come with developing and implementing a zoning and subdivision ordinance. With each project, he embraces the community's identity and future vision using a collaborative approach to develop creative and implementable solutions. He stresses the importance of building deliverables upon meaningful public and stakeholder engagement.





MITCHELL BROUSE, AICP | PROJECT MANAGER

Mitchell is an experienced planner, with 10 years of experience between the public and private sectors. His resume that includes various planning efforts including long-range policy and code development and current planning. He brings a wealth of knowledge on code and plan implementation from his past employment with Snohomish County, Washington and Johnson County, Iowa, which allows him to bring a unique understanding of the intricacies of local government. Mitchell enjoys working with communities to identify strategies to move the community forward. Throughout his career, Mitchell has served a variety of roles ranging from project management to data collection and analysis to development application review.

AREAS OF SPECIALTY

- Land Use & Comprehensive Planning
- Zoning & Development Codes
- Environmental Planning
- Transportation Planning
- Interagency Coordination

EDUCATION

Master of Science, Urban and Regional Planning, University of Iowa, 2015

Bachelor of Art, Economics, Ripon College, 2012

CERTIFICATIONS

American Institute of Certified Planners #31069

PROJECT EXPERIENCE

[Calumet County 2045 Comprehensive Plan Update, Calumet County, Wisconsin.](#) Mitch served as the project manager for the Comprehensive Plan Update process. In this role he supported the development of Calumet County's comprehensive plan by crafting goal and policy statements and conducting plan analysis. He coordinated public engagement, including surveys and events, to gather input. Mitch contributed to creating an interactive ArcGIS Storymap and a user-friendly document emphasizing SMART actions and future maintenance.

[Marshall Comprehensive Plan Update, Minnesota.](#) Supporting the development of the Comprehensive Plan Update. Efforts focus on the development of the future land use plan and plan element analysis. Mitch's roles include plan analysis, data collection, zoning assessment, and GIS mapping.

[Focus River Falls, Comprehensive Plan Update, River Falls, Wisconsin.](#) Provided assistance the planning process with the development of goal and policy statements and plan analysis efforts. Mitchell also played a key role in the development of the Comprehensive Plan document.

[Imagine 2045 Isanti County Comprehensive Plan, Isanti County, Minnesota.](#) Mitch provided planning support for the development of the Isanti County Comprehensive Plan. Project focus included support for plan development, guiding land use analysis, community visioning and goal setting, and zoning ordinance review.

[Worthington Comprehensive Plan, Minnesota.](#) Supported updates to the comprehensive plan, focusing efforts on evaluating, identifying, and documenting recommended updates to the City zoning and development ordinances.

[Johnson County, Unified Development Ordinance, Iowa.*](#) Served as the lead planner in the development and adoption of a new Unified Development Ordinance for Johnson County, Iowa, including zoning, environmental, and development regulations and standards. Developed policy memos, verbally communicated policy options to elected officials and the Planning Commission, and facilitated public discussions with decision makers. Completed stakeholder interviews and focus groups to solicit feedback on community needs. Researched and developed updated code provisions and assembled an updated ordinance that was adopted in place of the old standards.

[Johnson County, Zoning Administration, Iowa.*](#) Served as a permitting planner interpreting and implementing the County's Unified Development Ordinance. Reviewed subdivision and zoning applications for compliance with the zoning ordinance and prepare associated staff reports. Presented staff reports to the Planning and Zoning Commission, Board of Adjustment, and Board of Supervisors monthly.

**Completed with previous employer*





SCOTT HARMSTEAD, AICP, MPA | PROJECT DIRECTOR

Scott has 16 years of planning experience in the public and private sectors. His work has included the development of comprehensive and other long-range plans, including constraints analysis, public involvement, and the development of context-sensitive recommendations and policy language. Scott also has experience in zoning administration involving entitlement/permit processing, code writing, and code interpretation. Many of his projects have involved a strong transportation component, through which he has gained a sound understanding of the connection between land use and transportation in shaping communities.

AREAS OF SPECIALTY

- Land Use Planning
- Transportation Planning
- Zoning and Development Codes
- Environmental Documentation
- Public Involvement and Committee Facilitation
- Geographic Information Systems (GIS)
- Urban Design

EDUCATION

Master of Public Administration,
Arkansas State University, 2023

Bachelor of Science in City and
Regional Planning, California
Polytechnic State University, San
Luis Obispo, 2006

CERTIFICATION

American Institute of
Certified Planners #026027

PROJECT EXPERIENCE

Minot Zoning Ordinance Services. Led a full-scale zoning code update, with a focus on providing a concise, user-friendly code. Helped update design standards, signage ordinance, parking regulations, and regulations for wireless communication facilities.

Rochester Downtown Parking Overlay Zone. Assisted the City with a new parking overlay zone compatible with the new Destination Medical Center Plan.

Jamestown Planning and Zoning Technical Services. Currently provide planning assistance to the city, primarily with development review and processing, as well as a recent full code update.

Fargo Land Development Code Diagnostic. In partnership with LWC, Scott led the analysis of parking, housing, landscaping, and other code issues in addition to comprehensive plan consistency.

McHenry County Planning & Zoning Services. Provided zoning ordinance diagnostic analysis.

McKenzie County Planning and Zoning Technical Assistance. Served as an extension of the County's planning staff. Completed staff reports for development applications, zoning ordinance amendments, training of planning department staff, and provided support to staff at Planning Commission meetings.

Williston Highway 2/85 Corridor Land Use and Zoning Review. Managed the land use and zoning analysis of a highway corridor in the City of Williston slated to transition from industrial to commercial in the City comprehensive plan. Analyzed more than 100 properties and worked with a City committee and the public to gather input to assist the City with appropriate zoning changes.

Beulah Zoning Ordinance Rewrite. Lead a comprehensive update of the city's land development regulations. Updated an ordinance from 1977 and numerous related ordinances into one document in a user-friendly format.

Killdeer Planning and Zoning Technical Services. Provide land use entitlement processing and land development code updates as needed.

Vision West North Dakota Planning and Zoning Training Guide, Western North Dakota. Assisted with the development of a statewide planning and zoning guidebook, which also involved training sessions catered toward to local jurisdiction staff and elected leaders.

Medical Marijuana Zoning Updates and Training. Provided zoning ordinance updates related to medical marijuana in California and North Dakota. Provided training related to zoning in North Dakota.





AYDEN SCHAFFLER, AICP CANDIDATE | DEPUTY PROJECT MANAGER

Ayden has three years of experience in Transportation and Community Planning. Ayden previously worked in the public sector as an intern for the Fargo-Moorhead Metropolitan Council of Governments. He graduated from North Dakota State University with a Bachelor's in Architecture and joined SRF at the beginning of June 2024. While working for SRF, he is attending graduate school at the University of Minnesota for a Master's of Urban and Regional Planning. At SRF, Ayden is working on a variety of long-range comprehensive and transportation plans as well as various freight planning efforts. He is passionate about visioning the future of the communities in collaboration with residents, increasing equity, and working to increase multimodal transportation planning in cities.

AREAS OF SPECIALTY

- Transportation Planning
- Community Planning
- MPO-level Planning
- Graphic Design
- Geographic Information Systems (GIS)
- Community Engagement

EDUCATION

North Dakota State University,
Bachelor of Science in Architecture, 2024

University of Minnesota, Master
of Urban and Regional Planning,
anticipated May 2026

PROJECT EXPERIENCE

[Willmar Comprehensive Plan](#). Ayden worked with the client to develop a logo for the Willmar Comprehensive Plan that represents the character of the community. He assisted in the development of the draft document, writing chapters on economic development, housing, land use, implementation, and parks. After the departure of the project manager, Ayden led the Comprehensive Plan to its conclusion, meeting with the client, drafting the final document, and addressing public comments before approval.

[Worthington Comprehensive Plan](#). Ayden assisted in the development of the Worthington Comprehensive Plan update, including background information, issues and opportunities, and the overall goals and vision for the plan. He drafted several important chapters of the plan, including natural resources, recreation, utilities, and public buildings.

[Superior Zoning Ordinance Update](#). Ayden worked to define existing conditions for several character areas in the city of Superior, WI, including setbacks, density, and building typology. He developed engagement materials, including postcards, surveys, and posters. He is currently working to draft the form-based zoning building typologies for use in the final document.

[Mille Lacs County Comprehensive Land Use Plan](#). Ayden designed public engagement materials, a logo, and several future land use scenario graphics to assist Mille Lacs County as the county grows.

[Housing Policy Finder](#). Ayden assisted with the update of the Housing Policy Finder, a dashboard used to quickly determine housing-related public policy measures for cities within the MSP region. He merged Metropolitan-Council data and previously collected HPF data and reorganized categories to reflect new strategies taken by cities since the initial development of the dashboard.

[Winona County Comprehensive Plan Update](#). Ayden is actively assisting with the development of the Winona County Comprehensive Plan update, drafting existing conditions for the countywide plan.

[Ramsey County 2050 All-Abilities Plan](#). Ayden compiled a toolkit of potential bicycle-pedestrian infrastructure that can be utilized to improve multimodal corridors, including both permanent and temporary infrastructure solutions. In addition, he drafted technical memorandums summarizing the tasks completed by SRF for the plan.

[Sioux Falls 2050 Metropolitan Transportation Plan](#). Ayden created maps and drafted the existing conditions report for the Sioux Falls 2050 Metropolitan Transportation Plan. He is currently developing funding alternatives, a list of projects, and documentation of the planning process.





DAVID SWEENEY, AICP | ADVISOR

Dave has 10 years of experience as a planning consultant, primarily serving clients in North Dakota and Minnesota. His work has included the development of comprehensive plans, land use plans, and long-range transportation plans. Dave also has experience with grant writing, code writing, and current planning. He enjoys community engagement and strives to develop practical plans and products driven by engagement and analysis.

AREAS OF SPECIALTY

- Land Development Codes
- Community/Land Use Planning
- Transportation Planning
- Grant Writing
- Geographic Information Systems

EDUCATION

Master of Science, Urban & Regional Planning, University of Iowa, 2015

B.M. Music Performance,
Utah State University, 2007

CERTIFICATIONS

American Institute of
Certified Planners #32045

LAND DEVELOPMENT CODE EXPERIENCE

Watford City, North Dakota. Managed full-scale code update focused on consolidating/retiring unnecessary districts and addressing inconsistencies to make the code easier to implement and understand. Developed use table, special use standards, and general development standards. Updated definitions. Incorporated amendments. Reformatted and reorganized code for ease of use.

Clay County, Minnesota. Managed full-scale code update, including updates to base and overlay districts, special use standards, development standards, floodplain regulations, and shoreland regulations. Developed standards for animal feedlots, wind and solar, residential subdivisions, and other uses. Updated definitions. Incorporated amendments. Reformatted and reorganized code for ease of use.

City of Minot, North Dakota. Assisted with full-scale code update. Provided recommendations for design standards, sign regulations, parking regulations, and wireless communication facilities.

Mountrail County, North Dakota. Assisted with full-scale code update following completion of the Comprehensive Plan. Reformatted and reorganized code for ease of use. Developed regulations for emerging uses.

Williams County, North Dakota. Conducted research on data centers and cryptocurrency mines. Developed zoning amendment for data centers, one of the first to be adopted in North Dakota.

City of Jamestown, North Dakota. Assisted with reformatting of the code. Developed use table and consolidated dimensional standards for ease of use. Updated regulations for day care uses, storage containers, and other uses. Worked with City to eliminate minimum off-street parking requirements for downtown.

City of Fargo, North Dakota. Helped develop design standards to guide infill and redevelopment within the historic Jefferson neighborhood located adjacent to downtown Fargo.

City of New Ulm, Minnesota. Assisted with reformat of entire code. Developed use standards for wireless communication towers and accessory wind/solar.



ALEXANDRIA COFFMAN | PLANNER

Alexandria joined SRF following her time with the Wisconsin Department of Transportation as an Urban and Regional Planner working on bicycle and pedestrian projects and programs. At SRF, Alexandria works on comprehensive planning, transportation planning, zoning, and grant writing projects as a member of the Wisconsin Planning Group. Alexandria is passionate about engaging community stakeholders to advance connectivity, accessibility, equity, and sustainability through planning projects.

AREAS OF SPECIALTY

- Transportation Planning
- Community Engagement
- Comprehensive Planning
- Geographic Information Systems (GIS)

EDUCATION

Bachelor of Arts, Urban and Regional Planning, Miami University, 2023

Bachelor of Arts, Geography and Sustainable Development, Miami University, 2023

Bachelor of Arts, Sustainability, Miami University, 2023

PROJECT EXPERIENCE

[Superior Zoning Update, Superior, Wisconsin](#). Alexandria provides planning and public engagement support for the ongoing update of the City of Superior's zoning ordinance. Work is focused on aligning the zoning code with the updated Comprehensive Plan 2040, using both form-based and traditional zoning approaches.

[Calumet County Comprehensive Plan, Calumet County, Wisconsin](#). Alexandria provided planning and community engagement support for the development of the Calumet County Comprehensive Plan. Work included identifying growth areas through geospatial analysis, completing extensive public engagement, and developing plan materials.

[MnDOT Statewide IIJA BIL Grant Coordination](#). In this ongoing project, SRF supports MnDOT in ranking and selecting projects for IIJA grant programs through the development and implementation of a grant prioritization tool. Alexandria's work on this project includes managing GIS data, updating an extensive grants database, and analyzing funding eligibility criteria.

[Village of Harrison Comprehensive Plan, Harrison, Wisconsin](#). Alexandria provided planning and community engagement support for the update of the Village of Harrison's Comprehensive Plan. Alexandria's work included the development of engaging and informative activities for stakeholders and planning for a diversity of land uses.

[Standalone Curb Ramp Program Management and Project Prioritization, Wisconsin Department of Transportation](#).^{*} Alexandria managed the Standalone Curb Ramp Program alongside the Statewide Bicycle and Pedestrian Coordinator. The program addresses non-compliant curb ramps that will not be addressed by other highway projects before 2037, the year of compliance established in Wisconsin's ADA Transition Plan. Alexandria managed GIS data for the program, identified and programmed future projects, and adapted the project prioritization process to take advantage of federal funds.

[East Avenue Corridor Revitalization Plan, Hamilton, Ohio](#).^{*} As a senior capstone, Alexandria collaborated with a team of fellow planning students to develop a corridor revitalization plan for East Avenue in the Jefferson Neighborhood of Hamilton, Ohio. Alexandria's work centered on public engagement and identifying economic development strategies in line with community character and values. This revitalization plan was recently adopted as a chapter of the City of Hamilton's Comprehensive Plan.

^{}Completed with previous employer*





LIA SIRO | PLANNER

Lia joined SRF as a Transportation Planner following her work as a Community Development Intern at the City of Golden Valley. She plays a key role across a variety of transportation planning projects with her comprehensive planning, public engagement, and grant writing experience. Her work includes a range of planning projects in Minnesota, North Dakota, and Wisconsin including all levels of government and regional planning. She is passionate about supporting communities in developing comprehensive plans that improve multimodal option, community development, and overall quality of life to create more inclusive, connected neighborhoods.

AREAS OF SPECIALTY

- Land Use & Comprehensive Planning
- Zoning/Land Development Codes
- Community Engagement
- Transportation Planning
- Grant Writing

EDUCATION

Bachelor of Arts, Geography, University of Minnesota, 2023

Bachelor of Arts, Urban Studies, University of Minnesota, 2023

PROJECT EXPERIENCE

Watford Zoning Ordinance Update. Lia reviewed and analyzed existing zoning codes to identify necessary updates aligned with Watford's long-term development goals. Her role included reviewing public input, coordinating with local stakeholders, and drafting amendments that promote sustainable growth while preserving community character.

Stark County Zoning Code Ordinances. Lia contributed to data collection, analysis of current land use, and facilitating community engagement. She supported the development of strategies aimed at addressing future growth, infrastructure needs, and pre-service natural resources to align with Stark County's future vision, goals, and objectives.

Worthington 2050 Comprehensive Plan. Lia conducted research on the current Worthington 2050 Comprehensive Plan. Lia identified land use and zoning code from the current 2044 comprehensive plan that should be updated to better align with the city's future goals in promoting purposeful development.

Imagine 2045: Isanti County Comprehensive Plan. Lia participated as part of the consultant team to update the Isanti County Comprehensive Plan. She reviewed data collection and analysis, public engagement results, and final report development.

Saint Louis Small Area Plan Updates. During this ongoing project, Lia assisted in public outreach by engaging with local communities in surrounding areas of the future light rail station. She gathered public feedback and worked to ensure the plan reflects community goals for accessibility, development, and connectivity around the station.

Fargo-Moorhead Metro Council of Governments 2050 Metropolitan Transportation Plan. Lia contributed to public engagement efforts by identifying locations for public outreach that will encourage the community to participate in the future needs of the Fargo-Moorhead Metro Area.

Fargo-Moorhead Metro Council of Governments Comprehensive Safety Action Plan. Lia contributed to public engagement efforts by summarizing public input that will guide the Comprehensive Safety Action Plan to improve safety needs for the Fargo-Moorhead Metro Area.

Village of Harrison Comprehensive Plan. Lia is currently supporting the development of the Village of Harrison such as analyzing existing plans, data collection, and identifying community goals for the next twenty years including a range of tools and best practices that will inform future actions.

Mille Lacs County Comprehensive Plan. Lia is currently supporting planning efforts to update the Mille Lacs County Comprehensive Plan through community engagement, analyzing public input, and data collection to address the County's future goals.



WORK SAMPLES

WITH Willmar Comprehensive Plan, Willmar, Minnesota

SRF assisted the City of Willmar in developing the WITH Willmar Comprehensive Plan, which set an ambitious vision for the future of the City. The SRF project team worked alongside City staff members in drafting land use maps, branding, the Plan's vision, and several chapters of the final Comprehensive Plan document. The Plan includes a wide variety of implementation actions that will help the City achieve its vision, including to rewrite the City's Zoning Ordinance to modernize standards, streamline districts, and encourage mixed use.

RELEVANCY: The WITH Willmar Comprehensive Plan is directly informing the Zoning Ordinance rewrite to ensure consistent goals, vision, and objectives.

CLIENT REFERENCE: Christopher Corbett, Director of Planning & Development Services | 320.214.5184, ccorbett@willmarmn.gov



Calumet County 2045 Comprehensive Plan, Calumet County, Wisconsin



SRF assisted with Calumet County and ten participating cities, villages, and towns to develop an updated comprehensive plan covering the County and most of its municipalities. The intergovernmental approach to comprehensive planning included a series

of outreach meetings with participating municipalities to develop a plan that will appropriately meet the needs of multiple towns, village, and cities.

Key efforts throughout the process included the development of a planning document that is useful and understandable to a wide range of the community, including elected officials, governmental staff, and the general public.

The plan development process was supported by a broad range of engagement activities, including multiple survey's, pop-up events at key county events, and open houses to help in gaining community buy-in and to ensure the plan reflects the overall goals of the community.

The final planning document utilizes an ArcGIS Storymap to effectively communicate key plan information through the use of interactive maps, graphics, and data tools. The final, streamlined, and graphic heavy planning document includes only the most pertinent information, with supporting documentation included in an appendix.

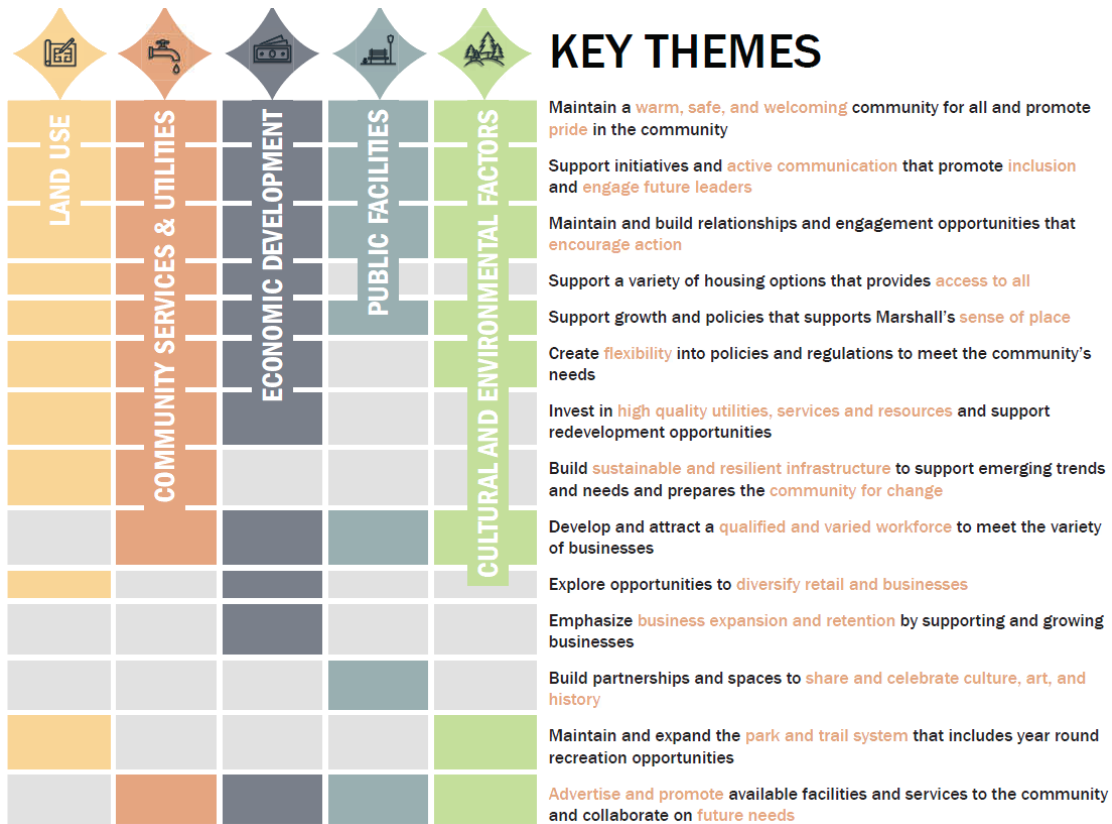
Development of implementation actions reflected SMART (specific, measurable, achievable, realistic, and time-bound) goal setting principles to ensure that actions can be accomplished.

The final plan includes a maintenance plan that will guide future plan updates to ensure it remains relevant to all communities.

CLIENT REFERENCE: Matt Halada, Planner | 920.849.1493 | Matthew.halada@calumetcounty.org



Marshall Comprehensive Plan Update, Marshall, Minnesota



The SRF Consulting Planning Team assisted the City of Marshall with an update to the community's Comprehensive Plan. This 18-month process identified a vision and goals to guide community decision making for the next 20-years based on community input. A five step planning was used to inform the process:

1. Understanding the Community: This phase solidified a base understanding of the existing demographic, social, physical, and policy characteristics of the community. Learning the issues and opportunities experienced by the community through engagement was also key in setting the base understanding.
2. Establishing a Vision: This phase built from the understanding set in the first phase to create a vision for the community for the next 20 years.
3. Identifying Solutions: This phase analyzed solutions and tools for each of the plan's five elements that would aid the community in achieving their goals.
4. Putting the Plan into Action: This phase solidified a plan for action for the next 20 years of the community, identifying policy, regulatory, and investment actions.
5. Solidifying the Plan: The final phase included the drafting of the Comprehensive Plan and the adoption process.

As a part of the planning process, SRF completed a full review of the City's zoning ordinance to identify needed ordinance updates that would help in plan implementation.

Community engagement was a key part of this planning process. A broad range of engagement tools were used to inform the long-range planning process. From early surveys and open house conversations to final workshops and conversations on solutions, the plan was built from feedback from the community. Stakeholder conversations were an important tool used midway through the process to test ideas and concepts with topical experts within the community. These stakeholder conversations were focused around the topics of housing; local businesses; emerging professionals; diversity, equity, and inclusion; and education.

