

**BELLE PLAINE CITY COUNCIL  
ORDINANCE 20-06**

**AN ORDINANCE AMENDING CHAPTER 11, SECTION 1102.03, SUBD. 2(3)(A) PERTAINING TO  
EXPANSION PERMITS FOR NON-CONFORMING USES OR STRUCTURES**

THE CITY COUNCIL OF THE CITY OF BELLE PLAINE ORDAINS:

Section 1. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1102.03, Subd. 2(3)(A) pertaining to decisions on non-conformance expansion permits be amended as follows:

3. Decisions.

A. An expansion permit for a non-conforming use or structure may be granted, but is not mandated, when the applicant meets the burden of proving that:

1. The proposed expansion is a reasonable use of the property, considering such things as:

- a. Functional and aesthetic justifications for the expansion;
- b. Adequacy of off-street parking for the expansion;
- c. Absence of adverse off-site impacts such as things as traffic, noise, dust, odors, and parking; ~~and~~
- d. Improvement to the appearance and stability of the property and neighborhood;
- e. Will not endanger public safety;
- f. Will not interfere with adopted City plans or regulations requiring additional right-of-way width; and,
- g. Is not expansion of a non-conformity previously allowed through the non-conformance variance process.

~~2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner's convenience, and are not solely because of economic considerations; and~~

~~3. The expansion would not adversely affect or alter the essential character of the neighborhood.~~

Section 2. This Ordinance shall become effective upon publication in the official newspaper of the City.

Passed and duly adopted by the City Council of the City of Belle Plaine this 15<sup>th</sup> day of June, 2020.

BY: \_\_\_\_\_  
Christopher G. Meyer, Mayor

ATTEST:

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Dawn Meyer, City Administrator