CLIENT REFERENCE: Jason Anderson, Director of Public Works
 | 507.537.6051 | Jason.Anderson@ci.marshall.mn.us



WORK IN PROGRESS

Watford City Zoning Ordinance Update, City of Watford, North Dakota

Land Use	Zoning District							
	A-1	RR-1	R-1	R-2	R-2M	R-3	R-4	MH
RURAL & AGRICULTURAL USES								
General agricultural activities	P	C						
Agricultural-Related Commercial Activity	C							
Commercial Livestock	C							
Domestic Farm Animals	C	C						
Mineral extraction or injection wells	P							
Seismographic Exploration	C							
On-farm produce sales	C	C						
RESIDENTIAL USES								
Single-Family Dwelling, Detached	P	P	P	P	P	P		
Single-Family Dwelling, Attached						P		
Two-Family Dwelling (duplex)				P	P	P		
Multifamily Dwelling (3-6 units)						P		
Multifamily Dwelling (more than 6 units)							P	
Common Area Development						C	C	P

SRF is nearing completion of a comprehensive update to Watford City's Land Development Ordinance, which includes substantial amendments to the City's zoning regulations, subdivision regulations, and development procedures. The code was completely restructured, and the outline was reduced from 34 articles to 9 articles. Grouping related standards and procedures resulted in a more logical organization and flow. In addition, the previous zoning code had 23 districts, including some that were clearly unnecessary and others that were rarely used. The revised code includes 16 districts. Rezoning

was not part of the scope, but the new code provides an approach to phasing out legacy districts over time.

The code update includes a land use/zoning table, which summarizes the allowed uses for each district and provides references to applicable use standards. Throughout the process, SRF worked closely with City staff to modernize regulations, eliminate inconsistencies, and ensure requirements were practical and legally defensible. The new code includes substantial revisions to sign regulations, landscaping standards, parking requirements, and development procedures. After a year and a half, the project is nearly complete at a cost of approximately \$100,000.

CLIENT REFERENCE: Jake Walters, City Planner | 701.444.2533 | jwalters@nd.gov

Superior Zoning Ordinance Update, Superior, Wisconsin

Building from the work completed in updating the City's Comprehensive Plan, SRF is currently in the process of assisting the City of Superior in updating its Zoning Ordinance. The work includes a complete restructuring of the City's zoning code as they transition from a purely Euclidean code to a Hybrid code including many form-based elements. As proposed, the code will transition from 14 districts to eight districts, focusing on building flexibility in housing types and business opportunities. Extra emphasis is being placed on the development of ease of use elements, including robust use of illustrations and graphics, such as the example typical block layout.

Throughout the process, SRF worked with the City to modernize code structure, use types, and language. SRF will be guiding the City through a mapping process to develop a new zoning map including the updated zoning districts included in the code.

The updated zoning ordinance is expected to be adopted in the Spring of 2026.

CLIENT REFERENCE: Jason Serck, Planning, Economic Development & Port Director | 715.395.7335, serckj@ci.superior.wi.us



SCHEDULE

		2026					
		JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
1	PROJECT STARTUP AND STRUCTURE						
	1.4 Ongoing Project Management						
	1.1 Project Kickoff						
	1.2 Orientation Meetings						
	1.3 Public Involvement Plan and Key Engagement						
2	ZONING ISSUE ASSESSMENT						
	2.1 Ordinance Issues Assessment: Staff Review Draft						
	2.2 Ordinance Issues Assessment: Public Review and Elected Official Update						
3	PREPARE DRAFT ORDINANCE						
	3.1 Technical Draft Ordinance						
4	PUBLIC REVIEW DRAFT ORDINANCE						
	4.1 Public Review Draft Ordinance: Community Review						
	4.2 Adoption Draft Ordinance						
5	ADOPTION SUPPORT AND NEW ORDINANCE IMPLEMENTATION						
	5.1 Adoption Meeting Support And Final Ordinance						

TOTAL CONSULTANT COST

	Hours	Cost
Phase 1 - Project Startup and Structure		
Task 1.1 - Project Kickoff	14	\$2,194
Task 1.2 - Orientation Meetings	40	\$5,632
Task 1.3 - Public Involvement Plan	10	\$1,314
Task 1.4 - Ongoing Project Management	48	\$6,984
Phase 1 Total Labor Cost	112	\$16,124
Phase 2 - Zoning Issue Assessment		
Task 2.1 - Ordinance Issues Assessment - Staff Review Draft	70	\$9,026
Task 2.2 - Ordinance Issues Assessment - Public Review and Elected Official Update	20	\$2,628
Virtual Steering Committee Meeting	8	\$1,164
City Council and Planning Commission Workshop	14	\$1,896
Community Survey	12	\$1,558
Phase 2 Total Labor Cost	124	\$16,272
Phase 3 - Prepare Draft Ordinance		
Task 3.1 - Technical Draft Ordinance	294	\$38,454
Virtual Steering Committee Meeting	8	\$1,164
City Council and Planning Commission Workshop	14	\$1,896
Open House	18	\$2,290
Phase 3 Total Labor Cost	334	\$43,804
Phase 4 - Public Review Draft Ordinance		
Task 4.1 - Public Review Draft Ordinance - Community Review	50	\$6,774
Task 4.2 - Adoption Draft Ordinance	20	\$2,628
Virtual Steering Committee Meeting	8	\$1,164
City Council and Planning Commission Workshop	14	\$1,896
Phase 4 Total Labor Cost	92	\$12,462
Task 6 - Adoption Process and New Ordinance Implementation		
Task 5.1 - Adoption Meeting Support and Final Ordinance	24	\$3,116
Phase 5 Total Labor Cost	24	\$3,116
Total Labor (Hours)	686	\$91,778
Expenses	SRF	
	Unit	Cost
Mileage (at \$0.70 per mile)	1700	\$1,190.00
Hotels (at \$100 per night)	2	\$200.00
Meals (at \$20 per meal)	9	\$180
Total		\$1,570.00
TOTAL LABOR AND EXPENSES		\$93,348.00

ADD-ON TASKS

Add-on Task	Hours	Labor Cost	Expenses	Total
Character Analysis	48	\$6,232.00	—	\$6,232.00
Implementation Support	56	\$7,584.00	—	\$7,584.00
Convert Steering Committee Meetings to In Person, per meeting	16	\$2,516.00	\$719.00	\$3,235.00
Technical Advisory Committee Meetings, per meeting	12	\$1,652.00	—	\$1,652.00
Focus Groups (four meetings, one trip to Willmar)	32	\$4,844.00	\$719.00	\$5,563.00
Additional Open House	18	\$2,290.00	\$226.00	\$2,516.00
Additional Community Survey	12	\$1,558.00	—	\$1,558.00

STAFF RATES

Classification	Staff	Rate
Professional VIII-VII	S. Harmstead	\$271.00
Professional VI	—	\$231.00
Professional V	—	\$203.00
Professional IV	M. Brouse D. Sweeney	\$169.00
Professional III	—	\$148.00
Professional II	—	\$135.00
Professional I	A. Schaffler A. Coffman L. Siro	\$122.00





ZONING ORDINANCE REWRITE CARDO & STUDIO FORME PROPOSAL

*Prepared for the
City of Willmar, Minnesota*

CARDO[®]
Urban Design & Town Planning

studio**forme**

October 10, 2025

Christopher Corbett
Planning and Development Director
City of Willmar
333 6th Street SW
Willmar, MN 56201



Mr. Corbett

Cardo, along with Studio Forme, is excited to submit our proposal to the City of Willmar for the Zoning Ordinance Rewrite. We believe that we are well-suited to create a single Unified Development Ordinance that merges land use, zoning, subdivision, and development regulations into a clear, concise document. In particular, our team is uniquely qualified to execute your specific goal of creating a zoning ordinance that is highly illustrative, developer-friendly, reflective of the community's aspirations, and intuitive to the reader. These attributes align with the goals and experiences that have guided both Cardo's and Studio Forme's work.

As the owner of Cardo, I have experience working with municipalities and developers in over 30 states not only crafting a vision, but also executing it through the appropriate zoning mechanism. Early in my career, I worked directly with one of the original authors of the SmartCode, Mike Watkins. This approach to code writing inspired the current generation of form-based codes that cities across the United States are increasingly adopting. Before founding Cardo, I was fortunate enough to serve as a project manager with Urban Design Associates, in Pittsburgh, whose pioneering work helped advance this approach to zoning. We are well-versed in this visual, form-based approach to zoning codes.

Cardo is unconventionally neither an architecture firm, nor a planning firm. We are urban designers and town planners that operate in the gap between the two. We are trained as architects, understanding buildings and their role in a town or neighborhood, and therefore able to understand the constraints that go into designing a building. At the same time, we work with municipalities and non-profits to write neighborhood plans that consider long-term and high-level objectives. We understand how to balance numerous stakeholders, from local business owners and neighborhood leaders to City Councils and City departments. We understand how to lead community engagement efforts that are transparent and build consensus. Finally, many of our clients are real estate developers, so we understand how they evaluate potential sites and why they may choose to invest in one community and not another. Very few firms offer this unique blend of skills and experiences.

We are based in Saint Paul, a short drive from Willmar, and have worked in other communities throughout the state of Minnesota. We are partnering with Studio Forme, who brings proven experience in planning, design, and implementation across diverse communities nationwide. Recent work includes partnering with the Community of Reuse Organization of East Tennessee to transform a former industrial center into a vibrant community asset. In Alys Beach, Florida, the team is advancing a new pedestrian corridor as part of the town's celebrated New Urbanism approach, enhancing walkability and connectivity. Meanwhile, in Edmond, Oklahoma, Studio Forme is shaping a thoughtfully designed pocket neighborhood that integrates seamlessly with the existing community fabric and adjacent park system.

Both Cardo and Studio Forme share a common commitment to fostering a sense of community and creating strong, healthy neighborhoods and towns. We firmly believe that when writing the rules for development, which will ultimately determine what a town looks like, the code ought to illustrate what the town might look like.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Brunner".

Patrick Brunner, AICP, CNU-A
Principal & Owner
260.760.4208
patrick@cardo.design

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PROJECT UNDERSTANDING

Everything should be made as simple as possible, but not simpler. This is our approach to code writing.

A rewrite of the 1994 Zoning Ordinance not only provides an obvious opportunity to update the City of Willmar's Zoning Ordinance, but it also provides a chance to rethink the relationship between this document itself and the impacts it has on the built form of neighborhoods. There are a number of goals that we understand to be critical to this process and ultimately the end result, a Unified Development Ordinance (UDO).

- 1 Grounded** An enormous effort went into producing the 2025, WITH Willmar, Comprehensive Plan including its Future Land Use map. This process begins where that one ended and must reflect the community's goals, aspirations, and realities. We will think big, while at the same time acknowledging this rewrite exists for the current and future residents of Willmar, Minnesota and no where else.
- 2 Intuitive** Most zoning ordinances are too long and too complicated. The UDO will merge land use, zoning, and subdivision standards into a document that is easy to understand and clear. A degree in planning, law, or architecture should not be necessary to understand this document.
- 3 Illustrative** Often the best way to communicate a standard or prescription is through an image or diagram. A beautiful and graphic-forward zoning ordinance is the most intuitive way to convey the form of development. This is our greatest strength as a team.
- 4 Adaptable** The updated UDO will guide development for decades to come in Willmar, a period of time which will likely include growth, recessions, innovations in building technology, and a constantly changing commercial and retail market. Cities are not static places, and our code will reflect this reality. In most, but not all instances, the code will be more concerned about the form of development rather than the use of attributed to a particular building.
- 5 Developer-friendly** Real estate developers are facing rising construction material costs and dwindling financing resources. A easy-to-use, streamlined, and predictable code is important to help reduce the headaches they face. The UDO will balance the community's aspirations, while creating a developer-friendly environment.



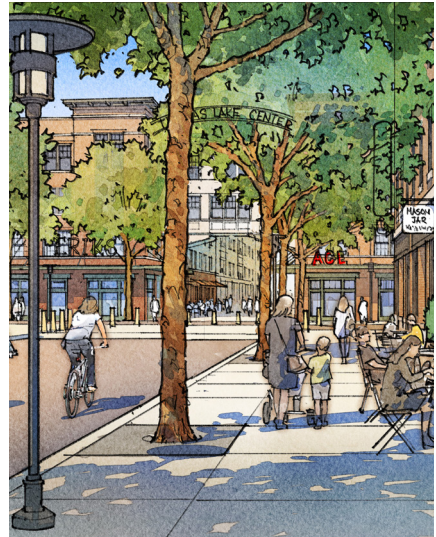
Building typologies illustrated in the Capitol Area Rules Update

PROPOSED APPROACH & WORK PROGRAM

OUR APPROACH

While every city and neighborhood is unique, the principles that define a well-loved place are not. These places are mixed-use, human-scaled, resilient, and contextual. Many of our most cherished small towns could be described using these principles, and Willmar is no different. This ideology is our starting point. Then we work with the community, planning departments, neighborhood leaders, business owners, and many others to ignite change. Implementation is easier with a strong vision, and a vision is strong when it is rooted in an authentic understanding of a place and its constraints, which is why this process will be transparent and iterative.

We would love to help you create a place that has heart, something that is sorely missing in the development world today. It is not a coincidence that *cardo*, the name for ancient main streets, is the root of so many words that mean heart. Our towns and neighborhoods are the places where we live, socialize at restaurants, and establish friendships— they are more than a collection of building products or developments. They are the beating pulse of a community.



STEP 1: UNDERSTAND

We recognize that we are not the experts of your community. The residents, business owners, and local leaders have a wealth of knowledge to share with us. We will take the time, with the help of the client team, to identify the key stakeholders and listen to them. Our goal is to understand your community first in order to chart the best path forward. This strong foundation, built on the experiences and voices of the community, will help us create a strong Unified Development Ordinance.

1.1 Review Existing Plans

Cardo and Studio Forme will review these plans and any others identified by the client team.

- City of Willmar Zoning Ordinance, 1994
- City of Willmar Comprehensive Plan, WITH Willmar, 2025

1.2 Project Management

Cardo will work with the client team to establish a standing project team meeting via zoom. This meeting will likely be every other week for 1 hour.

1.3 Kick-off Listening Trip

Cardo will travel to Willmar to gain a better understanding of the City and kick-off the process. The trip could follow this agenda and would likely be 1-2 days.

- Kick-off with Client Team: Review scope, schedule, milestones, and communication protocols
- Tour: Driving tour of Willmar with limited opportunities for walking
- Joint City Council and Planning Commission Work Session: Cardo will meet with both the City Council and Planning Commission in a closed or open session to outline the process and desired outcomes. This element is critical to build trust and demonstrate transparency with City leaders.
- Documentation: Our team will photograph and document different areas within Willmar.

1.4 Launch Project Website

Cardo will create a stand-alone project website to provide an additional avenue for engagement, complete with project updates, meeting summaries, maps, and online surveys. Cardo will update this website regularly throughout the process.

1.5 Existing Zoning Ordinance Audit

Our team will review the current City of Willmar Zoning Ordinance, and identify and annotate potential areas where the code can be improved. These potential improvements may relate to the overall structure of the code, best design practices, or the simplification of areas where redundancies occur. The deliverable for this step will include a short memo and annotation of the existing Zoning Ordinance.

Cardo and Studio Forme will engage with local legal counsel in Minnesota to provide a comprehensive review of the existing ordinance. This partnership will ensure that all annotations are consistent with state enabling legislation and relevant case law. Our planning approach will be further strengthened by the integration of local counsel's expertise in land use planning and regulatory frameworks, allowing us to deliver recommendations that are both legally sound and contextually appropriate.

1.6 Listening Trip 2

Cardo will travel to Willmar to host a series of stakeholder and community open houses. The trip could follow this agenda and would likely be 2 days.

- Community Open House 1, Option A: Cardo will host an open house for 2-3 hours on a weekday evening and invite residents to share their visions, ideas, and experiences with the team and learn about the process. This element is critical to build trust, demonstrate transparency, and provide an avenue for community input. The City should set aside a small budget for food and refreshments.
- Focused Stakeholder Sessions: We will meet with business owners, local developers, City Departments, and other groups we collectively find key to the process. Cardo and the client team will work together to identify them and host 60-90 minute sessions in person, with zoom optional for those that can't attend in person.
- Community Open House 1, Option B: The following evening, Cardo will host another open house for 2-3 hours. The goal is to provide another opportunity for engagement, at a different location, in order to provide flexibility for those that could not make the previous night's event.

STEP 2: EXPLORE

During this step, we will produce a draft Unified Development Ordinance for review with both the community and the client team. The community feedback from Step 1, the WITH Willmar Comprehensive Plan, Minnesota State statutes, city goals, best practices, and our team's professional experience will be the basis for this draft. The feedback gathered in this step will inform the final direction for the Ordinance.

2.1 Prepare Unified Development Ordinance Outline

Based on the information gathered in Step 1, we will create a Unified Development Ordinance outline. This outline will solidify the direction of the proposed draft by front loading the major changes, if any, and make the process more efficient. Cardo and the client team will build consensus on the outline before moving forward.

2.2 Prepare Draft Unified Development Ordinance with Limited Graphics

Cardo and Studio Forme will begin to populate the outline with existing, modified, and new text as informed by the feedback heard in Step 1. Some of the supporting graphics will begin to populate the document, but only as a way of clarifying and describing more complex aspects of the Ordinance.

2.3 Site Testing

This is an iterative process, which will require the team to pause, and verify the proposed Ordinance is creating the development patterns that the community envisions. Together, the client team and Cardo will select up to eight sites of varying scales and characters to act as appropriate case studies for the entire community. Cardo will draw plans and create 3-dimensional imagery illustrating what the development potential is for each site. Our extensive experience with developers will help us evaluate the potential for these sites.



A site testing example from the Capitol Area Rules Update

2.4 Modify the Draft Unified Development Ordinance

Based on our findings for these sites, we will modify the draft Draft Development Ordinance. The draft will align with Minnesota State statutes, city goals, best practices, and professional expertise.

2.5 Explore Trip

Cardo will travel to Willmar to host a series of stakeholder and community open houses in order to collect feedback on the draft Ordinance. The trip could follow this agenda and would likely be 2 days.

- Community Open House 2, Option A: Cardo will host an open house for 2-3 hours on a weekday evening and invite residents to share their feedback on the draft Ordinance. Cardo will create a presentation and series of boards to clearly communicate what is changing, what is not changing, and the potential effects to everyday citizens. We believe exhibits that are graphic-forward are the best way to demonstrate these effects. The City should set aside a small budget for food and refreshments.
- Joint City Council and Planning Commission Work Session: Cardo will meet with both the City Council and Planning Commission in a closed or open session to provide an update on the process and collect their feedback on the draft Ordinance.
- Focused Stakeholder Sessions: We will meet again with the same stakeholder groups from Step 1. These sessions will be 60-90 minutes in person, with zoom optional for those that can't attend in person.
- Community Open House 2, Option B: The following evening, Cardo will host another open house for 2-3 hours. The goal is to provide another opportunity for engagement, at a different location, in order to provide flexibility for those that could not make the previous night's event.

STEP 3: IMPLEMENT

Using the feedback gathered in Step 2, our team will create the final version of the Unified Development Ordinance.

3.1 Refine Draft Unified Development Ordinance

The final Unified Development Ordinance will be formatted into a single, interactive .pdf with clear graphics, highly compelling visuals, and the ability to navigate within the .pdf. The document will be formatted on 8.5x11 in. paper in the portrait orientation. The final Ordinance will be user-friendly and easy to navigate. Studio Forme will serve as a liaison with local legal counsel in ensuring that the proposed Unified Development Ordinance is permissible under relevant legislation and case law.

3.2 Implementation Guidance for City Staff

Cardo will create a presentation and short guide for City staff, which will help them understand how to use and enforce the revised Ordinance. Cardo will present this in a meeting in person or virtually.

3.3 Final Joint City Council and Planning Commission Work Session

Cardo will create a presentation that outlines the final Zoning Ordinance. Our team will present this in a meeting in person or virtually.

3.4 Final Open House Unveiling

Cardo will host an open house for 2-3 hours on a weekday evening and invite residents to learn about the final Unified Development Ordinance. The City should set aside a small budget for food and refreshments.



REFERENCES

FORM-BASED CODES & DESIGN GUIDELINES

Brookline Form-Based Code

Jennifer Settle
Senior Associate

Opticos Design, Inc.
jennifer.settle@opticosdesign.com
312.277.1185 ext. 201

Capitol Area Rules Update

Peter Musty
Principal Planner and Administrator of
the Rules for Zoning and Design

Capitol Area Architectural and
Planning Board
peter.musty@state.mn.us
651.757.1501

Wild Spring Dunes Design Guidelines

Bill Dvorak
Managing Partner

Wild Spring Dunes
bdvorak@kineticpartners.net
630.772.0327

MINNESOTA PROJECTS

Rogers Main Street Master Plan

Brett Angell
Community Development Director

City of Rogers
bangell@rogersmn.gov
763.428.0915

New Leaf Co-Op Community

Tory Clark-West
Executive Director

CoNorth
victoria@conorth.coop
612.767.2122

Nativity Episcopal Missing Middle

Richard Luther
Nativity Episcopal Church Member

Nativity Episcopal Church, Burnsville, MN
rluther46@gmail.com

Winsted Infill Site

Thomas Hertzog
Owner

Good Neighbor Homes
thomas@goodneighbor-homes.com
612.254.2821

"Cardo, as a designer and planner, specializes in applying carefully calibrated advanced code practices to communities that are cultivating incremental growth, where walkability and protection of existing neighborhood fabric is desired."

– PETER MUSTY

Principal Planner and Administrator of the Rules for Zoning and Design
Capitol Area Architectural and Planning Board

PROJECT TEAM EXPERIENCE & QUALIFICATIONS

PATRICK BRUNNER, AICP, CNU-A, PRINCIPAL, FOUNDER

EXPERIENCE

Cardo LLC
Principal & Founder

St. Paul, Minnesota
2022 - Current

- Leads an urban design and town planning firm focused on designing and implementing vibrant, walkable, diverse, and beautiful communities
- Collaborates with municipalities, developers, housing authorities, non-profits, and faith-based institutions throughout the United States
- Produced form-based codes for the Capitol Area in St. Paul, Minnesota and Brookline, Massachusetts

Urban Design Associates
Project Manager

Pittsburgh, Pennsylvania
2018 - 2022

- Led a small team of designers on various urban design projects as well as managed the schedule, budget, and process with the principal-in-charge
- Worked with public housing authorities across the nation to study mixed-income redevelopment strategies and Choice Neighborhoods Implementation grants
- Coordinated with municipalities, like Hershey, Pennsylvania and Riverhead, New York to develop design and form-based guidelines for their downtowns
- Designed and implemented greenfield and infill developments ranging in scale from a few acres to brownfield development sites within existing neighborhoods
- Involved in transit-oriented station master plans and light rail alignments
- Helped lead our team to the final round of an international design competition for an undisclosed 5,500-acre site

Michael Watkins Architect, LLC
Designer

Gaithersburg, Maryland
2015 - 2018

- Designed walkable neighborhoods for sites varying from 17 acres to over 300 acres
- Served as Town Architect in 4 states, including performing architectural reviews, schematic architectural design, conceptual design of open spaces, review of civil drawings, and updating Pattern Books and Design Codes
- Prepared transect/form-based codes and worked with developers and the corresponding jurisdiction toward approval

Cooper, Robertson & Partners
Junior Architect

New York, New York
2014

- Produced construction documents and gained approval of architectural review boards for a range of buildings in New York City, Long Island, and Virginia

EDUCATION

University of Notre Dame
Bachelor of Architecture

Notre Dame, Indiana
Spring 2014

ACCREDITATIONS

American Institute of Certified Planners, AICP
CNU-Accredited

Spring 2019
Fall 2015

DAVE PAYNE

PLA, ASLA

LANDSCAPE ARCHITECT



BIOGRAPHY

Dave has more than 30 years of in-depth professional experience in all phases and complexities of landscape architecture, urban design, master planning, campus planning, and commercial development in Southern California and East Tennessee. In California, Dave worked for a prominent landscape architecture firm specializing in high-profile residential estates and gardens in Los Angeles and Beverly Hills. Over the years, he developed and honed his ability to craft unique estate gardens layered with bespoke details and aesthetics. His driving passion has always been to make beautiful and sustainable outdoor spaces with thoughtful and sensitive site design. As a senior landscape architect, he has enjoyed the responsibility of working on an extensive portfolio of project types and scales.

EDUCATION

Clemson University, Bachelors in Architecture (honors)

AFFILIATIONS

American Society of Landscape Architects

Council of Landscape Architectural Registration Boards

RELEVANT EXPERIENCE

***City of Kingsport, Tennessee River Landing Master Plan:** As a key member of the landscape architectural team, Dave contributed to a 20-year master plan for over two miles of Kingsport's historic North Fork of the Holston River. The plan includes revitalized historic sites like the Netherland Inn, mixed-use redevelopment with residential and commercial spaces, and expanded public amenities such as parks, improved streetscapes, pedestrian bridges, public art, and interpretive areas. Central to the design is a waterfront civic park, seamlessly connected to downtown via an extensive pedestrian network and enhancements to the iconic Kingsport Greenbelt.

***City of Kingsport, Tennessee, Downtown Master Plan:** From the master planning process, the three key objectives became to connect downtown Kingsport with the rest of Kingsport, to provide an attractive place to be, and to create a 24-hour a day critical mass of people. Three of the goals were to simultaneously and concurrently improve the entrances (gateways and portals), enhance the current downtown (streetscape), and generate new activity (private development). street lighting, to control outdoor storage and signage, to control litter, to improve the corridor streetscape, to improve bridges, and various developments of portals, parks, and roadway improvements. An Initial Action Agenda was also developed to endorse the public adoption of the plan and to establish a leading downtown organization.

***Miller Park District, Chattanooga, Tennessee Downtown Master Plans:** The Miller Park District in Chattanooga's City Center is comprised of an interconnected network of parks, plazas, multi-modal streetscapes, and alleyways. Collectively these spaces comprise the public realm which supports development activity, cultural activity, and social interaction. The goals of the open space network are to improve the quality and quantity of open space of all types in the Miller Park District while providing a clearly legible armature around which the life of the city can further develop supported by a vibrant and engaging pedestrian focused environment. The Miller Park District Plan includes several Public Space initiatives: Miller Plaza / Miller Park Connectivity, Miller Plaza Upgrades Miller Park Renewal, Patten Parkway Plaza, and the Patten Parkway / Bessie Smith Connectivity.

***Cleveland, Tennessee Downtown Master Plan:** The former firm was engaged by the City of Cleveland, Tennessee, to create a master plan that addressed downtown revitalization through community-driven solutions. Developed through forums, the plan reflected the community's vision and priorities. It served as an actionable strategy to enhance downtown gateways, streetscapes, and public spaces while fostering new development opportunities. Key goals included strengthening Cleveland's identity, improving wayfinding, promoting pedestrian activity, minimizing vehicle-pedestrian conflicts, and providing enhanced festival facilities. The plan emphasized a cohesive design that honored Cleveland's history while supporting its evolution as a vibrant, accessible economic and cultural hub.

***Collegedale, Tennessee Four Corners Master Plan:** The City of Collegedale retained the team to create an implementable master plan for the Four Corners area, centered on Apison Pike and Ooltewah Ringgold Road, extending to key surrounding landmarks. The plan addresses rapid, uncoordinated growth along Apison Pike, lacking sidewalks, landscaping, and architectural continuity. It envisions a cohesive Town Center with a distinctive identity, prioritizing functional streetscapes, sidewalks, greenways, public squares, and orderly mixed-use development to enhance both the public realm and private investment opportunities.

BRADEN T. MEADOWS

JD, MBA, MLA, ASLA



COO & GENERAL COUNSEL



BIOGRAPHY

Braden has been with the firm and its affiliates since 2020. He has project experience in high-end residential, commercial, institutional, and urban planning projects across the United States. In addition to his training as a landscape architect, Braden is also a lawyer whose training focused on the intersection of property, environmental, and land-use law. Furthermore, his professional experience has been supplemented by various positions in local, state, and federal legislative bodies, where he honed his public policy skill set. With his design-oriented business acumen, he is helping to lead business operations and development as Studio Forme expands its footprint across the United States.

EDUCATION

Juris Doctor, cum laude, University of Georgia
Master of Business Administration, summa cum laude, University of Georgia
Master of Landscape Architecture, summa cum laude, University of Georgia
Bachelor of Landscape Architecture, magna cum laude, University of Georgia

AFFILIATIONS

American Society of Landscape Architects
Congress for the New Urbanism - Georgia Chapter
Institute of Classical Architecture & Art
Urban Land Institute

RELEVANT EXPERIENCE

Heritage Center Industrial Park, Oak Ridge, Tennessee: The Heritage Center Industrial Park is a transformative redevelopment at the site of the former Oak Ridge Gaseous Diffusion Plant, exemplifying excellence in industrial redevelopment through thoughtful design and sustainable infrastructure. The design preserves and enhances the site's rich history and architecture while addressing environmental stewardship, particularly in managing the legacy contamination from the gaseous diffusion plant. The project aims to create a cohesive, functional, and visually striking environment. As the Reindustrialization phase nears completion, the upcoming landscape design and installation will play a key role in unifying the site's character and supporting its long-term vision for economic and industrial growth.

(Undisclosed Community) Pedestrian Corridor: In designing the pedestrian corridor, the design team focused on creating a space that harmonizes with its context while standing out as a distinct and memorable element. The design process emphasized integrating local materials, colors, and textures to reflect the surrounding architectural and cultural identity. By balancing functionality, aesthetic appeal, and sustainability, the corridor became a welcoming and cohesive space that encourages pedestrian engagement while respecting the local environment.

***National Park Service Reports:** Braden served as a Contributing Author to Cultural Landscape Reports and Studies published by the U.S. National Park Service regarding U.S. Virgin Islands National Park, Cowpens National Battlefield, and Fort Sumter and Fort Moultrie National Historic Park. These reports emphasized documenting existing conditions and providing recommendations for future preservation measures.

ACADEMIC

During Fall 2023, Braden led a "Region, Site, Place" studio at the University of Georgia's College of Environment and Design (CED). The course pertained to "master planning and site design at a variety of scales, with emphasis on the role of regional culture and ecosystems." For that course, Braden's studio explored a 4,000 acre tract of land in the Chesapeake Bay Region of Virginia.

During spring 2024, Braden led an "Advanced Visualization" elective at the CED focused on "the creation of computer-generated 2D, 3D, and interactive graphics for use in the landscape architectural design communication process.

PUBLIC & PROFESSIONAL SERVICE

Dean's Advisory Council Member, University of Georgia's College of Environment & Design
Board Member, Congress for the New Urbanism (Georgia Chapter)
Government Affairs Committee Member, American Society of Landscape Architects (Georgia Chapter)
Law Clerk, United States Senate
Legislative Aide, Georgia General Assembly - House of Representatives
Congressional Intern, United States House of Representatives

PUBLICATIONS

Braden T. Meadows, Landscape Architecture Graphic Communication: Evolution, Analysis, and Applications for the Future (2021) (M.L.A. Thesis, University of Georgia) (ProQuest).
Braden T. Meadows, Note, Parting the Red Sea: Prescriptions for the RLUIPA Equal Terms Provision's Expanding Circuit Split, 58 GA. L. REV. 373 (2024).



BIOGRAPHY

Riley's career spans a diverse range of project types including post-industrial revitalization, urban parks, mixed-use developments, and corporate headquarters. With a focus on thoughtful, sustainable design, Riley strives to create spaces that respect and enhance the natural environment. His approach is informed by a deep appreciation for storytelling and its ability to connect people to the places they inhabit. Riley places great value on community engagement, believing that successful design is rooted in collaboration and understanding the needs and aspirations of the people who use these spaces. Riley received his MLA from the Harvard University Graduate School of Design where he was awarded the ASLA Merit Certificate Award for his outstanding academic scholarship and accomplishment in skills related to the art and technology of landscape architecture.

EDUCATION

Harvard University Graduate School of Design, Master in Landscape Architecture Post-Professional

Texas A&M University School of Architecture, Bachelor in Landscape Architecture

AFFILIATIONS

American Society of Landscape Architects

RELEVANT EXPERIENCE

***Hi Line Connector, Dallas, Texas:** The Hi Line Connector in Dallas, Texas, is a transformative addition to The Loop Dallas, linking the Katy Trail and Trinity Strand Trail with safe, efficient pedestrian and bicycle infrastructure. This project enhances economic vitality by seamlessly connecting key districts like Uptown, Victory Park, and the Design District, encouraging increased foot traffic and patronage of local businesses. Socially, it fosters community engagement by providing accessible recreational opportunities for diverse users, promoting health and wellness while bridging neighborhoods. Ecologically, the design prioritizes sustainability with LED lighting to reduce energy consumption and durable materials that minimize maintenance costs. By integrating advanced safety measures, including a mid-intersection crossing and responsive pedestrian signals, the Hi Line Connector exemplifies thoughtful urban design that enriches Dallas economically, socially, and environmentally.

Heritage Center Industrial Park, Oak Ridge, Tennessee: The Heritage Center Industrial Park is a transformative redevelopment at the site of the former Oak Ridge Gaseous Diffusion Plant, exemplifying excellence in industrial redevelopment through thoughtful design and sustainable infrastructure. Preserving and showcasing the historic K-25 building's original footprint, the design serves as a compelling memorial, paying cultural and environmental homage to the thousands of employees who worked at the plant during World War II. Now part of the National Park system, the site will invite visitors to reflect on its pivotal role in history through storytelling and immersive experiences, creating a space of education and reverence. While addressing environmental stewardship and managing legacy contamination, the project also aims to create a cohesive, functional, and visually striking environment. As the Reindustrialization phase nears completion, the upcoming landscape design will unify the site's character and support its long-term vision for economic and industrial growth.

***(Undisclosed Corporate World Headquarters, Stevens Point, Wisconsin) Corporate World Headquarters Campus Revitalization:** The design for the revitalization of this 364-acre campus focuses on creating a dynamic corporate campus that embraces its unique ecological context, situated within an ecological tension zone where various ecozones intersect. The proposal envisions a flexible indoor-outdoor environment that fosters collaboration and productivity, while also celebrating the surrounding natural landscape. By integrating the site's diverse ecological features into the design, the headquarters will serve as a model for sustainability and environmental harmony. Additionally, the design will benefit the headquarters economically by providing a functional, innovative space that promotes employee well-being and productivity, while also enhancing the surrounding community by making the campus accessible and inviting to the public.

***Tar Creek Superfund Site, Miami, Oklahoma:** As a research assistant for Niall Kirkwood at the Harvard University Graduate School of Design, Riley contributed to a series of studios focused on toxic land regeneration, indigenous ecologies, and advancing environmental and social equity for tribal nations in North-East Oklahoma. The study examined the impact of over a century of lead, zinc, and cadmium mining, which left a toxic legacy on the Quapaw Nation and surrounding communities. Riley's work involved extensive field research, including direct engagement with local residents, tribal elders, and community leaders such as Rebecca Jim, the Tar Creek Keeper. Through these efforts, Riley supported the exploration of design alternatives that incorporated the cultural and ethical attitudes of the Quapaw Nation toward land, landscape, and the natural world, and helped produce an overall revitalization community framework plan that empowered local communities in addressing pollution challenges while promoting environmental and public health equity.

CAPITOL AREA RULES UPDATE

SAINT PAUL, MINNESOTA

The Capitol of Minnesota, located just north of downtown Saint Paul, is an iconic landmark on the city's skyline. The Capitol, its grounds, and surrounding neighborhoods are more than a place for visitors. They are a vibrant community where residents work and live. The Capitol Area Architectural and Planning Board (CAAPB) is tasked with regulating the zoning, planning, development, and design of the 60-block, 330-acre area. While the neighborhood is part of the City of Saint Paul, CAAPB plays a unique role in regulating and protecting this cherished district. Cardo, in collaboration with Opticos, was hired to write the updated Zoning and Design Rules for the Minnesota Capitol Area.

The 2040 Comprehensive Plan for the Capitol Area encapsulated the community's goals and was the guiding document for the process. The six districts of the plan have been modernized; all are mixed use and fully encourage a diversity of building types including missing middle housing, with a strengthened focus on guiding height and design of frontages.

The Rules Governing Zoning and Design (MN Chapter 2400), regulating the sixty block Capitol Area, is approaching its final stages of a 2025 update, and is now heading into formal rulemaking steps under the Administrative Procedures Act (APA).

[Click here](#) to download the proposed Rules.

SIZE

Roughly 333 Acres

LOCATION

Saint Paul, MN

TIME FRAME

2025

CLIENT

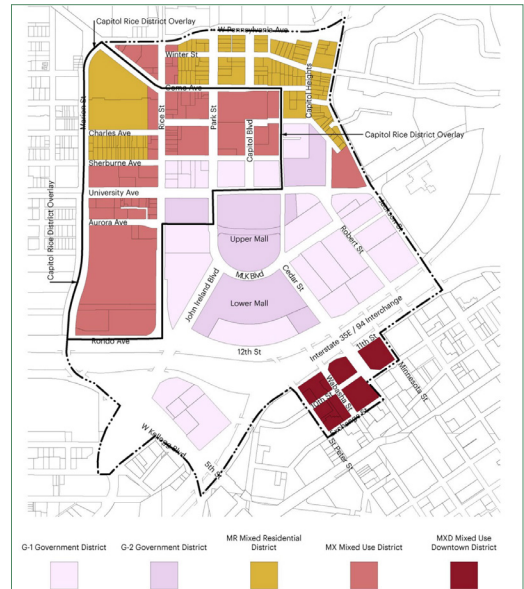
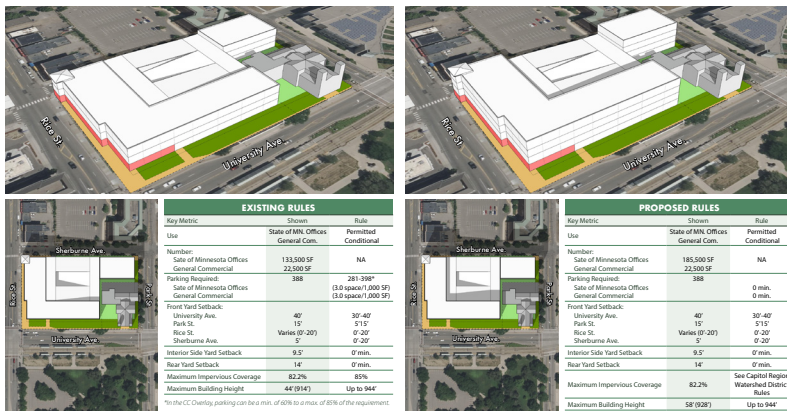
Capitol Area Architectural and Planning Board
Opticos Design, Inc.

REFERENCE

Peter Musty
peter.musty@state.mn.us
651-757-1501

KEY TAKEAWAYS

The majority of the former Ford Building block is owned by the State of Minnesota, with the exception of the historic Christ Lutheran Church on the southeast corner. This study illustrates how the form of development is not significantly altered between the existing and proposed Rules. The increased flexibility with the new parking requirements allows for the State to better utilize the site while still respecting the surrounding neighborhood and architectural context.



BROOKLINE FORM-BASED CODE

BROOKLINE, MASSACHUSETTS

In 2021, Massachusetts passed the MBTA Communities Act, a law that required communities near transit lines to rewrite zoning codes to provide more multi-family housing by right. The Village of Brookline, located immediately west of Boston, and just a few stops from downtown on the MBTA Green Line, needed to act quickly to rewrite their zoning code to permit this new density.

Cardo, with Opticos acting as a project lead, helped write a new form-based code for the Harvard Street corridor, a vibrant street in the heart of the community. In November of 2023, the overwhelming majority of the Town's Meeting, a legislative body in the Commonwealth of Massachusetts, voted to approve the new zoning code for the corridor.

This code allows for more density, helping numerous families find a home, while preserving the varied and distinct characters found from one end of Harvard Street to the other. Cardo not only helped write the code, but also tested it as it was written, constantly checking and verifying it would produce the development patterns that met the MBTA Communities Act and reflected larger community visions.

[Click here](#) to download the code.

SIZE

1.25-mile Long Corridor

LOCATION

Brookline, MA

TIME FRAME

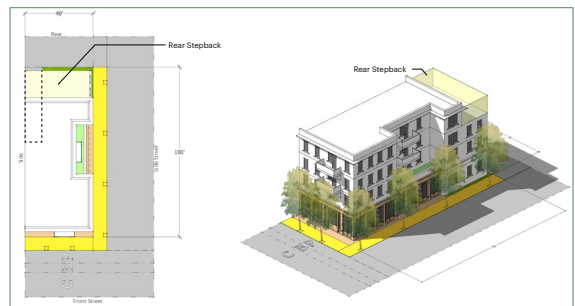
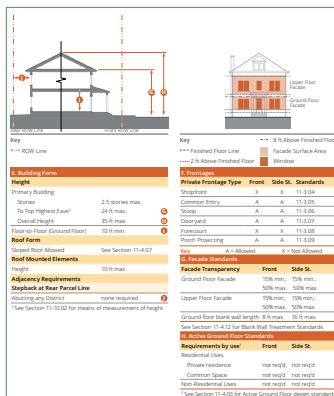
2023

CLIENT

Town of Brookline
Opticos Design, Inc.

REFERENCE

Jennifer Settle
jennifer.settle@opticosdesign.com
510.558.6957 ext. 201



THE EMBER

NORTH EDMOND, OKLAHOMA



Rendering by AMC Architecture & Design LLC

CLIENT Switchgrass Capital, Inc.
SCOPE Community Design
SCALE 2.50 acres

The design team collaborated with Switch Grass Capital to create the Vintage Pocket Neighborhood, a form-based infill community in Edmond, Oklahoma, featuring 23 one-, two-, and three-bedroom homes within a five-minute walk of downtown and Stevenson Park. Guided by principles of New Urbanism and form-based code, the project organizes compact residential lots around a cohesive public realm framework that promotes walkability, socialability, and visual continuity.

Studio Forme led the landscape and open space design, translating the regulatory intent of the code into meaningful, people-centered outdoor environments. The neighborhood plan establishes a clear hierarchy of shared green spaces—including a central community green framed by tree canopies, flexible lawn areas, garden courts, and a pool complex—that invite daily interaction and recreation.

Public amenities such as plazas, dining terraces, a community vegetable garden, dog park, and shaded seating nodes are designed to foster connection and shared identity. Architectural and landscape elements—including fountains, wood pergolas, lighting, and a centralized mail pavilion—reinforce a consistent material language and rhythm across the neighborhood.

HERITAGE CENTER INDUSTRIAL PARK

OAK RIDGE, TENNESSEE



CLIENT Community Reuse Organization of E. Tennessee
SCOPE Planning & Design
SCALE 130 acres

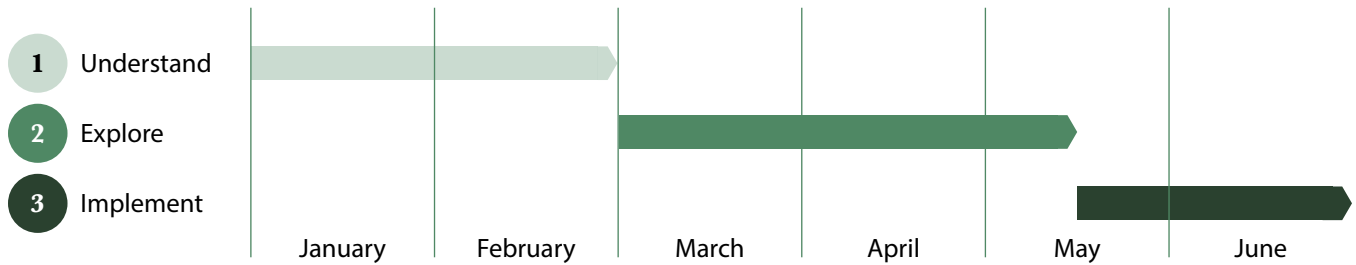
The Heritage Center Industrial Park represents a significant redevelopment of the former Oak Ridge Gaseous Diffusion Plant site, demonstrating leadership in industrial revitalization through innovative design and sustainable infrastructure. The project establishes a cohesive framework that unites industrial function, ecological restoration, and civic expression. The design honors the site's historical significance while addressing the environmental challenges posed by the legacy contamination of the diffusion plant. Focused on creating a unified, functional, and aesthetically compelling environment, the landscape design enhances the site's character, supports the reindustrialization phase, and contributes to the region's long-term economic and industrial growth.

Studio Forme engaged closely with local stakeholders, the client team, and governmental cleanup agencies—including the U.S. Department of Energy—to ensure that the design proposal for the Heritage Center Industrial Park was both responsive to the site's historical context and aligned with environmental remediation goals. The project serves as a model for balancing environmental restoration with forward-thinking design and economic opportunity. By integrating stakeholder input and addressing the site's historical and ecological complexities, the design creates a landscape that not only supports industrial growth but also fosters community pride and resilience. As the project progresses, the thoughtful landscape framework plays a pivotal role in uniting the site's past and future, providing a revitalized setting that reflects a shared commitment to sustainability, heritage preservation, and innovation.

SCHEDULE

3-STEP PROCESS

Our process will follow 3 steps over a roughly 6-month time frame. This work can commence immediately once the client team is ready and be completed by the end of June.



DETAILED SCHEDULE

Our process will follow 3 steps over a roughly 6-month time frame. This work can commence immediately once the client team is ready and be completed by the end of June.

TASK		MONTH					
		JAN.	FEB.	MAR.	APRIL	MAY	JUNE
1	1.1 Review Existing Plans	Active	Active	Active	Active	Active	Active
	1.2 Project Management	Active	Active	Active	Active	Active	Active
	1.3 Kick-off Listening Trip	Active	Active	Active	Active	Active	Active
	1.4 Launch Project Website	Active	Active	Active	Active	Active	Active
	1.5 Existing Zoning Ordinance Audit	Active	Active	Active	Active	Active	Active
	1.6 Listening Trip 2	Active	Active	Active	Active	Active	Active
2	2.1 Prepare UDO Outline	Active	Active	Active	Active	Active	Active
	2.2 Prepare UDO with Limited Graphics	Active	Active	Active	Active	Active	Active
	2.3 Site Testing	Active	Active	Active	Active	Active	Active
	2.4 Modify the Draft Unified Development Ordinance	Active	Active	Active	Active	Active	Active
	2.5 Explore Trip	Active	Active	Active	Active	Active	Active
4	3.1 Refine Draft Unified Development Ordinance	Active	Active	Active	Active	Active	Active
	3.2 Implementation Guidance for City Staff	Active	Active	Active	Active	Active	Active
	3.3 Final Joint City Council & Planning Commission	Active	Active	Active	Active	Active	Active
	3.4 Final Open House Unveiling	Active	Active	Active	Active	Active	Active

TOTAL CONSULTANT COST

FEE

We are proposing a fee of \$99,500. This section outlines the proposed fee for both the project labor and expenses. Please note the estimated fee by task includes not only the task, but preparation, project management, travel expenses, and travel time. Work not listed in this proposal shall be considered an additional service.

	TASK	FEE
1	1.1 Review Existing Plans	\$2,900
	1.2 Project Management	\$2,200
	1.3 Kick-Off Listening Trip	\$4,000
	1.4 Launch Project Website	\$1,800
	1.5 Existing Zoning Ordinance Audit	\$14,000
	1.6 Listening Trip 2	\$4,000
	Total Fee for Step 1: Understand	\$28,900
2	2.1 Prepare UDO Outline	\$5,000
	2.2 Prepare UDO with Limited Graphics	\$19,000
	2.3 Site Testing	\$7,000
	2.4 Modify the Draft Unified Development Ordinance	\$14,200
	2.5 Explore Trip	\$5,500
	Total Fee for Step 2: Explore	\$50,700
3	3.1 Refine Draft Unified Development Ordinance	\$13,500
	3.2 Implementation Guidance for City Staff	\$2,500
	3.3 Final Joint City Council & Planning Commission	\$1,200
	3.4 Final Open House Unveiling	\$2,700
	Total Fee for Step 3: Implement	\$19,900
	TOTAL FEE	\$99,500

HOURLY RATES

The following is a list of hourly rates for both Cardo and Studio Forme team members.

TEAM MEMBER	RATE
Cardo, Patrick Brunner, Principal	\$175/hr.
Cardo, Urban Designer	\$115/hr.
Studio Forme, Braden Meadows, COO & General Counsel	\$250/hr.
Studio Forme, Dave Payne, Landscape Architect	\$200/hr.
Studio Forme, Riley Nystrom, Associate	\$140/hr.



Request for Proposals

City of Willmar

Zoning Ordinance Rewrite

City of Willmar
333 6th Street SW
Willmar, MN 56201

Issued: September 3, 2025
Submittal Date: October 10, 2025

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Section 1: General Information

The City of Willmar, Minnesota invites proposals from qualified planning firms or consultant teams to undertake a full rewrite of its zoning ordinance. Partnering closely with city staff, the selected consultant will lead a comprehensive public-engagement process to craft integrated land use, development, subdivision, and zoning regulations.

This project will replace the existing 1994 code with a modern ordinance that:

- Aligns seamlessly with the City's 2025 Land Use Map
- Merges land use, zoning, development, and subdivision provisions into a single, cohesive document
- Reflects community priorities gathered through workshops, surveys, and stakeholder interviews

The final deliverable should be:

- Innovative and illustrative, with clear graphics and examples
- Adaptable to future policy changes and growth scenarios
- Development-friendly, reducing ambiguity and streamlining review
- User-friendly, accessible to professional staff, property owners, businesses, developers, and contractors

Firms should demonstrate expertise in zoning reform, public outreach, and producing graphic-rich code documents. Proposals must describe team structure, relevant experience, approach to public involvement, schedule, and fee.

Please direct all correspondence related to this RFP to:

Christopher Corbett Planning and Development Director
City of Willmar, 333 6th Street SW Willmar, MN 56201
planning@willmarmn.gov

Proposal Submittal (Digital- Only):

Christopher Corbett Planning and Development Director
City of Willmar, 333 6th Street SW Willmar, MN 56201
planning@willmarmn.gov

All submittals will be accepted until 4:30 pm on Friday, October 3, 2025. Submittals after this time will not be considered.

Acceptance of Proposal Contents

The contents of the RFP will be included as part of the contractual obligations if a contract ensues. All information in the proposal is subject to disclosure under the provisions of Minnesota Statutes Chapter 13 - Minnesota Government Data Practices Act



Section 2: Preliminary Timeline, Goals, Scope of Services

Preliminary Project Schedule

The City reserves the right to modify the timeline if necessary.

Final RFP Posted and Available for Viewing	September 3, 2025
Questions Due	September 19, 2025
Proposals Due	October 10, 2025
Interview Selection Notice	October 17, 2025
Interviews	October 27-29, 2025
City Council for Approval	November 3, 2025
Award Notice	November 4, 2025
Project Kick-Off	January 2026
Anticipated Project Completion	June 2026

Scope of Services

Scope of Services Under the direction of City staff and with guidance from the Planning Commission and City Council, the selected consultant will lead a comprehensive, six-month rewrite of Willmar's zoning code. The product will be a single Unified Development Ordinance (UDO) that merges land use, zoning, subdivision, and development regulations into one modern code to replace the existing 1994 ordinance.

This framework is intended to guide responses; proposers should build on it with a detailed, efficient work plan that meets the project objectives. The final Scope of Services will be refined in collaboration with the selected consultant and City staff before contract execution.

Key Tasks (to be expanded upon in your proposal):

- a. Project Initiation (Weeks 1-2)
 1. Kickoff meeting with City staff, Planning Commission, and City Council
 2. Confirm timeline, milestones, and communication protocols
- b. Existing Conditions & Policy Review (Weeks 3-6)
 1. Audit current zoning code and related ordinances
 2. Incorporate recent plans and studies (e.g., 2025 Future Land Use Map, housing analyses)
- c. Public Engagement & Stakeholder Outreach (Weeks 7-12)
 1. Deploy a targeted outreach strategy: workshops, online



- surveys, stakeholder interviews
- 2. Synthesize community feedback into clear priorities
- d. Drafting the UDO (Weeks 13–18)
 - 1. Develop annotated outline and graphic-rich draft code sections
 - 2. Align with Minnesota State statutes, city goals, and best practices
- e. Review, Revision & Adoption Support (Weeks 19–24)
 - 1. Facilitate joint work sessions and public hearings with Planning Commission and City Council
 - 2. Integrate feedback and finalize ordinance text
 - 3. Deliver training materials and implementation guidance for City staff

Proposals must demonstrate a clear, phased approach, six-month schedule, and methods for iterative collaboration. All deliverables should reflect Willmar's existing planning documents and regional policy frameworks.

Project Management

- A. Consultant leads all project management activities, including scheduling, staffing, budgeting, and resource allocation.
- B. City staff support tasks such as data gathering, analysis, and drafting to ensure accuracy and timeliness.
- C. Consultant and City staff jointly develop procedures for sharing project updates, soliciting public feedback, and coordinating with Planning Commission and City Council members.

Public Outreach

- A. Consultant designs and implements a comprehensive outreach strategy that engages staff, elected officials, business leaders, residents, and other stakeholders.
- B. Outreach methods may include workshops, surveys, stakeholder interviews, and online engagement tools.
- C. Detailed outreach plan must be submitted as part of the proposal.

Current Code Diagnosis

- A. Consultants and City staff collaborate to audit the existing zoning ordinance, identifying inconsistencies, gaps, and opportunities for improvement.

Comprehensive Plan & Document Review

- A. Consultant reviews the WITH Willmar Comprehensive Plan and other pertinent studies or policies.



- B. Key goals, recommendations, and implementation strategies related to land use are extracted to guide code development.

Zoning District Evaluation

- A. Consultants and City staff identify unique or context-sensitive areas, particularly in industrial zones, that may require tailored regulations.

Draft Ordinance & Presentations

- A. The consultant prepares draft code sections, complete with illustrative graphics for presentation purposes.
- B. Drafts are reviewed by City staff, then presented to the Planning Commission, City Council, and any other relevant committees.
- C. Intermediate deliverables and updates are communicated to all stakeholders throughout the process.

Code Integration & Accessibility

- A. Consultant works with City staff to finalize an interactive, user-friendly Unified Development Ordinance.
- B. The new code should be easily navigable by professional staff, developers, property owners, and the public.

Primary Deliverables

The project is expected to yield the following core deliverables. During final scope negotiations, the City and consultant may agree on additional interim deliverables. Consultants are also encouraged to offer any other output that leverages their professional expertise.

- a. A unified, innovative, and illustrative Unified Development Ordinance (UDO) that merges land use, zoning, subdivision, and development regulations into a single, user-friendly code. This UDO should streamline reviews and applications for City staff, property owners, businesses, developers, and contractors, and comply with all applicable Minnesota rules and statutes.
- b. Formal presentations of draft and final deliverables to City staff, the Planning Commission, the City Council, and other designated committees.
- c. Any supplemental or interim deliverables are identified during the detailed scope-of-work development process.



Section 3: Proposal Submittal

Please submit your complete proposal in digital format only; hard-copy submissions will not be accepted.

Your digital submittal should include:

- A single PDF file containing only the information requested in this RFP (unless you believe additional material is directly pertinent).
- All pages numbered, formatted for 8.5" × 11" (with larger sheets permitted for charts, exhibits, or diagrams).
- A minimum 10 pt. type size for narrative text (smaller type may be used for captions and footnotes if still legible).

Email your PDF proposal to planning@willmarmn.gov by the stated deadline. Late or hard-copy proposals will be disqualified.

Proposal Requirements and Format

The submittal shall follow the Table of contents listed below:

1. Cover Letter

Include your firm's understanding of the work to be performed within the terms and conditions set forth in this RFP. In addition, state why your firm believes it to be the best qualified to perform the services requested, including features, skills or services that distinguish your firm. Include similar information for sub-consultants, if any, for the proposed project.

2. Table of Contents

Include a clear table of contents that provides ease of navigation through proposal including sections and page numbers.

3. Project Understanding

Include a summary of your understanding of this project.

4. Proposed Approach/Work Program

Provide a conceptual work program and specific approaches, methods and assumptions for the project that you believe is appropriate based on your understanding of the City's needs, as well as the outcomes, deliverables, and the scope of work elements outlined within this RFP. Submittal of a draft project and public outreach schedule is required as part of the conceptual work program.

5. References

List all the projects your firm has worked on, at a similar capacity, for the last two (2) years. List names of organizations along with appropriate and



applicable contact information (i.e., name, email, phone numbers, etc.) for each reference list that can be contacted regarding the services you have provided them.

6. Project Team Experience & Qualifications

Provide one-page resumes of team members that will be involved in facilitating the project. Include relevant information for each such as educational background, professional experience, certifications, and recent similar projects worked on and the role in said projects. Include key team members from sub-consultant firms, if any.

7. Experience / Work Samples

Provide 3-5 project examples including descriptions, visuals and deliverables, that highlight and showcase previous work that is similar or related in nature to what this RFP is asking. Provided project examples must be provided in full, in digital (e.g., flash drive, website address, or FTP online file share) format. Additionally, please include key contacts, including name and phone numbers, for the client of each project.

8. Schedule

Provide a proposed project schedule from initiation to project completion including a detailed schedule of public outreach meetings. The entire process involving the consultant is expected to take about (6) months to be completed

Additional Project Information

Include any other additional information that is pertinent but is not specifically requested anywhere else in this RFP.

9. Total Consultant Cost

List the complete cost for the proposal. Proposals that exceed the allocated budget amount will not be considered. The breakdown of the costs shall be as follows:

- Proposed costs for each scope of work as listed in Section 2
- Hourly rates for all consultant employees who are expected to work on this project. The rates shall be the agreed upon costs for any additional services requested by the City of Willmar, above and beyond what is detailed in the RFP.
- Reimbursable costs include details of services or items and applicable charge per unit.

It is the responsibility of the proposed firm to accurately predict the amount of time and resources that they will need to spend on the project and their associated total cost.



Section 4: Consultant Selection

Proposals will first be reviewed by City staff for completeness. City staff will then evaluate, and rank all completed, submitted proposals. Only proposals that have been properly completed and meet the minimum content requirements will be considered in the evaluation and ranking process. At the conclusion of the review, evaluation and ranking process City staff will recommend the most qualified consultant to the Planning Commission. The final decision will be based on including but not limited to the review and selection criteria mentioned below. The Planning Commission will review the recommendations made by staff and invite the top candidates to conduct a presentation to the same commission. Presentations are expected to occur between October 20 and October 24th of 2025. Notification of the selected consultant finalists will be made as soon as possible, but the consultant's team should be prepared to convene in Willmar for these interviews. The City Council will approve the final contract with the selected consultant. The City Council reserves the right to reject all proposals.

Review and Selection Criteria

Proposals will be evaluated based on the following review and selection criteria.

Project Work Approach, Deliverables, and Organization (30pts)

- Firm grasp of the project scope and objectives
- Quality and organization of response to proposed work program and proposed deliverables
- Quality of creative approach to the deliverables and public outreach
- Completeness of proposed deliverables

Communications (25pts)

- Organization and completeness of the response
- Writing skills, as shown through the submission and any other submitted work examples

Related Experience, References, and Work Examples (20pts)

- Confirmation that consultant has performed similar work in the recent past and quality and applicability of submitted work examples
- Description and demonstrated ability (proven track record), of the firm as a whole and individual team members, in successfully completing similar projects, and producing quality deliverables, on time and within a budget
- Experience and demonstrated ability of consultant in the community /



public planning process and in preparing municipal codes that regulate development and redevelopment in other communities

- Ability of the consultant to conduct productive meetings and demonstrated experience in doing so
- Ability of the consultant to work with staff, stakeholders, and elected officials and demonstrated direct experience in doing so and in synthesizing and incorporating comments.
- Direct and demonstrated experience of consultant assigned to the project in working with the public and in building community consensus to support innovative regulator structures
- Experience in identifying, evaluating, codifying, and explaining the essential qualities of community design and character
- Demonstrated quality of strong graphic skills
- Quality of submitted work examples
- Past performance of consultant on similar projects
- Current workload and availability of consultant team members

Schedule (10pts)

- Proposed consultant project schedule and the staffing plan that will facilitate completion of the Plan in a timely manner
- Number of visits / meetings planned

Cost (15pts)

- Demonstration of successful budget performance and previous experience in meeting project budgets
- Description of the approach to budgeting
- Presentation of the consultant best offer; “not to exceed” cost

Section 5: Contract Terms and Conditions

Contract Award

Upon the conclusions of the presentations and selection of the final consultant, the City will negotiate a contract and enter into an agreement with the consultant. The selection of the proposal shall not imply acceptance by the City of all terms of the proposal, which may be subject to further negotiations prior to approval by the City Council before the City may be legally bound thereby. If a satisfactory contract cannot be negotiated at a reasonable time the City, in its sole discretion, may terminate negotiations with the highest ranked consultant and begin contract negotiations with the next highest ranked consultant. It is expected that the contract will provide compensation for actual work completed on a not to exceed basis with



the following conditions.

- If, for any reason, the Consultant cannot commence the services in their Proposal within 45 days of the award, the City reserves the right to contract with another qualified firm.
- If, for any reason, the Consultant is unable to fulfill the obligations under the contract in a timely and proper manner, the City reserves the right to terminate the contract by written notice. In this event, the firm shall be entitled to just and equitable compensation for any satisfactory work completed to that point at the discretion of the Planning and Development Director.
- The Consultant shall not assign or transfer any interest in the contract without prior written consent from the City.
- The Consultant contract shall be governed by the laws of the State of Minnesota
- Project summaries shall be submitted with each invoice during the project. Each summary shall detail the amount billed to date, work items that need to be completed, the estimated costs to complete these tasks and the projected timeline for the completion of the project. Invoices submitted to the City shall include a detailed breakdown of times, personnel, mileage, etc. chargeable for that period.
- The City shall not be liable for any expenses incurred by the consultant prior to the signing of a contract including, but not limited to, preparation of materials, attendance at interviews, or final contract negotiations.
- The proposal must be signed in ink by an official from the consultant organization or team, that is authorized to bind the consultant to its provisions. These provisions will be included as part of the eventual contract. The proposal must include a statement as to the period during which the Proposal remains valid. This period must be at least 90 days from the date of the submittal.
- The City reserves the right to reject all proposals or accept what is, in its judgement, the Proposal which is in the City's best interest. The City further reserves the right, in the best interests of the City, to waive any



technical defects or irregularities in any / all proposals submitted.

- The City reserves the right to request any additional information from the consultant to assure full understanding of, and responsiveness to, the requirements of this RFP.
- Deletion of specific components of the plan, such as individual project meetings, will be at the discretion of the City. Payment or reimbursement shall be made based on actual hours worked on the various tasks required for the project plus necessary subcontractor work (as applicable) and out-of-pocket expenses. Billing more than 'not to exceed' amount will not be compensated unless a contract extension has been approved in advance by the City Council.
- The City shall retain ownership of all documents, plans, maps, reports and data prepared under this proposal. In addition to being provided with digital documents throughout the project, the consultant shall supply the City of Willmar with a full, accurate and complete digital file (pdf and InDesign/Illustrator) upon project completion along with several hard copies of the plan.

Section 6: Background

The City of Willmar, located in Kandiyohi County, serves as a regional hub in West Central Minnesota. With a population of over 21,000, Willmar plays a central role in providing essential services, commerce, and cultural experiences to surrounding rural communities. Its strategic location at the crossroads of U.S. Highways 12 and 71 makes it easily accessible, while its strong infrastructure supports healthcare, education, and retail. Willmar is home to CentraCare Health Care and Ridgewater College, both of which contribute to the city's reputation as a center for wellness and workforce development. A key asset in Willmar's economic landscape is its certified shovel-ready Industrial Park, which offers developable lots.

The Industrial Park supports a mix of manufacturing, agribusiness, and logistics companies, and continues to be a driver of regional job growth and innovation. Willmar also boasts a lively calendar of annual events and tournaments that draw visitors from across the region. These include Willmar Fests, a summer celebration filled with parades and live music; the Kandiyohi County Fair, showcasing agriculture and entertainment; and youth sports tournaments in hockey and baseball hosted at local facilities. Other popular events include Celebrate Art! Celebrate Coffee! A fall festival honoring local creativity and Willmar's coffee heritage, and Winterfest, which brings seasonal joy through ice skating, light displays, and family-friendly activities.



REQUEST FOR PROPOSALS MUST BE RECEIVED PRIOR TO 4:30 P.M. (CST) ON OCTOBER 10, 2025. LATE SUBMITTALS WILL NOT BE CONSIDERED.

References:

City of Willmar Zoning Ordinance, 1994

Edited City of Willmar Zoning Ordinance Chapter XX

City of Willmar Comprehensive Plan, *WITH Willmar*, 2025

https://cms5.revize.com/revize/cityofwillmar/June%2012%202025%20Willmar_Complan_06_11_25_WithAppendices.pdf





City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.D.
Agenda Section:	Regular Business	Originating Department:	Planning and Development
Resolution:	Yes	Prepared By:	Chris Frank, City Planner
Ordinance:	No	Presented By:	Christopher Corbett, Planning and Development Director
Item:	Forward Board of Zoning Appeals Item: Request to Modify Setback		

RECOMMENDED ACTION:

Motion by _____ Second by _____ to approve by resolution granting the requested variance to allow an addition onto an existing accessory structure to a 2-foot side lot setback rather than the 5-foot side lot setback as set forth in the Willmar Zoning Ordinance.

OVERVIEW:

NATHAN COOLEY: REQUEST FOR GARAGE ADDITION WITHIN 5-FOOT SIDE SETBACK

Location: 3108 1st Ave NW; Parcel #: 95-835-0280; Ward 1.

Due to the absence of the board's only other member, Jeanne Kling, the board recommended that the issue be referred to the City Council for review. The person who requested the variance, Nathan Cooley, was present and stated he was understanding and accepting of the situation. Steve Allman stated he would personally recommend approval of the variance request if a decision had been possible at this meeting.

A public hearing was briefly opened and closed with nobody from the public appearing or providing comment.

City Staff informed the Board that charter amendments are planned to go before City Council at an upcoming meeting to merge the Board of Zoning Appeals and the Planning Commission due to the lack of members willing to serve on the Board of Zoning Appeals. Board Member Ahmann agreed that seems to be a needed solution and expressed willingness to join the Planning Commission as part of the merger.

Board Member Ahmann motioned to refer the decision on this item to the City Council due to the lack of available members on the Board of Zoning Appeals; there was no available member to second the motion, and Ahmann voted affirmatively.

BUDGETARY/FISCAL ISSUES:

None.

ALTERNATIVES TO CONSIDER:

Request more information

ATTACHMENTS:

1. 10-14-25 BZA Packet
2. 2025- Resolution Approving Variance Request - Cooley
3. 10-14-25 Minutes BZA



333 6th Street Southwest | Willmar MN 56201 | 320.235.4913

**BOARD OF ZONING APPEALS MEETING
CITY HALL, CONFERENCE ROOM #1
OCTOBER 14, 2025 @ 5:30PM**

AGENDA

1. Call Meeting to Order
2. Roll Call
3. Proposed Additions or Deletions to Agenda
4. Regular Business
 - 4.1. Hearing and Action

- 4.1.1 **NATHAN COOLEY: REQUEST FOR GARAGE ADDITION WITHIN 10-FOOT SIDE SETBACK**
Location: 3108 1st Ave NW; Parcel #: 95-835-0280; Ward 1.

- 4.2. Board Officer Elections
5. Miscellaneous
6. Adjourn

How to provide public testimony

Members of the public have multiple ways to comment on Hearing and Action agenda items, besides attending the meeting, you can:

- Email **planning@willmarmn.gov**. Testimony will be accepted until the business day before the meeting at 12 p.m.
- Send a letter to **Attn: Planning Dept., 333 6th Street SW, Willmar, MN 56201**, Mailed testimony must be received by two business days before the meeting.

MOHAMUD/HASSAN & IBRAKADLE 95-835-0560

95-835-0270
SOLBRACK/JUSTINE

95-835-0280
COOLEY/NATHAN & NORMA S

HEMISH REVOC TRUST/PENNY ANN

CLARK/CHAD M

95-835-0300

MOHAMUD/HASSAN/I BARKADLE 95-835-0560

95-835-03
THIBEDAU/BARRY L

95-835-0270
SOLBRACK/JUSTINE

95-835-0280
COOLEY/NATHAN & NORMA S

HEMISH REVOC TRUST/PENNY ANN

95-835-0310

CLARK/CHAD M

95-835-0300

1st Ave NW

95-816-0170

4. Permitted Accessory Uses. The following accessory structures or uses of land shall be permitted:
 - a. Garages, carports, and parking space.
 - b. Keeping of domestic pets; does not include kennels.
 - c. Residential waterfront uses and recreational equipment.
 - d. Swimming pools and tennis courts.
 - e. Detached garage storage or storage buildings.
5. Lot Area, Width, and Setback Requirements. The following standards shall be the minimum requirements for development in the "R-1" District:

a. Lot Area	10.000 square feet
b. Lot Width	80 feet
c. Setbacks	
Front (r/w)	30 feet
Rear	30 feet
Side, interior	10 feet
Side, street (r/w)	10 feet

D. R-2, ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT.

1. Permitted Uses. Only the following uses shall be permitted outright:
 - a. One-family detached dwellings.
 - b. Two-family (duplex) detached dwellings, including twin-homes.
 - c. Agricultural uses, not including livestock raising or feeding.
2. Permitted Uses With Plan Review. The following uses are permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:
 - a. City parks.
 - b. Licensed residential facilities with six (6) or fewer residents.
 - c. Parking for adjacent LB or GB use.
 - d. Room and board for up to four (4) persons.
 - e. Essential services and public uses.

3. Conditional Uses. The following additional uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:
 - a. Churches and cemeteries.
 - b. Commercial day nurseries and schools.
 - c. Golf courses, tennis clubs.
 - d. Home occupations.
 - e. Neighborhood service stores.
 - f. Nursing, rest, or retirement homes.
 - g. Planned unit developments.
 - h. Private and public schools.
 - i. Structures over two (2) stories or thirty-five (35) feet high.
 - j. Bed and breakfast establishments.
 - k. Non-residential storage within an existing building. (Ordinance 1322/2011)
4. Permitted Accessory Uses. The following accessory structures or uses of land shall be permitted:
 - a. Garages, carports, and parking space.
 - b. Keeping of domestic pets; does not include kennels.
 - c. Residential waterfront uses and recreational equipment.
 - d. Swimming pools and tennis courts.
 - e. Detached garage storage or storage buildings.
5. Lot Area, Width, and Setback Requirements. The following standards shall be the minimum requirements for development in the "R-2" District:

a. Lot Area	8,500 square feet for single-family dwelling 12,000 square feet for two-family dwelling
b. Lot Width	75 feet for single-family dwelling 85 feet for two-family dwelling
c. Setbacks	
Front (r/w)	30 feet
Rear	30 feet
Side, interior	10 feet
Side, street (r/w)	30 feet

RESOLUTION NO. 2025-__

**A RESOLUTION OF THE WILLMAR CITY COUNCIL
APPROVING A REQUEST FOR A VARIANCE**

WHEREAS, Nathan Cooley, is the fee owner of real property located at 3108 First Avenue NW in the City of Willmar, which property is legally described on Attachment A incorporated herein by reference (the “Property”); and

WHEREAS, Nathan Cooley intends to build an addition onto his current garage and seeks a variance to build within the 5-foot setback of his side-interior lot line that abuts the neighboring property on the east side.

WHEREAS, the Board of Zoning Appeals conducted a public hearing on October 14, 2025, and received no public testimony regarding the proposed variance with nobody from the public attending; and

WHEREAS, all required notices regarding the public hearing were properly made; and

WHEREAS, pursuant to Willmar Zoning Ordinance § 9D, the Board of Zoning Appeals considered the criteria for variance requests, but was unable to render a decision due to reduced membership on the board, with five of its seven seats currently vacant, and one of the two sitting members unavailable due to personal reasons; and instead voted at its meeting on October 14, 2025, to refer the application to the Willmar City Council; and

WHEREAS, the City Council is one of the bodies that is authorized to render final decisions on variance applications under the Municipal Planning Act, Minnesota Statutes, Section 462.354, Subdivision 2; and

WHEREAS, the City Council, having considered the public record created at the Board of Zoning Appeals meetings on October 14, 2025, as well as the legal standard applicable to variance applications contained in Willmar Zoning Ordinance § 9D and Minnesota Statutes, Section 462.357, Subdivision 6, renders its decision on the application based on the Findings of Fact, attached hereto as Attachment B.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ZONING APPEALS FOR THE CITY OF WILLMAR, MINNESOTA, based upon the record, testimony, and evidence presented at said hearing, makes the following:

FINDINGS OF FACT

1. Applicant is applying on behalf of the owner of PID # 95-835-0280 located 3108 1ST AVE NW in the City of Willmar, Kandiyohi County, Minnesota, which property is legally described on Attachment A hereto, otherwise known as the “Property.”
2. The Property is zoned for residential use and is in the City’s Residential-2 zoning district.
3. In accordance with Willmar Zoning Ordinance § 9D and Minnesota Statutes, Section 462.357, Subdivision 6, the Applicant submitted a completed application

as of August 25, 2025, for a variance from Willmar Zoning Ordinance § 3.E.2, which requires a 5-foot side lot setback for accessory buildings to allow an addition onto his garage accessory building which will be constructed at a 2-foot setback from the side lot line.

4. On October 3, 2025, City staff sent notice letters to the owners of property within 350 feet of the Property in accordance with Willmar Zoning Ordinance § 9H. An affidavit of mailing is attached hereto as Attachment C.
5. On October 14, 2025, the Board of Zoning Appeals conducted a public hearing, reviewed the application for a variance and voted to submit the application to the Willmar City Council due to reduced membership on the board, with five of its seven seats currently vacant, and one of the two sitting members unavailable for personal reasons.
6. The City Council now receives and adds to the record the attachments herein listed.

APPLICABLE LAW

1. Minn. Stat. § 462.357, subd. 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.
2. Section 9.D of the Willmar Zoning Ordinance in substance adopts the statutory standard referenced above.

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA, incorporates the findings of fact and applicable law herein and, based upon the record, testimony, and evidence presented at said hearing, concludes and orders as follows:

CONCLUSIONS AND ORDER

1. That the Board of Zoning Appeals has the authority to grant or deny variance requests in the City of Willmar and has duly considered the required criteria contained in state law and City Code, but was unable to render a decision on the variance requested for the Property for the reasons set forth above.
2. That the City Council is one of the bodies that is authorized to render final decisions on variance applications under the Municipal Planning Act, Minnesota Statutes, Section 462.354, Subdivision 2, and in the absence of action by the Board of Zoning Appeals, has a responsibility to the Applicant and public to act on the variance application.
3. That the City Council hereby approves and grants, based upon an affirmative Findings of Fact, as attached hereto as Attachment B, a variance to reduce the accessory building setback applicable to the east side lot line of the Property, from 5 feet to 2 feet, for the sole purpose of building an addition onto the currently existing garage accessory building.

Adopted on this 3rd day of November, 2025

Attest:

Vernae Larsen, City Clerk

Douglas Reese, Mayor

ATTACHMENT A
Legal Description of the Property

Lot 5, Block 2 of the Plat titled Vos Park within the City of Willmar, Kandiyohi County, Minnesota.

ATTACHMENT B

Findings of Fact

Findings of Fact Supporting / Denying a Variance Request

Name of Applicant: Nathan Cooley

Address of Variance Request: 3108 1ST AVE NW

Board of Zoning Appeals Hearing Date: October 14, 2025

Description of Variance Request: Variance from Willmar Zoning Ordinance § 3.E.2, which requires a 5-foot side lot setback for accessory buildings to allow an addition onto the existing garage accessory building which will be constructed at a 2-foot setback from the side lot line.

The basis for the City Council's action of approving or denying the application is set forth in the following findings of fact.

In making these findings, the City Council has considered the nature of the proposed use of land and the existing use of land in the vicinity, and the relation of the proposed land use to the Comprehensive Plan and Zoning Ordinance.

General Findings

(Questions 1 through 7 must be answered "Yes" for a variance to be granted, unless special circumstances are found to exist under Question 8)

1. Is the requested variance in harmony with the general purpose and intent of the Zoning Ordinance?

Yes ☐ No ☐

Why or Why Not?

2. Is the requested variance consistent with the City's Comprehensive Plan?

Yes ☐ No ☐

Why or Why Not?

3. Is the property owner proposing to use the property in a reasonable manner, but cannot do so under the rules of the Zoning Ordinance?

Yes ☐ No ☐

Why or Why Not?

4. Is the variance necessary due to circumstances unique to the property not created by the applicant? (The uniqueness generally relates to the physical characteristics of the property; that is, to the land and not personal considerations of the landowner.)

Yes ☐ No ☐

Why or Why Not?

5. Is it true that the granting of the variance will not alter the essential character or the locality? (The essential character generally relates to whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.)

Yes ☐ No ☐

Why or Why Not?

6. Is it true that the granting of the variance will not be detrimental or injurious to the public welfare?

Yes ☐ No ☐

Why or Why Not?

7. Is the variance necessary for more than purely economic considerations?

Yes ☐ No ☐

Why or Why Not?

Special Circumstances

8. Is the variance necessary to either (a) provide adequate access to direct sunlight for solar energy system(s); or (b) facilitate earth sheltered construction as defined in Minn. Stat. §216C.04, subd. 14?

Yes ☐ No ☒

Why or Why Not? N/A.

Conditions

9. Will the granting of the variance require any specific conditions and safeguards to be imposed on the property benefitted by the variance to prevent injurious effects upon other property in the neighborhood or upon public facilities and services?

Yes ☐

No ☐

List conditions:

Facts supporting the answer to each question, above, are hereby certified to be the Findings of the City of Willmar City Council.

APPROVED ☐

DENIED ☐

TABLED ☐

DATED: November 3, 2025

ATTACHMENT C

Affidavit of Mailing of Notice of Variance Application and Public Hearing

AFFIDAVIT OF MAILING OF NOTICE FOR BOARD OF ZONING APPEALS HEARING ON REQUEST FOR VARIANCE

The undersigned, being the duly qualified and serving as the City Planner of the City of Willmar, Minnesota, does hereby certify that on October 3, 2025, (being ten days or more before the hearing on said variance), mailed Notice of Hearing (a true and correct copy of which is attached hereto as part of Exhibit A) to the surrounding landowners within a 350-foot radius of the subject variance.

For the purpose of giving such mailed notice the undersigned secured the below listed names of the property owners within 350 feet of the subject property:

TIE/THOMAS
3105 1ST AE NW
WILLMAR, MN 56201

HJELDEN/ERIC L
3101 1ST AVE NW
WILLMAR, MN 56201

MARCUS/JOSEPH P/& BRIAN L
MARCUS
1612 18TH AVE NW
WILLMAR, MN 56201

CLARK/CHAD M
3100 1ST AVE NW
WILLMAR, MN 56201

HAZEN/JEREMIAH
3123 1ST AVE NW
WILLMAR, MN 56201

ARIZMENDI/OMAR/JR
3201 1ST AVE NW
WILLMAR, MN 56201

MIDWEST RENTALS, LLP
C/O JASON DOWDEY
5620 97TH AVE NE
SPICER, MN 56288

GONZALEZ/JULIA A
3209 1ST AVE NW
WILLMAR, MN 56201

SCHUELLER/NATHAN S
3228 3RD AVE NW
WILLMAR, MN 56201

HEBRINK/NANCY LOY
3216 3RD AVE NW
WILLMAR, MN 56201

BAZALDUA/JESUS G & TANYA J
3208 3RD AVE NW
WILLMAR, MN 56201

BUDDY/RICHARD/JR/&MELISSA
3225 3RD AVE NW
WILLMAR, MN 56201

TROCHEZ/OLVIN E/& DIANA K
TORRES PADILLA
104 33RD ST NW
WILLMAR, MN 56201

VENOSDEL/CLAY K & BRIDGETTE R
ATTN: GINA DIEDERICH
1020 HWY 71 NE, STE 102
WILLMAR, MN 56201

SOLBRACK/JUSTIN E
3200 1ST AVE NW
WILLMAR, MN 56201

COOLEY/NATHAN & NORMA S
3108 1ST AVE NW
WILLMAR, MN 56201

HEMISH REVOC TRUST/PENNY ANN
105 31ST ST NW
WILLMAR, MN 56201

THIBEDEAU/BARRY L/ & GARY L
109 31ST ST NW
WILLMAR, MN 56201

MEJIA/LORENZO ALAMO/& BERTHA
113 31ST ST NW
WILLMAR, MN 56201

FERNELIUS/MARK/&LINDA VANDER
117 31ST ST NW
WILLMAR, MN 56201

BOBBITT/MERLE & LIELANI
119 31ST ST NW
WILLMAR, MN 56201

LOZANO/MANUEL G
3201 3RD AVE NW
WILLMAR, MN 56201

HENRICH/JOHN E & MARSHA A
3205 3RD AVE NW
WILLMAR, MN 56201

REYES/STELLA M
3209 3RD AVE NW
WILLMAR, MN 56201

MOHAMUD/HASSAN/& I BARKADLE
3217 3RD AVENUE NW
WILLMAR, MN 56201

BOBZIEN/DAVID K/JR & KRISTI
3221 3RD AVE NW
WILLMAR, MN 56201

ZELLER/DAVID R & LISA J
100 31ST ST NW
WILLMAR, MN 56201

DEXTER/BRUCE L & GINGER K
104 31ST ST NW
WILLMAR, MN 56201

HTOO/SHA R
108 31ST ST NW
WILLMAR, MN 56201

EASTMAN/DENNIS & SHARON
112 31ST ST NW
WILLMAR, MN 56201

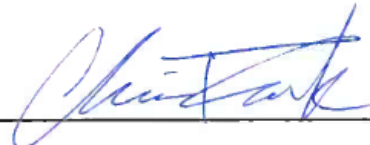
PLETT/STANLEY & ADELAIDA G
107 33RD ST NW
WILLMAR, MN 56201

FRITZ/CAITLIN/&DANIEL ST AUBIN
105 33RD ST NW
WILLMAR, MN 56201

HOME TO YOU RENTALS, LLC
2412 COUNTRY CLUB DR
WILLMAR, MN 56201

SCHUELER/DUANE S & CASSANDRA
101 33RD ST NW
WILLMAR, MN 56201

Given under my hand and the seal of the City this 3rd, day of October, 2025



Christopher Frank
City Planner

[EXHIBIT A TO AFFIDAVIT]

**EXHIBIT A
MAIL NOTICE**

NOTICE OF PUBLIC HEARING FOR A ZONING VARIANCE

Notice is hereby given that the City of Willmar Board of Zoning Appeals will conduct a public hearing on Tuesday, October 14, 2025, at 5:30pm in conference room #1 of the City Hall, located at 333 6th Street SW, Willmar MN, to hear reasons for and against a Variance requested by Nathan Cooley. The request is to build a garage addition within the required 10-foot side-interior setback along his east property line, located at 3108 1ST AVE NW, Willmar MN 56201. (Parcel #: 95-835-0280).

All property owners living in the vicinity of the above-described property are hereby notified of the public hearing. An interested person may attend in person, or may be represented by counsel, to be heard on this matter. All documents pertaining to this variance are available for review at City Hall. The Board of Zoning Appeals agenda can be found on the Calendar on the home page of the City's website (www.willmarmn.gov). If you have questions, contact the Department of Planning and Development Services at 320-214-5195 or planning@willmarmn.gov.

October 3, 2025
Date

Christopher Frank
City of Willmar Planner

**BOARD OF ZONING APPEALS MEETING
OCTOBER 14, 2025 @ 5:30PM
333 6TH STREET SW, CONFERENCE ROOM 1**

MINUTES

The Willmar Board of Zoning Appeals met on Wednesday, October 14, 2025, at 5:30PM at City Hall.

Members Present: Steve Ahmann.

Members Absent: Jeanne Kling.

Others Present: Christopher Frank (City Planner); and Nathan Cooley (Applicant).

1. Co-Chair Ahmann called for order at 5:30PM.
2. Roll Call.
3. Additions/Deletions: Item 4.2 Board Officer Elections was removed for lack of quorum.
4. **REGULAR BUSINESS**

4.1 HEARING AND ACTION

4.1.1 NATHAN COOLEY: REQUEST FOR GARAGE ADDITION WITHIN 5-FOOT SIDE SETBACK

Location: 3108 1st Ave NW; Parcel #: 95-835-0280; Ward 1.

Due to the absence of the board's only other member, Jeanne Kling, the board recommended that the issue be referred to the City Council for review. The person who requested the variance, Nathan Cooley, was present and stated he was understanding and accepting of the situation. Steve Allman stated he would personally recommend approval of the variance request if decision would have been possible at this meeting.

A public hearing was briefly opened and closed with nobody from the public appearing or providing comment.

City Staff informed the Board that charter amendments are planned to go before City Council at an upcoming meeting to merge the Board of Zoning Appeals and the Planning Commission due to the lack of members willing to serve on the Board of Zoning Appeals. Board Member Ahmann agreed that seems to be a needed solution and expressed willingness to join the Planning Commission as part of the merger.

Board Member Ahmann motioned to refer decision on this item to the City Council due to the lack of available members on the Board of Zoning Appeals; there was no available member to second the motion, and Ahmann voted affirmatively.

5. **MISCELLANEOUS:**

None.

6. **ADJOURN**

The meeting was adjourned at 5:35PM.



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.E.
Agenda Section:	Regular Business	Originating Department:	Planning and Development
Resolution:	No	Prepared By:	Christopher Corbett, Planning and Development Director
Ordinance:	Yes	Presented By:	Christopher Corbett, Planning and Development Director
Item:	Introduction of Amendments to the City Charter and Request to Set Public Hearing Date		

RECOMMENDED ACTION:

Motion by _____ Second by _____ to introduce the ordinance and set a public hearing for Monday, December 15, 2025, at 6:30pm Kandiyohi County Health & Human Services and publish notice for both the text of the ordinance and the public hearing for the Ordinance amending City of Willmar Charter Section 4.02, Subdivision 4

Motion by _____ Second by _____ to introduce the ordinance and set a public hearing for Monday, December 15, 2025, at 6:30pm Kandiyohi County Health & Human Services and publish notice for both the text of the ordinance and the public hearing for the Ordinance amending City of Willmar Charter Section 4.02, Subdivision 8

Motion by _____ Second by _____ to introduce the ordinance and set a public hearing for Monday, December 15, 2025, at 6:30pm Kandiyohi County Health & Human Services and publish notice for both the text of the ordinance and the public hearing for the Ordinance amending City of Willmar Charter Section 4.06

OVERVIEW:

For the last few years, the Planning Commission has requested that their role with the Capital Improvement Plan (CIP) be changed/clarified to not give them the duty to approve or have any ability to modify the CIP. Given the lengthy process and negotiation that takes place between departments, administration, and City Council regarding the CIP, the Planning Commission does not believe they have the necessary knowledge or understanding of the negotiations to effectively determine the necessity or desirability of CIP items for each department.

This amendment would modify Section 4.02, Subdivision 4 of the Charter to require the Planning Commission to

review the CIP within the context of the CIP's compliance with the City's Comprehensive Plan. This language is similar to Minn. Stat. 462.356, which requires that the Planning Commission submit a report of findings as to compliance of the proposed improvements with the comprehensive plan.

This amendment would modify Section 4.02, Subdivision 8 of the Charter to require the Planning Commission to review proposed purchases and sales within the context of compliance with the City's Comprehensive Plan. This language is similar to Minn. Stat. 462.356, which requires that the Planning Commission submit a report of findings as to compliance of the proposed acquisitions and dispositions with the comprehensive plan.

The Board of Zoning Appeals (BZA), along with several other City boards and commissions, is currently experiencing limited participation due to a shortage of volunteers. The Board currently only has two members, out of 7, and there have been no recent additional applications despite repeated attempts to request assistance from the public. This year, the BZA has now had to forward two separate items to the City Council for a decision. The current situation with the BZA is untenable and this proposed merger with the Planning Commission would help to strengthen the body and Planning processes.

The proposed amendment would amend the Charter to provide City Council with the power by ordinance to allow the Planning Commission to function as both the Planning Commission and the Board of Zoning Appeals. If this power is then used by City Council, the two current members of the BZA have expressed willingness to join the Planning Commission as new members. The Planning Commission is also currently operating with 5 of the 9 possible member slots filled.

BUDGETARY/FISCAL ISSUES:

None.

ALTERNATIVES TO CONSIDER:

Request more information.

ATTACHMENTS:

1. Charter Amendment Ordinance - PC CIP Changes
2. Charter Amendment Ordinance - Subd 8 Real Estate etc
3. Charter Amendment Ordinance - reassigning BZA duties to PC (v1) - 080425

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 4.02
OF THE CHARTER OF THE CITY OF WILLMAR

WHEREAS, Pursuant to Minn. Stat. § 410.12, subd. 7, the Charter Commission for the City of Willmar convened on October 28, 2025, and at such meeting recommended that the City Council of the City of Willmar enact a charter amendment by ordinance pursuant to which Section 4.02 of the Willmar Charter be amended to modify the duties of the Planning Commission in regards to recommending the capital improvements.

WHEREAS, the City Council of the City of Willmar received the above-mentioned recommendation of the Charter Commission when it received the draft minutes of the Charter Commission's _____, 2025 meeting at the City Council's _____, 2025, regular meeting.

NOW THEREFORE, THE CITY OF WILLMAR HEREBY ORDAINS:

Section 1. AMENDMENT OF CHARTER SECTION 4.02. Article IV, Section 4.02 of the Willmar Charter, is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Section 4.02. – The Planning Commission.

Subdivision 4. Recommended capital improvements. The Commission shall review the City of Willmar's, and as applicable, the Municipal Utilities Commission's and Rice Memorial Hospital Board's recommended capital improvements report(s) containing recommended capital improvements which are necessary or desirable in the forthcoming five (5) year period. The report shall include estimated budget requirements for such improvements, and it may contain a priority list and an arrangement of such improvements with respect to the year they are recommended to begin. The Commission shall submit a report to the City Council of the Commission's findings as to compliance of the proposed capital improvements with the comprehensive municipal plan. Failure of the Commission to report on the submission within 30 days after such a reference, or such other period as may be designated by the City Council, shall be deemed to have satisfied the requirements of this subdivision. The City Council may, by resolution adopted by two-thirds vote, dispense with the requirements of this subdivision when in its judgment it finds that the proposed capital improvement has no relationship to the comprehensive municipal plan. ~~The Commission shall submit a response to the body that prepared the report stating whether, in the opinion of the Commission, the recommended capital improvements are necessary or desirable in the forthcoming five (5) year period, provided that in the event that the Commission shall have failed to act thereon within a period of sixty (60) days after the adoption of the motion or resolution submitting or referring it to the Commission, the report shall be deemed to have been approved by the Commission as submitted.~~

Section 2. EFFECTIVE DATE. Pursuant to Minn. Stat. § 410.12, subd. 7, this ordinance shall be effective 90 days after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 2025.

ATTEST:

Vernae Larsen, City Clerk

Douglas E. Reese, Mayor

VOTE: ____ SHULDES ____ GILBERTSON ____ DAVIS ____ GARDNER
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 4.02
OF THE CHARTER OF THE CITY OF WILLMAR

WHEREAS, Pursuant to Minn. Stat. § 410.12, subd. 7, the Charter Commission for the City of Willmar convened on October 28, 2025, and at such meeting recommended that the City Council of the City of Willmar enact a charter amendment by ordinance pursuant to which Section 4.02 of the Willmar Charter be amended to modify the duties of the Planning Commission regarding the acquisition, sale, transfer or termination of public lands, buildings and property.

WHEREAS, the City Council of the City of Willmar received the above-mentioned recommendation of the Charter Commission when it received the draft minutes of the Charter Commission's _____, 2025 meeting at the City Council's _____, 2025, regular meeting.

NOW THEREFORE, THE CITY OF WILLMAR HEREBY ORDAINS:

Section 1. AMENDMENT OF CHARTER SECTION 4.02. Article IV, Section 4.02 of the Willmar Charter, is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Section 4.02. – The Planning Commission.

Subdivision 8. Acquisition, sale, transfer or termination of public lands, buildings and property. No City street, park, public grounds or real estate, ways, streets, alleys or buildings shall be acquired, constructed, extended, sold, transferred, conveyed or vacated until the same shall have been submitted to ~~and approved by~~ the Commission. ~~No City street, park, public grounds or real estate, ways, streets, alleys or buildings shall be leased for a period in excess of three (3) years until the same shall have been submitted to and approved by the Commission.~~ The Commission shall submit a report to the City Council of the Commission's findings as to compliance of the proposed acquisition, sale, or transfer with the comprehensive municipal plan. Failure of the Commission to report on the submission within 30 days after such a reference, or such other period as may be designated by the City Council, shall be deemed to have satisfied the requirements of this subdivision. The City Council may, by resolution adopted by two-thirds vote, dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition, sale, or transfer has no relationship to the comprehensive municipal plan. In the event that the Commission shall affirmatively disapprove the same or shall determine to attach conditions thereto, the action thereon shall be by resolution setting forth its findings with respect thereto and its specific reasons for such disapproval. In the event that the Commission shall have failed to act thereon within a period of thirty (30) days after the adoption of the motion or resolution submitting or referring it to the Commission, it shall be deemed to have been approved as submitted.

Section 2. EFFECTIVE DATE. Pursuant to Minn. Stat. § 410.12, subd. 7, this ordinance shall be effective 90 days after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 2025.

ATTEST:

Vernae Larsen, City Clerk

Douglas E. Reese, Mayor

VOTE: ____ SHULDES ____ GILBERTSON ____ DAVIS ____ GARDNER
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 4.06
OF THE CHARTER OF THE CITY OF WILLMAR

WHEREAS, Pursuant to Minn. Stat. § 410.12, subd. 7, the Charter Commission for the City of Willmar convened on _____, 2025, and at such meeting recommended that the City Council of the City of Willmar enact a charter amendment by ordinance pursuant to which Section 4.06 of the Willmar Charter be amended to authorize the City Council to, by ordinance, assign the duties and responsibilities of the Board of Zoning Appeals to the Planning Commission; and

WHEREAS, the City Council of the City of Willmar received the above-mentioned recommendation of the Charter Commission when it received the draft minutes of the Charter Commission's _____, 2025 meeting at the City Council's _____, 2025, regular meeting.

NOW THEREFORE, THE CITY OF WILLMAR HEREBY ORDAINS:

Section 1. AMENDMENT OF CHARTER SECTION 4.06. Article IV, Section 4.06 of the Willmar Charter, is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Section 4.06. - Board of zoning appeals.

Subdivision 1. Members, qualifications, term, officers. There shall be a board of zoning appeals comprised of seven members, appointed for terms of three years, none of whom shall hold any other office or position in the city government. The board shall elect a chair, a vice-chair, a secretary and such other officers as it shall from time to time determine. No member shall serve more than two consecutive terms on the board. The serving of a term of two years or more shall be considered a full term for purposes of the preceding sentence.

Subdivision 2. Powers and duties. The board shall hear all applications for variances to the requirements of the zoning ordinance of the city. The board shall have such other powers and duties as the city council, by ordinance, may prescribe, or which are assigned to a board of appeals and adjustments in state law.

Subdivision 3. Reassignment of powers and duties. The City Council may, by ordinance, assign the powers and duties of the Board of Appeals and Adjustments as set forth in this Section to the Planning Commission, in which case the Planning Commission shall serve as the Board of Zoning Appeals and Adjustments. The City Council may further establish such procedures for appeals from decisions of the Board of Zoning Appeals as the City Council may determine appropriate, in accordance with state law.

Section 2. EFFECTIVE DATE. Pursuant to Minn. Stat. § 410.12, subd. 7, this ordinance shall be effective 90 days after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 2025.

ATTEST:

Vernae Larsen, City Clerk

Douglas E. Reese, Mayor

VOTE: ____ SHULDES ____ GILBERTSON ____ DAVIS ____ GARDNER
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.F.
Agenda Section:	Regular Business	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge, City Engineer
Item:	2025 Construction Projects Professional Services Amendment No. 1		

RECOMMENDED ACTION:

Adopt the resolution authorizing Amendment No. 1 to the 2025 Construction Projects Design and Construction Professional Services Agreement in the amount of \$79,900.

OVERVIEW:

Project No. 2504-B/2604-A, the Lakeland Drive Path Improvements from Highway 12 to Civic Center Drive, is proposed for construction in 2026. The City successfully obtained \$1.1 Million of State and Federal grant funds for the path. In order to meet grant requirements, mitigate the need for right-of-way acquisition, and avoid costly relocation of Willmar Municipal Utilities electric lines, the scope of the design has been revised to remove a portion of the street to make room for the new off-street path. Due to these scope changes, the professional services agreement will need to be amended to include environmental review, design revisions, and the grant administration requirements. The amended fee to complete the work included with the scope changes is \$79,900.

BUDGETARY/FISCAL ISSUES:

The amendment will increase the current contract by \$79,900, for a total of \$327,500 for the Lakeland Drive Path portion of the contract.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Resolution- Contract Amendment No. 1 Bolton & Menk 2025 Street Improvement Projects
2. Lakeland Drive Path Design-Construction Amendment

Resolution No. ____

**A RESOLUTION ACCEPTING CONTRACT AMENDMENT NO. 1 WITH BOLTON AND MENK, INC.
FOR THE 2025 CONSTRUCTION PROJECTS DESIGN AND CONSTRUCTION PROFESSIONAL
SERVICES CONTRACT.**

Motion By:_____ Second By:_____

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for the 2025 Construction Projects Design and Construction Professional Services Contract between the City of Willmar and Bolton and Menk, Inc. of Willmar, Minnesota by Contract Amendment No. 1 in the increased amount of \$79,900.

Dated this 3rd day of November, 2025

Mayor

Attest:

City Clerk

MEMORANDUM

Date: October 24, 2025
To: Leslie Valiant
City Administrator
City of Willmar
From:  Joshua Halvorson, P.E.
Principal Engineer
Subject: Lakeland Drive Path Improvement Project
2025 Projects Amendment 1
City Project No.: 2504-B/2604-A
BMI Project No.: 24X.136908.000

The City has successfully obtained \$1.1 Million of State and Federal grant funds for Path Improvements along Lakeland Drive. The location of the improvements included with the grant span from Highway 12 to Civic Center Drive. Design was previously authorized for the project as part of the 2025 Construction Projects Contract dated December 2, 2024. In order to meet grant requirements, mitigate the need for right-of-way acquisition, and avoid costly relocation of Willmar Municipal Utilities electric lines, the scope of the design has been revised to remove a portion of the street to make room for the new off-street path. Due to these scope changes, the professional services agreement will need to be amended to include environmental review, design revisions, and the grant administration requirements. The amended fee to complete the work included with the scope changes is \$79,900.

We recommend approving an amendment to the 2025 Construction Projects contract, expanding the scope of the professional services to include environmental review, design and construction services for the revised project scope, and grant administration. Pending approval we have provided the below summary of engineering services contract, scope of services, and preliminary schedule for the project:

Lakeland Drive Engineering Services Contract Summary:

1. Current Contract = \$247,600
2. Proposed Contract Amendment = \$79,900
3. Total Contract Amount = \$327,500

The fee breakdown of costs included with the current contract and the proposed amendment is as follows:

	Feasibility Prelim Survey	1. Prelim. Design	2. Design	3. Bidding	4. Construction Services	5. Project CloseOut	6. Project Manage.	Subtotals	Total
Current	\$66,400	\$29,350	\$17,100	\$7,350	\$110,250	\$4,900	\$12,250	\$247,600	\$327,500
Amend.		\$15,635	\$18,890	\$2,475	\$37,125	\$1,650	\$4,125	\$79,900	

Proposed preliminary schedule for completion of the major tasks outlined with this amendment is as follows:

1. Preliminary Design	Complete
2. Design	March 2026
3. Bidding	April 2026
4. Construction Services	October 2026
5. Project Close-Out	January 2027
6. Project Management	Ongoing



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.G.
Agenda Section:	Regular Business	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge, City Engineer
Item:	Business 71 LRIP Funding Pursuit		

RECOMMENDED ACTION:

Adopt the resolution authorizing the pursuit of 2025 Local Road Improvement Program funding for the Business 71 Improvement Project.

OVERVIEW:

The enclosed resolution is required as part of the LRIP funding solicitation process. The project includes the mill and overlay of Business 71/1st Street from 10th Street NE to Litchfield Ave. If awarded the grant funding, construction for the project is anticipated in 2027.

BUDGETARY/FISCAL ISSUES:

The Local Road Improvement Program (LRIP), administered by the Minnesota Department of Transportation, makes available up to \$1,500,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. RESOLUTION _ 25 LRIP Business 71

Resolution No.

A RESOLUTION AUTHORIZING THE PURSUIT OF 2025 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING FOR THE BUSINESS 71 IMPROVEMENT PROJECT.

Motion By:_____ Second By:_____

WHEREAS, the Business 71 Improvement Project will reconstruct Business 71/1st Street, from 10th ST NE to Litchfield Avenue; and

WHEREAS, Business 71's pavement is in unacceptable condition and has reach the point where reconstruction is needed; and

WHEREAS, Business 71 serves as a principal arterial route that carries a daily traffic load of 11,583 passenger vehicles and 291 buses/trucks. The proposed project will be designed to enhance the roadway functionality and safety. The improvements will address existing roadway conditions, increase mobility and accessibility for all users, ensure ADA Compliance; and

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,500,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development; and

WHEREAS, the Business 71 Improvement Project aligns with the goals of the LRIP by maintaining personal vehicle and freight mobility, increasing safety and mobility for all users including pedestrians, cyclists, and motorists ensure compliance with ADA standards, and upgrade critical infrastructure to support long-term reliability and accessibility; and

NOW, THEREFORE BE IT RESOLVED by the City Council of Willmar, Minnesota, as follows:

1. That the City Council supports the Business 71 Improvement Project that involves the reconstruction of the roadway and upgrades to non-ADA-compliant intersections to enhance accessibility and ensure the safety of residents.
2. The City Council hereby supports City of Willmar's pursuit of LRIP funding and authorizes staff to prepare and submit such application.
3. The City Council hereby commits to funding project elements not eligible for LRIP funding, ensuring the project will comply with all LRIP funding requirements, and following the project schedule as presented in the application.

Dated this 3rd day of November, 2025

Mayor

Attest:

City Clerk



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.H.
Agenda Section:	Regular Business	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Leslie Valiant, City Administrator
Item:	2026 Projects Design & Construction Professional Services Agreement		

RECOMMENDED ACTION:

Adopt the resolution awarding the 2026 Street and Other Improvements Design and Construction Professional Services to Bolton and Menk, Inc. in the amount of \$613,550.

OVERVIEW:

Bolton and Menk, Inc. submitted a proposal for the 2026 Street and Other Improvements for design and construction engineering services. The project areas for 2026 include:

- Project No. 2601-A - Street and Utility Reconstruction
 - 4th Street SW
- Project No. 2605-A - Bridge Maintenance Project
 - 1st Street/Business Highway 71 Bridge
- Project No. 2605-B - Stormwater Capital Improvement Project
 - 23rd Street SE & 8th Avenue SE Hydrodynamic Separator Improvements
 - Gorton Avenue Storm Sewer Improvements
 - High Avenue Backyard Drainage Improvements
- Project No. 2608 - Crack Seal/Sealcoat Improvement Project
 - 2nd Street SE, 9th Street SE, Bernard Street SE, Anthony Street SE, Ferring Street SE, 13th Street SE, 14th Street SE, 15th Street SE, 16th Street SE, 11th Avenue SE, Ella Avenue NW, and Elizabeth Avenue SE, 21st Street SE, 23rd Street SE, 24th Street SE, 25th Street SE, Oxford Drive SE, 3rd Avenue SE, 4th Avenue SE, 5th Avenue SE, 6th Avenue SE, 7th Avenue SE, 8th Avenue SE, 9th Avenue SE, 10th Avenue SE, and 19th Avenue SE/Lakeland Drive SE.

BUDGETARY/FISCAL ISSUES:

The professional services will be paid from project funding sources.

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. RESOLUTION ACCEPT SVCS BOLTON AND MENK 2026 DESIGN & CONSTRUCTION
2. 2026 Projects Design & Construction Proposal

Resolution No._____

A RESOLUTION AWARDING THE 2026 IMPROVEMENT PROJECTS DESIGN & CONSTRUCTION PROFESSIONAL SERVICES TO BOLTON AND MENK, INC. IN THE AMOUNT OF \$ 613,550.

Motion By:_____ Second By:_____

BE IT RESOLVED by the City Council of the City of Willmar. A Municipal Corporation of the State of Minnesota, that the bid of Bolton and Menk, Inc. of Willmar, MN for the 2026 Improvement Projects Design and Construction professional services is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$613,550 .

Dated this 3rd day of November, 2025

Mayor

Attest:

City Clerk



**BOLTON
& MENK**

Real People. Real Solutions.

2040 Highway 12 East
Willmar, MN 56201-5818

Ph: (320) 231-3956
Fax: (320) 231-9710
Bolton-Menk.com

October 24, 2025

Leslie Valiant
City Administrator
333 6th Street SW
Willmar, MN 56201

RE: 2026 Projects – Design & Construction Proposal
City of Willmar

Dear Ms. Valiant,

Bolton & Menk, Inc., is pleased to submit this Design & Construction Engineering Services proposal for the 2026 Improvement Projects. We sincerely thank you for the opportunity and look forward to continuing to serve the City of Willmar.

PROJECT UNDERSTANDING

It is our understanding that City of Willmar plans to make improvements by reconstructing streets and utilities and crack seal/sealcoat improvements as identified in the Preliminary Engineering Report (PER) dated September 15, 2025, and approved by Council on September 15, 2025. The project areas were reviewed with City and Municipal Utilities staff as identified on **Figure 1** in the PER. Due to budget constraints, staff are recommending revisions to the projects recommended for construction in 2026. The revisions are included in this proposal. City project numbers associated with the recommended 2026 improvements are identified below and will be modified upon bidding date. Our understanding for the scope of these improvements is as follows:

- 2601-A – Street & Utility Reconstruction
 - 4th Street SW
- 2605-A – Bridge Maintenance Project
 - 1st Street/Business Highway 71 Bridge
- 2605-B – Stormwater Capital Improvement Project
 - 23rd Street SE & 8th Avenue SE Hydrodynamic Separator Improvements
 - Gorton Avenue Storm Sewer Improvements
 - High Avenue Backyard Drainage Improvements
- 2608 – Crack Seal/Sealcoat Improvement Project
 - 2nd Street SE, 9th Street SE, Bernard Street SE, Anthony Street SE, Ferring Street SE, 13th Street SE, 14th Street SE, 15th Street SE, 16th Street SE, 11th Avenue SE, Ella Avenue NW, and Elizabeth Avenue SE, 21st Street SE, 23rd Street SE, 24th Street SE,

25th Street SE, Oxford Drive SE, 3rd Avenue SE, 4th Avenue SE, 5th Avenue SE, 6th Avenue SE, 7th Avenue SE, 8th Avenue SE, 9th Avenue SE, 10th Avenue SE, and 19th Avenue SE/Lakeland Drive SE.

SCOPE OF SERVICES

The tasks associated with the Design and Construction Services for the improvements are as follows:

1. Preliminary Design

A Bolton & Menk survey crew will obtain topographical data based on NAD 83 horizontal and NAVD 88 vertical datums along the project areas not previously included in the Improvement PER and Preliminary Survey Professional Services Agreement. A Gopher State One Call ticket will be generated for the project. Bolton & Menk will work with City and Municipal Utilities staff to verify that all utilities are accounted for.

Bolton & Menk will prepare 30% plans and a cost estimate for the improvements and review them with City and Municipal Utilities staff.

The improvements will likely require permits including an NPDES Construction Stormwater permit. Bolton & Menk will prepare applications for all required permits and a comprehensive list of permits with the corresponding fees will be provided to the City. All permit fees will be the responsibility of the City of Willmar. As part of the permitting process, Bolton & Menk will verify and document regulations associated with the improvements.

2. Design

Bolton & Menk will provide 90% design plans and a project manual including technical specifications and SWPPP requirements for the review of the City and Municipal Utilities. A utility meeting will be held to verify the location of all existing utilities and identify any conflicts. Following review of the 90% plans, final plans and specifications incorporating comments received will be prepared for the projects. In addition, a construction cost estimate will be provided.

3. Bidding

Bolton & Menk will prepare the projects advertisements for bids while working closely with City staff to ensure the bid opening date fits with council meeting schedules. The projects will be advertised for a minimum of 21 days in the West Central Tribune, QuestCDN, and our website. Advertisement costs will be the responsibility of the City of Willmar.

Bolton & Menk will distribute bidding documents, prepare any required addenda, conduct the projects bid openings, and prepare contract documents.

4. Construction Services

Bolton & Menk will administer the construction contract, ensuring compliance with the contract documents on behalf of the City while communicating regularly with City staff. We will also provide construction staking and construction observation for the improvements. The Construction Project Representative (CPR) will provide recommendations regarding the

contractor's work, provide clarifications and interpretations of the contract documents based on contractor inquiries, recommend change orders and work change directives and prepare all necessary documents.

In addition, the CPR will review and approve shop drawings, and samples as well as log and track all submittals. Substitutes proposed by the contractor will be evaluated for compliance with the contract documents. The CPR will also observe special inspections or tests such as televising, quality compaction, and review material certifications for compliance with the contract documents. The CPR will document the contractor's progress and prepare and process payment applications based on the work completed. Upon completion of the projects, Bolton & Menk will prepare the projects record drawings.

5. Project Close-Out

Prior to recommending approval of the final project payment applications, Bolton & Menk will verify all information required by the contract documents is accounted for and a copy of the information exists in the hard copy and electronic project files. We will conduct a final review of the projects with City staff for the purpose of preparing final project punch lists prior to final project payment being issued to the contractor. After all project punch lists items have been completed and all paperwork required by the contract has been received from the contractor, Bolton & Menk will prepare a letter of acceptance recommending final payment be made to close the contract.

6. Project Management

Bolton & Menk staff will meet with concerned citizens to discuss the projects and address questions and concerns in a timely manner. We also understand the importance of good communication with all City staff and will provide the information required from the projects to maintain the City's asset management system. Bolton & Menk will keep the City Council and staff informed on the status of the projects and attend meetings when the projects are on the agenda to present information regarding the project and respond to questions. We will conduct the necessary Assessment Hearing, as required by Minnesota Statutes to assess benefiting property owners. We will provide the necessary meeting materials, including change orders, reports, resolutions, and presentations, including requirements for special assessments. Upon completion of the projects, we will also provide the City with electronic copies of the entire project file.

This proposal does not include any services related to geotechnical investigations or construction materials testing.

COMPENSATION

We propose to complete the services identified in the above Scope of Services for an HOURLY NOT TO EXCEED fee of \$613,550. The breakdown of those costs are as follows:

	1. Prelim. Design	2. Design	3. Bidding	4. Const. Services	5. Project Close-Out	6. Project Management	Subtotals	Total
2601-A*			\$28,870	\$433,040	\$19,245	\$24,460	\$505,615	\$613,550
2605-A	\$10,000	\$8,000	\$1,200	\$18,000	\$800	\$2,000	\$40,000	
2605-B	\$8,575	\$6,860	\$1,029	\$15,435	\$686	\$1,715	\$34,300	
2608*			\$1,885	\$28,240	\$1,250	\$2,260	\$33,635	

*Work previously contracted and completed for project will be utilized.

PRELIMINARY SCHEDULE

Bolton & Menk will initiate providing the scope of services immediately following execution of this proposal. Our proposed schedule for completing the major tasks outlined within this proposal includes estimated dates for completion and will be adjusted as the projects progress:

	1. Prelim. Design	2. Design	3. Bidding	4. Construction Services	5. Project Close-Out	6. Project Management
2601-A	Dec 2025	Feb 2026	March 2026	June 2027	Aug 2027	Ongoing
2605-A	Feb 2026	March 2026	April 2026	Oct 2026	Dec 2026	Ongoing
2605-B	Feb 2026	March 2026	April 2026	Oct 2026	Dec 2026	Ongoing
2608	March 2026	April 2026	May 2026	Aug 2026	Oct 2026	Ongoing

We will submit invoices for payment monthly based on the time spent completing the tasks identified above. If less hours than those estimated are required to complete the tasks, the invoice amounts will be less. Any significant changes to the project scope will be identified to the Owner and may require an additional fee. Bolton & Menk is willing to provide additional services which have not been mentioned above at our Standard Hourly Rates.

If you have any questions regarding our proposal, please contact me at your convenience at 320-905-3520 or Joshua.Halvorson@bolton-menk.com. We look forward to assisting you with another year of successful projects and appreciate the opportunity to continue to serve the City of Willmar. We are prepared to proceed upon your notification.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in black ink, appearing to read 'Joshua J. Halvorson', written over a light blue horizontal line.

Joshua J. Halvorson

Principal Engineer

Cc: Jared Voge, City Engineer
Spencer Johnson, Project Manager



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.I.
Agenda Section:	Regular Business	Originating Department:	Public Works
Resolution:	No	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge, City Engineer
Item:	Street and Utility, Crack Seal/Sealcoat, and Stormwater Capital Improvement Plans		

RECOMMENDED ACTION:

Pass a motion adopting the Street and Utility, Crack Seal/Sealcoat, and Stormwater Capital Improvement Plans.

OVERVIEW:

The enclosed Capital Improvement Plans (CIPs) have been collaboratively developed and reviewed by Public Works, Engineering, and Administrative staff. The Street and Utility CIP is aligned with high-priority watermain replacement areas identified by the Municipal Utilities Corporation. This plan aims to address deteriorating infrastructure through street reconstruction or overlays, along with the replacement of aging sanitary sewer, storm sewer, and watermain systems.

The Crack Seal/Seal Coat CIP supports the City's asset management strategy by extending pavement life through preventative maintenance.

The Stormwater CIP focuses on critical drainage improvements to mitigate localized flooding, stormwater quality improvements, and identifies key maintenance needs within the storm sewer system.

These CIPs are intended to serve as strategic guides for addressing infrastructure needs and prioritizing improvements across the City. It is recommended that the plans be reviewed and updated on an annual basis to reflect evolving priorities and conditions.

BUDGETARY/FISCAL ISSUES:

Preliminary cost estimates for the proposed improvements are outlined below by year. These figures are high-level projections and will be refined annually through the City's feasibility study process. The City's Finance Department will review and evaluate the estimates to ensure alignment with the overall budget and funding strategies.

- **2026**

Street & Utility	\$7,048,000
Crack Seal/Seal Coat	\$290,000
Stormwater	\$460,000

- **2027**

Street & Utility	\$11,845,800
Crack Seal/Seal Coat	\$324,800
Stormwater	\$2,025,000

- **2028**

Street & Utility	\$9,174,250
Crack Seal/Seal Coat	\$344,000
Stormwater	\$529,000

- **2029**

Street & Utility	\$9,105,100
Crack Seal/Seal Coat	\$327,700
Stormwater	\$565,000

- **2030**

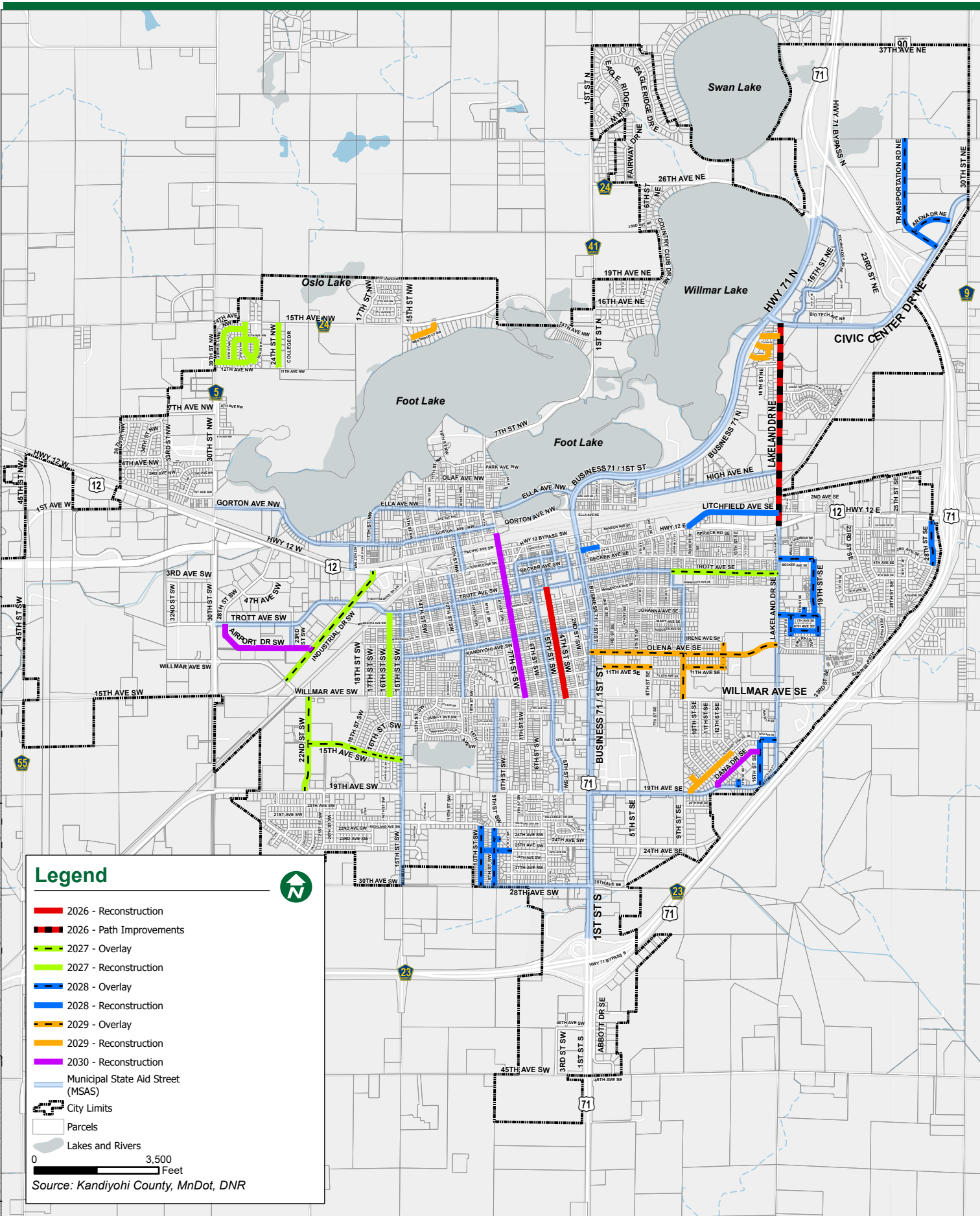
Street & Utility	\$13,472,000
Crack Seal/Seal Coat	\$318,400
Stormwater	\$1,450,000

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. 5-Year Street & Utility CIP Overview 2026-2030
2. 5-Year Crack Seal - Seal Coat CIP Overview 2026-2030
3. 5-Year Stormwater CIP Overview 2026-2030

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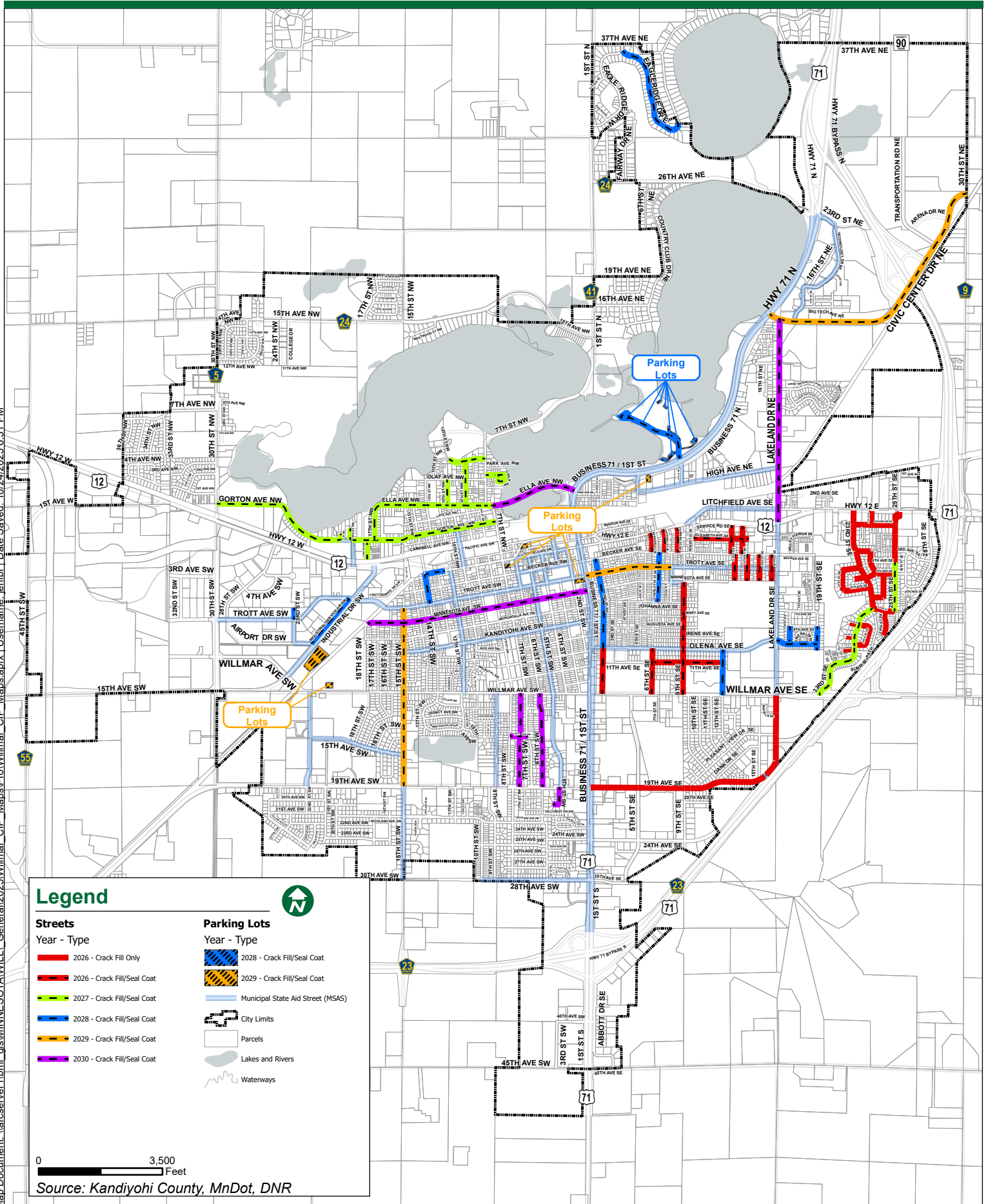
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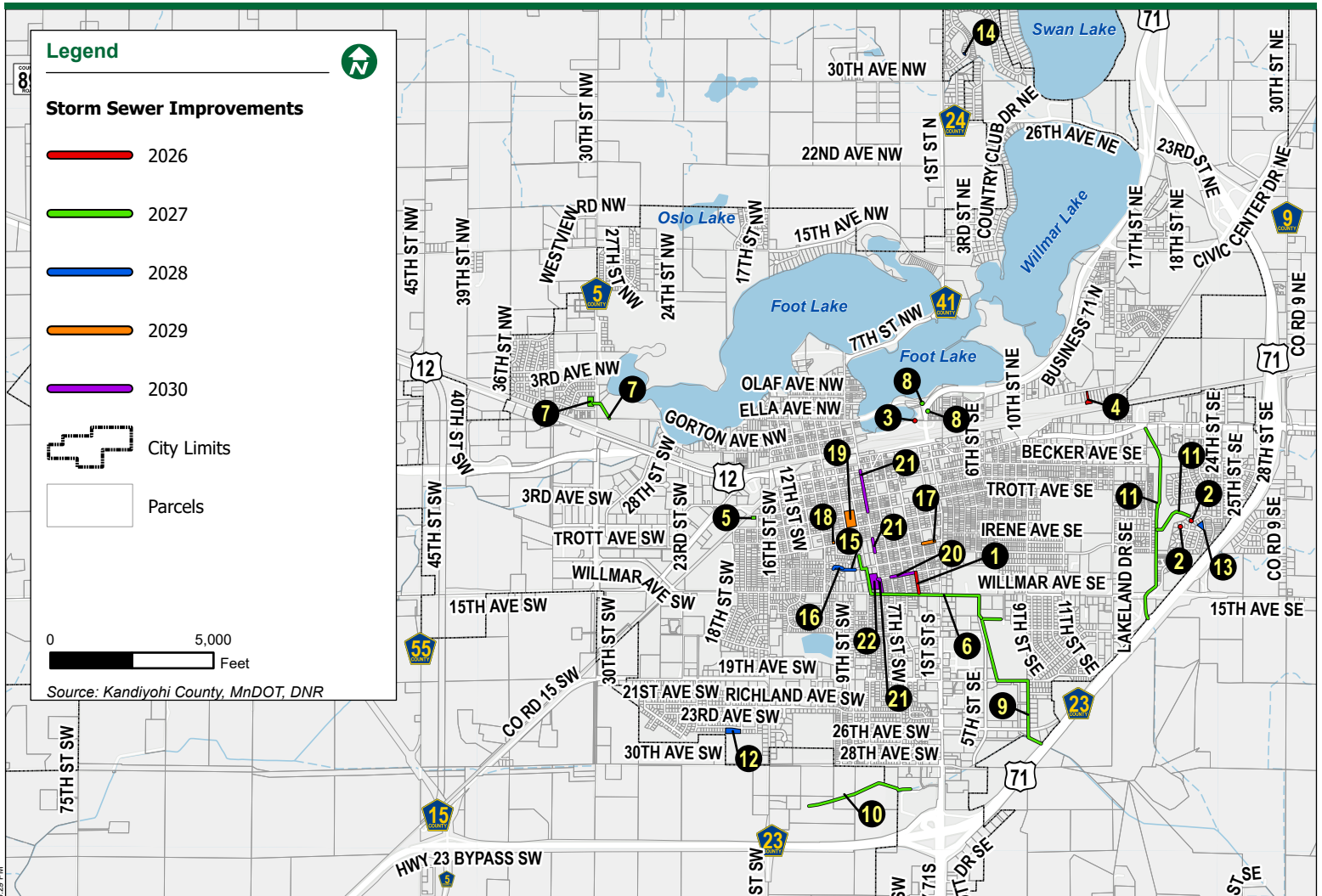
- 2026 - Reconstruction
- 2026 - Path Improvements
- 2027 - Overlay
- 2027 - Reconstruction
- 2028 - Overlay
- 2028 - Reconstruction
- 2029 - Overlay
- 2029 - Reconstruction
- 2030 - Reconstruction
- Municipal State Aid Street (MSAS)
- City Limits
- Parcels
- Lakes and Rivers



0 3,500
Feet

Source: Kandiyohi County, MnDot, DNR





Priority	Location	Improvement
1	4th St. SW	OSG Targeted Storm Sewer Improvements
2	23rd St. SE & 8th Ave. SE	Hydrodynamic Separator Improvements
3	Gorton Ave. - Near Business 71 Overpass	Address Heaving Storm Sewer
4	High Ave.	Address Rear Lot Drainage
5	16th St. SW & Trott Ave.	OSG Pond 5
6	Rice Ave. to City Ditch Near Cashwise	Trunk Storm Sewer Improvements (Determine Scope)
7	Vos Park	Pond Improvement
8	Ella Ave. NW & Business Highway 71	Hydrodynamic Separator Improvements
9	City Ditch - From 7th St. SE to TH 71/23 Bypass (Previously County Ditch 23-A)	Ditch Cleaning
10	28th Ave. SW Ditch (West of Menards)	Ditch Cleaning
11	City Ditch by Valley Golf Course - From TH 12 to TH 71/23 Bypass (Previously County Ditch 23-A: Branch 3)	Ditch Cleaning
12	Westwind Park Outlot A Pond	Pond Cleaning
13	Sunrise Path Pond (Near 23rd St. SE)	Pond Cleaning
14	Eagles Landing Pond (South of 3217 Eagle Ridge Dr. W)	Pond Cleaning
15	Backyard Storm Sewer South of Meadow Lane	Storm Sewer Lining
16	Hill Rd. Area	OSG Targeted Storm Sewer Improvements
17	Rice Ave. SW	OSG Targeted Storm Sewer Improvements
18	10th St. SW & Kandiyohi Ave.	OSG Pond 1
19	7th/8th St. SW & Monongalia Ave.	OSG Pond 4
20	Robbins Ave. SW	OSG Targeted Storm Sewer Improvements
21	7th St. SW/CR 41	OSG Storm Sewer Upsizing
22	7th St. SW & Willmar Ave.	OSG Pond 3



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.J.
Agenda Section:	Regular Business	Originating Department:	Administration
Resolution:	Yes	Prepared By:	Kyle Box, City Operations Director
Ordinance:	No	Presented By:	Kyle Box, City Operations Director
Item:	Rail Corridor Study Cooperative Agreement		

RECOMMENDED ACTION:

To Approve the Resolution Authorizing the Rail Corridor Study Cooperative Agreement and Project.

OVERVIEW:

Staff from the City of Willmar, Kandiyohi County, and BNSF Railway Company (BNSF) have agreed to a proposed Corridor Study Cooperative Agreement. The City and County desire to evaluate the BNSF corridors for opportunities to improve safety, reduce trespassing and transportation conflicts, and consolidate railroad crossings through a Corridor Study. Areas of interest during the study include, but are not limited to,

- Evaluate bicyclist and pedestrian overpass alternatives across the Willmar Yard, including possible reconstruction of the existing 71B overpass for accommodations.
- Evaluate conceptual alignment alternatives of grade separations with grade crossing closures at 7th & 10th Streets.
- Evaluate conceptual alignment alternatives for grade separation of Lakeland Drive.
- Evaluate conceptual alignment alternatives for grade separation of CR 5.
- Evaluating the BNSF spur line for potential alternate use.
- Desktop review of all at-grade crossings in Kandiyohi County for safety enhancement opportunities.
- Safety and Security (Rail Yard). Evaluate the security of the railyard and surrounding areas, identifying any potential safety hazards. Propose enhancements to improve safety for residents, workers, and visitors.

Next Steps include the release of a Request for Proposals to qualified rail consultants to be received, reviewed, and brought back to the City Council for consideration.

BUDGETARY/FISCAL ISSUES:

CIP 2024 \$100,000

ALTERNATIVES TO CONSIDER:

Table Agenda Item for Further Information

ATTACHMENTS:

1. Resolution BNSF
2. Corridor Study Cooperative Agreement
3. Draft Willmar, Kandiyohi Co, MN

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE CITY OF WILLMAR TO ENTER INTO A CORRIDOR STUDY
COOPERATIVE AGREEMENT BETWEEN THE CITY OF WILLMAR, KANDIYOHI COUNTY, AND
BNSF RAILWAY COMPANY**

Motion By: _____

Second By: _____

WHEREAS, BNSF owns and operates several railroad corridors in the City of Willmar and Kandiyohi County; and

WHEREAS, the City and County desire to evaluate the BNSF corridors for opportunities to improve safety, reduce trespassing and transportation conflicts, and consolidate railroad crossings, through a new Corridor Study; and

WHEREAS, BNSF sees common interest in the development of a Study that focuses on projects within and adjacent to its railroad corridors, and will reimburse the City and County for a pro-rata share of the cost of the Study and Plan supplement, not to exceed one hundred thousand and No/100 (\$100,000.00); and

WHEREAS, the Parties desire to enter into this cooperative Agreement to memorialize their current understanding, and to set forth the basic terms and conditions that BNSF, City, and County agree upon, and that will be included as part of the Study.

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, to authorize the Mayor and the City Administrator to enter into a Corridor Study Cooperative Agreement in the amount not to exceed \$100,000.

Dated this 3rd day of November, 2025

MAYOR

Attest:

CITY CLERK

CORRIDOR STUDY COOPERATIVE AGREEMENT

BNSF File No. BF-20285482

BNSF—Kandiyohi County Rail Corridor Study
BNSF Morris & Marshall Subdivisions

This Corridor Study Cooperative Agreement (**“Agreement”**), is executed to be effective as of _____, (**“Effective Date”**), by and between BNSF RAILWAY COMPANY, a Delaware corporation (**“BNSF”**), Kandiyohi County (**“County”**) and the City of Willmar, (**“City”**), both political subdivisions of the state of Minnesota. BNSF, Kandiyohi County, and the City of Willmar are hereinafter collectively referred to as the (**“Parties”**).

RECITALS:

WHEREAS, BNSF owns and operates several railroad corridors in and Kandiyohi County; and

WHEREAS, the City and County desire to evaluate the BNSF corridors for opportunities to improve safety, reduce trespassing and transportation conflicts, and consolidate railroad crossings, through a new Corridor Study (**“Study”**); and

WHEREAS, BNSF sees common interest in the development of a Study that focuses on projects within and adjacent to its railroad corridors, and will reimburse the City and County for a pro-rata share of the cost of the Study and Plan supplement, not to exceed one hundred thousand and No/100 (\$100,000.00); and

WHEREAS, the Parties desire to enter into this cooperative Agreement to memorialize their current understanding, and to set forth the basic terms and conditions that BNSF City and County agree upon, and that will be included as part of the Study.

NOW THEREFORE, in consideration of the mutual covenants and agreements of the Parties contained herein, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. **PURPOSE AND NEED.** The Study contemplated by this Agreement, more particularly described under Exhibit A attached hereto and incorporated herein, involve gathering data, soliciting public input, and developing conceptual level designs of roadway and railway crossing improvements in Kandiyohi County, with an emphasis on:

- a. Increasing the safety of the transportation system for motorized and non-motorized users.
- b. Increasing the security of the transportation system for motorized and non-motorized users.
- c. Increasing the accessibility and mobility of people and freight within the corridor.
- d. Positioning multimodal transportation improvements for state and local planned growth and economic development patterns.
- e. Improve resiliency and reliability of the transportation system, across and between modes, for people and freight.

The Study, as outlined per Exhibit A, aims to identify tangible opportunities for funding and project development that will reduce exposure between modes of transportation while improving safety and mobility for people, vehicles, trucks, and trains in and adjacent to the railroad corridors in the growing County. Study and planning services shall be performed between 2025 and 2026.

2. **CONSULTANT PROCUREMENT.** City or County will request a proposal from qualified consultants, based on Exhibit A, to be scored on a competitive basis by the Parties. Consultant proposals shall include the following for evaluation:
 - a. Description of consultant approach to the work, including features or approaches the consultant team determines would add additional value to the process.
 - b. Consultant proposed schedule to complete the work, with assumed task durations for tasks requiring BNSF and public stakeholder input. Schedule should identify development by task, proposed submittals, review periods, work products, etc.
 - c. Consultant fee for the work, broken out by task for services.
 - d. Professional bios of staff members engaged in the work with relevant experience of the proposed team.
 - e. Brief descriptions of other projects or similar efforts the consultant team has undertaken.
3. **REIMBURSEMENT.** As the Study progresses, BNSF agrees to reimburse City or County a pro-rata share of the amounts invoiced by the selected consultant to the City or the County. Pro-rata shares under this agreement are established in the following manner:

- a. BNSF will reimburse the City or the County 33% of the invoiced cost for the Study development, up to a maximum of one hundred thousand and No/100 (\$100,000.00). Timeline for reimbursement may be determined by the Parties during the term of the Plan development, but no later than ninety (90) days after the selected consultant work is concluded.
 - b. City and County will fund the remaining 67% of invoiced costs. City and County may seek additional funds under separate agreements with others and/or from other sources to assist the City and County in funding its pro-rata share of the Study.
4. **SCOPE.** On initial survey, the Parties agree that locations may include, however are not limited to, the following areas of interest for study and feasibility:
 - a. Evaluate bicyclist and pedestrian overpass alternatives across the Willmar Yard, including possible reconstruction of existing 71B overpass for accommodations.
 - b. Evaluate conceptual alignment alternatives of grade separations with grade crossing closures at 7th & 10th Streets.
 - c. Evaluate conceptual alignment alternatives for grade separation of Lakeland Drive and CR 5.
 - d. Evaluating the BNSF spur line for potential alternate use.
 - e. Desktop review of all at-grade crossings in Kandiyohi County for safety enhancement opportunities.
 - f. Safety and Security (Rail Yard). Evaluate the security of the railyard and surrounding areas, identifying any potential safety hazards. Propose enhancements to improve safety for residents, workers, and visitors.Study tasks and phases are further detailed as Exhibit A.
5. **COOPERATION.** The Parties will remain involved throughout the Study with frequent communication and routine meetings envisioned to identify a program of competitive projects that meet current and future, multimodal transportation needs for application for federal funding. It is agreed that:
 - a. City or County will act as the lead proponent, organizer, and facilitator of the Study with support from BNSF.
 - b. BNSF, City and County will work with their respective stakeholders to cooperate with the selected consultant and other related entities to provide information, access, or otherwise assist with the Study and project development.
 - c. County will act as the lead public applicant for federal discretionary Notice of Funding Opportunit(ies) where, when the Parties together agree, projects developed as a result of the Study may be eligible for funding.

- d. BNSF will provide a letter-of-support and, at its option, commensurate with the benefit received, may in-part fund an application for, projects the Parties together agree should be pursued for funding under federal discretionary grant opportunities.
- e. Upon successful award and/or otherwise sufficient funding of projects developed under the Study outlined herein, the Parties may negotiate and enter into (collectively, the **"Project Agreements"**):
 - i. Construction and Maintenance Agreements (**"CMA"**) to govern the final design, construction, and maintenance of the projects;
 - ii. Easement Agreements (**"Easement"**) for use of BNSF right-of-way; and
 - iii. Any other agreements needed to effectuate projects over, under, across, along, and adjacent to the BNSF railroad corridors, as developed under the Study and accepted by BNSF.
- f. The Parties agree that the development, design, and construction of any projects developed under the Study will follow, at a minimum, BNSF's policies and guidelines as set forth in the following documents, unless a variance is otherwise granted by BNSF:
 - i. BNSF Railway Public Projects Manual;
 - ii. UP/BNSF Guidelines for Grade Separation Projects;
 - iii. Shoring Guidelines; and
 - iv. Utility Accommodation Policy.
- g. BNSF contribution to grant application development and/or toward local match requirements may apply to BNSF obligations under federal and state law to share in a portion of the cost of construction of projects developed under the Study, including any obligations BNSF may have pursuant to 49 C.F.R. § 646.210.
- h. Nothing in this Agreement shall be construed as providing City or County, their agents or consultants any right of entry upon property owned or occupied by BNSF. Any work required in connection with the Study, necessitating entry upon BNSF's railroad right-of-way, shall only be conducted as authorized and coordinated with BNSF.
- i. This Agreement cannot be supplemented, amended or modified in any way except in writing, signed by all Parties hereto.

- j. It is mutually understood by the Parties that this Agreement does not obligate any projects developed under the Study to construction unless sufficient funding is received, and the Parties enter into Project Agreements.
 - k. The Parties acknowledge that BNSF is an interstate railway company and agree that, by entering into or performing work under the provisions of this Agreement, BNSF is not waiving its right of preemption under applicable federal and state law.
6. **CONTACTS.** Any notice provided for herein or concerning this Agreement must be in writing and will be deemed sufficiently given when sent by certified mail, return receipt requested, to the Parties at the following addresses:

BNSF Railway Company:

Kandiyohi County:

City of Willmar:

[SIGNATURE PAGE FOLLOWS]



[SIGNATURE PAGE 1 OF 1]

IN WITNESS THEREOF, this MOU has been executed by the Parties hereto and is effective (“**EFFECTIVE**”) on the date signed by the last Party.

KANDIYOHI COUNTY

SIGNATURE: _____

NAME: _____

TITLE: _____

CITY OF WILLMAR

SIGNATURE: _____

NAME: _____

TITLE: _____

BNSF RAILWAY COMPANY

SIGNATURE: _____

NAME: _____

TITLE: _____

Exhibit A -Scope of Study

BACKGROUND:

BNSF Railway owns and operates a freight rail service over multiple corridors of commerce through Kandiyohi County.

With rapid growth in Kandiyohi County, a number of challenges are presented when considering a future transportation system. The comprehensive impacts from future development and subsequent highway-rail and trespassing conflicts, within the city of Willmar, are just beginning to materialize as the corridors are expected to experience increased multimodal traffic.

OBJECTIVE:

The purpose of this Study is to identify existing conditions, best practices, and opportunities to define and implement a program of projects across the rail corridors that drive measurable improvements in multimodal safety, efficiency, connectivity, and resiliency in Kandiyohi County. The Study will include, but is not limited to, the following project areas to define project feasibility and alternatives:

- a. Evaluate bicyclist and pedestrian overpass alternatives across the Willmar Yard, including possible reconstruction of existing 71B overpass for accommodations.
- b. Evaluate conceptual alignment alternatives of grade separations with grade crossing closures at 7th & 10th Streets.
- c. Evaluate conceptual alignment alternatives for grade separation of Lakeland Drive and CR 5.
- d. Evaluating the BNSF spur line for potential alternate use
- e. Desktop review of all at-grade crossings in Kandiyohi County for safety enhancement opportunities.
- f. Safety and Security (Rail Yard). Evaluate the security of the railyard and surrounding areas, identifying any potential safety hazards. Propose enhancements to improve safety for residents, workers, and visitors.

Phase 1 and Phase 2 of the following Scope are to analyze and identify the above along with other potential projects and improvement strategies for the corridor and projected future growth. Phases 3 and an optional Phase 4 are to select and prioritize solutions with a published long-range corridor plan of programs that could be optioned for federal discretionary grant applications.

SCOPE:

Phase 1—Desktop and Field Reviews

1. Review Previous Studies and Evaluate Existing Conditions:
 - a. Gather and present information from existing studies, including a compilation of future plans and projects within and adjacent to the corridors. Relevant existing studies may include, but are not limited to:
 - Kandiyohi County Comprehensive Land Use Plan
 - Transportation Improvement Plan (TIP)
 - State plans such as Rail Crossing Action Plans, Freight Plans, etc.
 - b. Gather and present data from various sources to create a comprehensive picture of conditions within the corridors, including but not limited to:
 - Grade crossing and trespasser incident data
 - Existing quiet zone locations
 - Railroad service interruptions, both BNSF and Amtrak
 - Other public safety-related activity
2. Perform traffic assessments for current and potential future conditions in the corridors, focusing primarily in urban and emerging development areas:
 - a. Gather and model traffic data with projected growth and levels of service needs at the direction of Kandiyohi County.
 - b. Determine pedestrian and trespasser movement patterns near, across, and along rail corridors.
 - c. Provide traffic modeling and analysis for up to three (3) potential at-grade crossing eliminations (to be selected by Kandiyohi County, the City of Willmar and BNSF) to evaluate closure impacts and elimination scenarios.
 - d. Traffic capacity issues outside of impacts from crossing closures are not to be considered.
3. Understand and present high-level environmental constraints and restrictions within the corridors:
 - a. Verify if any Section 4(f) or 6(f) properties are within the corridor study areas.
 - b. Identify wetlands through review of National Wetland Inventory (NWI) maps.
 - c. Identify any threatened or endangered species known in the area.
 - d. Review US Bureau of Census socioeconomic and environmental justice data including elderly, minority, and populations below the poverty level.
 - e. Highlight any high-level “red-flag” environmental constraints that may impact proposed or conceptual-level project plans.

Phase 2—Public Outreach

Public Meetings and Input:

- a. Perform up to ten (10) in-person meetings with local government, transportation entities, land-use planners, and economic development partners in Kandiyohi County to collaborate on challenging areas and opportunities.
- b. Facilitate up to three (3) public workshops, including at least two (2) as, or with, a virtual option, to gather and analyze input from public working groups and stakeholders.
- c. Prepare a map summarizing and highlighting the areas of opportunity and need gathered from the public engagement effort. Online engagement must include the option for public engagement throughout a defined comment period.

Phase 3—Project Deliverables and Coordination

Using information gathered and modeled in Phase 1, and with public input gathered in Phase 2, the following submittal package is expected as part of the Study:

- a. The first submittal package and report will identify a minimum five (5) initial improvement options in Kandiyohi County along the rail corridor, unless there is consensus among Kandiyohi County, the City of Willmar, and BNSF that fewer options are adequate. Improvement options should include grade separations, crossing consolidations, highway-rail grade crossing facility improvements, connecting roads, etc.
- b. Each option must include a high-level cost estimate for project implementation, including costs for design, NEPA, right-of-way acquisitions, and construction.
- c. Options will be organized in a short-term (1-2 years), medium-term (3-5 years), and long-term (6+ years) format based on need, complexity, plan development timeframe, and environmental factors.
- d. Kandiyohi County, the City of Willmar, and BNSF will review options submitted. Consultant will facilitate a one-day workshop with Kandiyohi County, the City of Willmar, and BNSF to share pertinent details and answer any questions pertaining to options outlined. A final report must be produced and provided to the City, County, and BNSF with implementation options.

Optional: Phase 4—Project Refinement and Application Development

1. At its option and with funding made available, Kandiyohi County, the City of Willmar, and BNSF may requisition additional submittal packages as follows:

- a. A second submittal package and report will compile and incorporate comments and feedback from the County-City-BNSF workshop. It will include a focused two (2) improvement options for each municipality, in further detail and with high-level conceptual layouts and cost estimates, that may be worthy and competitive projects for a federal grant application.
 - b. Kandiyohi County, the City of Willmar, and BNSF will further review conceptual layouts for the selected options submitted with the second package.
 - c. Relevant public agencies and transportation officials—as facilitated by Consultant—Kandiyohi County, the City of Willmar, and BNSF will provide consensus on which options to pursue further and/or pursue high-level alternative analysis on.
 - d. A final, third submittal package and report will include a 10% level design and estimates on options selected by Kandiyohi County, the City of Willmar, and BNSF for this level of further development.
2. At its option and with funding made available, Kandiyohi County, the City of Willmar, and BNSF may request narrative support and cost-benefit analysis on up to five (5) federal grant applications for projects borne from the Study and strategically packaged, and for which Kandiyohi County, the City of Willmar, and BNSF believe may be eligible for federal discretionary grant funding made available through the Bipartisan Infrastructure Law (“BIL”) or other sources.

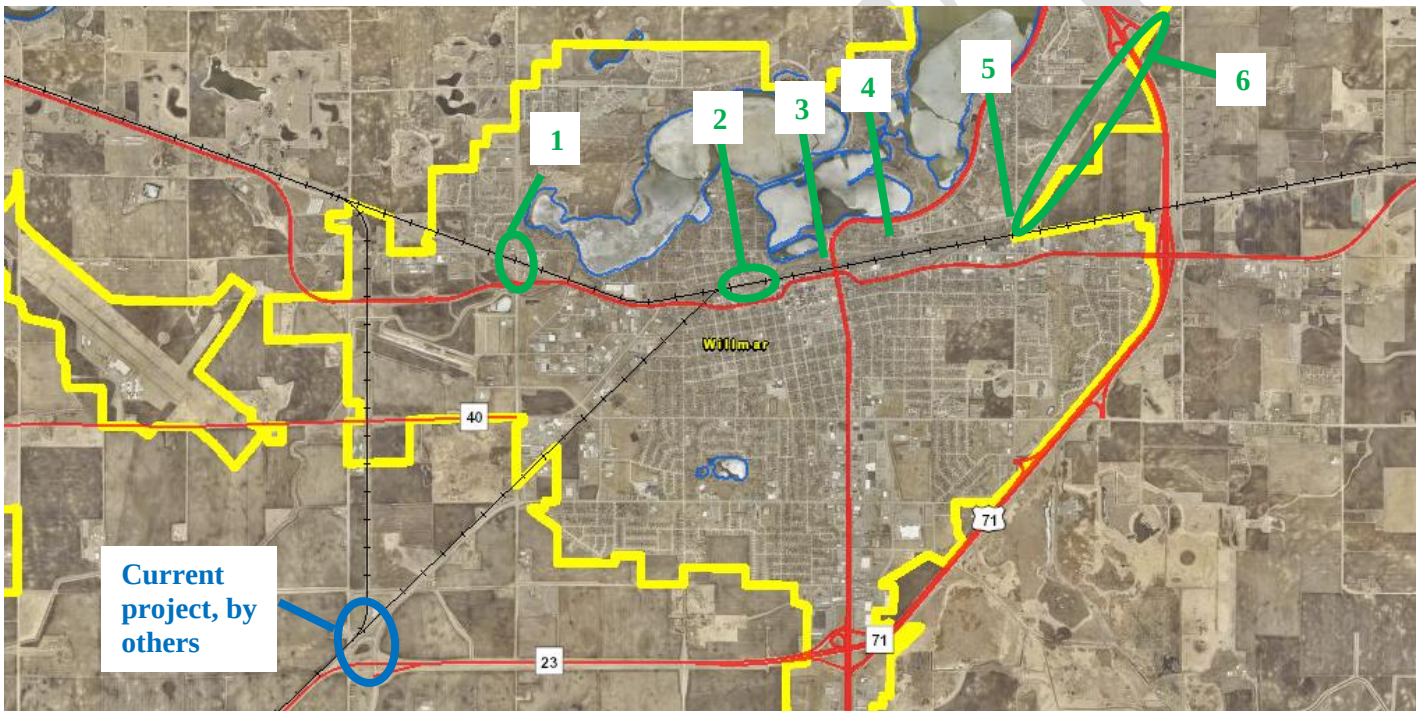
STATEMENT OF UNDERSTANDING
WILLMAR, KANDIYOHI COUNTY, & BNSF RAILROAD CORRIDORS STUDY

BACKGROUND:

BNSF Railway owns and operates significant corridors of commerce through Willmar, Kandiyohi County, Minnesota. BNSF owns and operates freight service over the Wayzata, Morris and Marshall Subdivisions, the Willmar switching yard, and the new Willmar Bypass. Although the new bypass reduced the number of switching train operations within downtown Willmar, resulting in reduced emissions, noise, and occupied crossings, there are other opportunities to further enhance safety and quality of life within the community.

POTENTIAL OPPORTUNITIES:

1. Grade separation of CR 5
2. Grade separation/closure of 7th and 10th St at-grade crossings
3. Reconstruction of Hwy 71B/1st St S overpass
4. Repair or replacement of existing pedestrian overpass
5. Grade separation of Lakeland Drive crossing
6. Repurpose spur line
7. Other at-grade crossing safety enhancements (various crossings)



NEXT STEPS:

In order to identify tangible opportunities for funding and project development, a study of existing and potential future conditions with community and stakeholder input is necessary. The study requires close collaboration between BNSF, the City of Willmar, and Kandiyohi County, and may generally consist of the following:

1. Form an advisory committee to guide the study and provide input.
2. Conduct public involvement meetings and engagement activities.
3. Review existing transportation and land use plans, with consideration of planned development.
4. Conduct a desktop review of potential environmental impacts and constraints.
5. Evaluate existing and projected future conditions, including automobile traffic and delays at at-grade crossings, and origin-destination evaluation of trips crossing BNSF including bicyclists and pedestrians.
6. Evaluate conceptual alignment alternatives for grade separation of County Road 5.
7. Evaluate conceptual alignment alternatives of grade separations with grade crossing closures at 7th & 10th Streets.
8. Evaluate bicyclist and pedestrian overpass alternatives across the Willmar Yard.
9. Evaluate conceptual alignment alternatives for grade separation of Lakeland Drive.
10. Consider future use of spur line property
11. Consider alternative at-grade crossing safety improvements at various crossings

At a minimum, all alternatives to be studied will consider public and stakeholder input, potential environmental impacts and constraints, the extent to which the project meets purpose and need, and cost estimates.



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.K.
Agenda Section:	Regular Business	Originating Department:	City Clerk
Resolution:	Yes	Prepared By:	Deborah Stulen, Administrative Assistant
Ordinance:	No	Presented By:	Vernae Larsen, City Clerk
Item:	Agricultural Land Exemption of Special Assessments		

RECOMMENDED ACTION:

Adopt the Resolution Approving Agricultural Land Exemption of Special Assessments

OVERVIEW:

It is the policy of the City to temporarily exempt from assessments certain lands currently used for agricultural purposes. Each year contact is made with the listed land owners to ascertain their desire to place the land in agricultural use for the 2026 crop year.

Attached is a resolution listing the property owner who has made application for Agricultural Land Exemptions and has met the criteria contained in the City's Comprehensive Assessment Policy.

BUDGETARY/FISCAL ISSUES:

\$158,603.51

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Agricultural Land Exemption of Special Assessments Resolution

RESOLUTION NO. _____

RESOLUTION APPROVING CERTIFICATION OF AGRICULTURAL
USE FOR TEMPORARY EXEMPTION/SUBSEQUENT DEFERMENT OF
SPECIAL ASSESSMENTS

Motion By: _____ Second By: _____

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the installation of certain street and other improvements made under Project No. 8606, 0501 and 2501.

WHEREAS, Section X of the City of Willmar Comprehensive Assessment Policy allows the City to temporarily exempt from assessments certain lands currently used for agriculture purposes; and

WHEREAS, certain property owners have made application to the City for delayed payment of taxes on special assessments and have met the criteria contained in the Comprehensive Assessment Policy for said deferment;

NOW, THEREFORE BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred until such property is developed or upon approval of the final plat, and that interest that accrues on the outstanding deferred assessment amounts during the period of deferment shall not be collected until the period of deferment expires.

James Larson	95-903-0010	
3352 1 st Street N	Project 0501	\$93,012.00
Willmar, MN	Project 2501	\$47,425.00

Section 3, Township 119, Range 35

Southeast Quarter of Southwest Quarter and Southwest Quarter of Southwest Quarter except the Southerly 350 feet of the Westerly 233 feet of Southwest Quarter of Southwest Quarter and except parts platted as Northwood Estates and Northwood Estates Second Addition; and also except that permanent utility easement described as follows: That part of the Southwest Quarter of the Southwest Quarter described as follows: Commencing at Southwest Corner of said Southwest Quarter of the Southwest Quarter, Thence East 844.61 feet, Thence North 108.96 feet to North right-of-way line of North Shore Way, said point being point of beginning of tract herein described, Thence Northwesterly 50 feet, Thence Northeasterly 100 feet, Thence Southeasterly 50 feet to North right-of-way line of North Shore Way, Thence Southwesterly 100 feet to point of beginning. (64.13 acres)

- | | | |
|------------------------------------|-----------------------|-------------|
| 1. J & C Enterprises of Central MN | Hidden Valley Estates | |
| c/o Stephen Jennings | Project 8606 | \$17,869.51 |
| PO Box 639 | | |
| Richmond, MN | | |

95-308-0010	Sect-08 TWP -119 Rang-35 Lot-001 Blk-001
95-308-0020	Sect-08 TWP -119 Rang-35 Lot-002 Blk-001
95-308-0030	Sect-08 TWP -119 Rang-35 Lot-003 Blk-001
95-308-0040	Sect-08 TWP -119 Rang-35 Lot-004 Blk-001
95-308-0050	Sect-08 TWP -119 Rang-35 Lot-005 Blk-001
95-308-0060	Sect-08 TWP -119 Rang-35 Lot-006 Blk-001
95-308-0070	Sect-08 TWP -119 Rang-35 Lot-007 Blk-001
95-308-0080	Sect-08 TWP -119 Rang-35 Lot-008 Blk-001
95-308-0090	Sect-08 TWP -119 Rang-35 Lot-009 Blk-001
95-308-0100	Sect-08 TWP -119 Rang-35 Lot-010 Blk-001
95-308-0110	Sect-08 TWP -119 Rang-35 Lot-011 Blk-001
95-308-0120	Sect-08 TWP -119 Rang-35 Lot-012 Blk-001
95-308-0130	Sect-08 TWP -119 Rang-35 Lot-013 Blk-001

95-308-0140 *Sect-08 TWP -119 Rang-35 Lot-014 Blk-001*
95-308-0150 *Sect-08 TWP -119 Rang-35 Lot-015 Blk-001*
95-308-0160 *Sect-08 TWP -119 Rang-35 Lot-016 Blk-001*
95-308-0170 *Sect-08 TWP -119 Rang-35 Lot-017 Blk-001*
95-308-0200 *Sect-08 TWP -119 Rang-35 Lot-001 Blk-002*
95-308-0210 *Sect-08 TWP -119 Rang-35 Lot-002 Blk-002*
95-308-0220 *Sect-08 TWP -119 Rang-35 Lot-003 Blk-002*
95-308-0230 *Sect-08 TWP -119 Rang-35 Lot-004 Blk-002*
95-308-0300 *Sect-08 TWP -119 Rang-35 Lot-001 Blk-003*
95-308-0310 *Sect-08 TWP -119 Rang-35 Lot-002 Blk-003*
95-308-0320 *Sect-08 TWP -119 Rang-35 Lot-003 Blk-003*
95-308-0330 *Sect-08 TWP -119 Rang-35 Lot-004 Blk-003*
95-308-0340 *Sect-08 TWP -119 Rang-35 Lot-005 Blk-003*
95-308-0350 *Sect-08 TWP -119 Rang-35 Lot-006 Blk-003*
95-308-0360 *Sect-08 TWP -119 Rang-35 Lot-007 Blk-003*
95-308-0370 *Sect-08 TWP -119 Rang-35 Lot-008 Blk-003*
95-308-0380 *Sect-08 TWP -119 Rang-35 Lot-009 Blk-003*
95-308-0390 *Sect-08 TWP -119 Rang-35 Lot-010 Blk-003*
95-308-0400 *Sect-08 TWP -119 Rang-35 Lot-001 Blk-004*
95-308-0410 *Sect-08 TWP -119 Rang-35 Lot-002 Blk-004*
95-308-0420 *Sect-08 TWP -119 Rang-35 Lot-003 Blk-004*
95-308-0430 *Sect-08 TWP -119 Rang-35 Lot-004 Blk-004*
95-308-0500 *Sect-08 TWP -119 Rang-35 Lot-001 Blk-005*
95-308-0510 *Sect-08 TWP -119 Rang-35 Lot-002 Blk-005*
95-308-0520 *Sect-08 TWP -119 Rang-35 Lot-003 Blk-005*
95-308-0530 *Sect-08 TWP -119 Rang-35 Lot-004 Blk-005*
95-308-0540 *Sect-08 TWP -119 Rang-35 Lot-005 Blk-005*
95-308-0550 *Sect-08 TWP -119 Rang-35 Lot-006 Blk-005*

Dated this 3rd day of November 2025.

Mayor

Attest:

City Clerk



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.L.
Agenda Section:	Regular Business	Originating Department:	City Clerk
Resolution:	Yes	Prepared By:	Vernae Larsen, City Clerk
Ordinance:	No	Presented By:	Vernae Larsen, City Clerk
Item:	Amendment to the Assessment Roll for the 2025 Street and Other Improvements		

RECOMMENDED ACTION:

Motion to amend the 2025 Assessment Roll so as to remove the assessment against Parcel No. 95-601-0018 in the amount of \$5,075.00 and direct the City Clerk to transmit a certified duplicate copy of the amended assessment roll in the amount of \$2,485,253.10, to the Council Auditor to be extended on the tax list of the County.

OVERVIEW:

The final assessment roll in the amount of \$2,490,328.10, adopted by Resolution 2025-092 and confirmed by Resolution 2025-096 included assessments against one property owned by the Kandiyohi County Housing and Redevelopment Authority, Parcel No.: 95-601-0018 Assessment Amount: \$5,075.00

The City is contractually prohibited from imposing special assessments on County HRA-owned property on which it operates certain low-rent housing projects, including the parcel referenced above, pursuant to Cooperation Agreements with the Willmar Housing and Redevelopment Authority dated March 26, 1970, October 17, 1979 and July 19, 1989, which agreements were assigned to the Kandiyohi County HRA pursuant to Novation Agreements Transferring Cooperation Agreements dated July 1, 2014.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. RESOLUTION- Amending 2025 Assessment Roll (remove HRA parcel) 110325

RESOLUTION NO. ____

A RESOLUTION AMENDING THE ASSESSMENT ROLL FOR THE 2025 STREET AND OTHER IMPROVEMENTS

Motion By:_____ Second By:_____

WHEREAS, the Willmar City Council conducted a duly noticed public hearing regarding the proposed assessments for the 2025 Street and Other Improvements at its regular meeting on August 18, 2025, at which the Council received objections to the proposed assessments against thirteen (13) parcels of property included in the proposed assessment roll and thereafter adopted Resolution 2025-092 adopting the assessment roll subject to resolution of the 13 objections received;

WHEREAS, the Willmar City Council conducted a continued public hearing to further consider the 13 above-referenced objections September 2, 2025, pursuant to Minnesota Statutes, Section 429.061, and thereafter adopted Resolution 2025-096 resolving the objections and confirming the total amount of special assessments included in the final assessment roll adopted by Resolution 2025-092 of \$2,490,328.10; and

WHEREAS, the final assessment roll adopted by Resolution 2025-092 and confirmed by Resolution 2025-096 included assessments against one property owned by the Kandiyohi County Housing and Redevelopment Authority, as follows:

Parcel No.:	95-601-0018
Assessment Amount:	\$5,075.00

; and

WHEREAS, upon review, the City is contractually prohibited from imposing special assessments on County HRA-owned property on which it operates certain low-rent housing projects, including the parcel referenced above, pursuant to Cooperation Agreements with the Willmar Housing and Redevelopment Authority dated March 26, 1970, October 17, 1979 and July 19, 1989, which agreements were assigned to the Kandiyohi County HRA pursuant to Novation Agreements Transferring Cooperation Agreements dated July 1, 2014.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. The assessment roll adopted by Resolution 2025-092, dated August 18, 2025, and confirmed by Resolution 2025-096, dated September 2, 2025, is hereby amended so as to remove the assessment against Parcel No. 95-601-0018 in the amount of \$5,075.00.
2. The amended total amount of special assessments included in the final assessment roll as amended pursuant to Paragraph 1 above of \$2,485,253.10 is hereby approved, and a copy of the assessment roll as amended is appended hereto and made a part hereof.
3. The City Clerk is hereby directed to transmit a certified duplicate copy of the amended assessment roll appended hereto to the County Auditor to be extended on the tax list of the County.

Dated this 3rd day of November, 2025.

MAYOR

ATTEST:

CITY CLERK



City Council Action Request

Council Meeting Date:	November 3, 2025	Agenda Item Number:	11.M.
Agenda Section:	Regular Business	Originating Department:	City Clerk
Resolution:	Yes	Prepared By:	Vernae Larsen, City Clerk
Ordinance:	No	Presented By:	Vernae Larsen, City Clerk
Item:	Willmar Reassessment of KCHRA Property		

RECOMMENDED ACTION:

Motion to reassess Parcel ID: 95-009-1640 in the amount of \$0.00, waiving any penalties imposed for failure to pay previously due installments and direct the City Clerk to update the assessment roll pertaining to this reassessment and certify the same to the County Auditor.

OVERVIEW:

The final assessment roll in the amount of \$2,368,014.49, adopted by Resolution 2024-110 against one property owned by the Kandiyohi County Housing and Redevelopment Authority, Parcel No.: 95-009-1640 Assessment Amount: \$7,774.20

The City is contractually prohibited from imposing special assessments on County HRA-owned property on which it operates certain low-rent housing projects, including the parcel referenced above, pursuant to Cooperation Agreements with the Willmar Housing and Redevelopment Authority dated March 26, 1970, October 17, 1979 and July 19, 1989, which agreements were assigned to the Kandiyohi County HRA pursuant to Novation Agreements Transferring Cooperation Agreements dated July 1, 2014.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Willmar Reassessment of KCHRA property 110325

**CITY OF WILLMAR
RESOLUTION NO. _____**

A RESOLUTION APPROVING THE REASSESSMENT OF PARCEL NO. 95-009-1640

WHEREAS, the City Council (“Council”) of the City of Willmar (“City”) adopted Resolution 2024-110 on September 16, 2024, adopting the special assessment roll for the City’s 2024 Street and Other Improvements, in which special assessments were made against real property in the City benefitting from such projects in a total amount of \$2,368,014.49; and

WHEREAS, the final assessment roll adopted by Resolution 2024-110 included an assessment of \$7,774.20 against Parcel ID No. 95-009-1640, owned by the Kandiyohi County Housing and Redevelopment Authority; and

WHEREAS, upon review, the Council finds that the assessment of Parcel ID No. 95-009-1640 included in the assessment roll adopted by Resolution 2024-110 was contrary to the City’s contractual obligations under Cooperation Agreements with the Willmar Housing and Redevelopment Authority dated March 26, 1970, October 17, 1979 and July 19, 1989, which agreements were assigned to the Kandiyohi County HRA pursuant to Novation Agreements Transferring Cooperation Agreements dated July 1, 2014, in which the City agreed not to impose special assessments on County HRA-owned property on which it operates certain low-rent housing projects, including the parcel referenced above; and

WHEREAS, pursuant to Minn. Stat. § 429.071 the City Council has authority to make a reassessment as to such parcel; and

WHEREAS, the owner of Parcel ID No. 95-009-1640 has agreed to accept a reduction of the assessment referenced above to \$0 and a waiver of any penalties imposed for failure to pay previously due installments of the original assessment, and in return such owner has agreed to waive all rights to notice and a public hearing and rights to future appeals.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, hereby approves, authorizes and directs as follows:

1. That the proposed reassessment of Parcel ID: 95-009-1640 in the amount of \$0.00, is hereby adopted and shall constitute the special assessment against the lands named therein.
2. The City Clerk shall file the updated assessment roll pertaining to this reassessment in the Clerk’s office and shall certify the same to the County Auditor as is standard practice with all assessments.
3. The City hereby waives any penalties imposed for failure to pay previously due installments of the original assessment against Parcel ID No. 95-009-1640 included in the assessment roll approved by Resolution 2024-110.

Dated this 3rd day of November, 2025.

ATTEST

City Clerk

Mayor