

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

**ORDINANCE NUMBER 404
SECOND SERIES**

**AN ORDINANCE OF THE CITY OF CANNON FALLS, MINNESOTA AMENDING
CITY CODE CHAPTER 152 RELATED TO ZONING**

THE CITY OF CANNON FALLS ORDAINS AS FOLLOWS:

Section 1. City Code Section 152.021 is amended by adding the underlined language, as follows:

LODGING ROOM ESTABLISHMENTS. An establishment that provides short-term sleeping and living quarters for the exclusive use of its guests with at least one, but no more than five, lodging rooms available within a structure. Lodging Room Establishments shall not include Residential Rehab Centers.

RESIDENTIAL FACILITY, STATE LICENSED. Any program, defined by M.S. § 245A.02, Subdivision 14, as it may be amended from time to time, that provides 24 hour a day care, supervision, food, lodging, rehabilitation, training, education, habilitation or treatment outside a person's own home, including a nursing home or hospital that receives public funds, administered by the Commissioner of the Department of Human Services to provide services for five or more persons whose primary diagnosis is mental retardation or a related condition or mental illness and who do not have a significant physical or medical problem that necessitates nursing home care; a program in an intermediate care facility for four or more persons with mental retardation or a related condition; a nursing home or hospital that was licensed by the Commissioner of the Department of Human Services on July 1, 1987, to provide a program for persons with a physical handicap that is not the result of the normal aging process and considered to be a chronic condition; and chemical dependency or chemical abuse programs that are located in a hospital or nursing home and receive public funds for providing chemical abuse or chemical dependency treatment services under M.S. § 254B, as it may be amended from time to time. Residential programs include home and community-based services for persons with mental retardation or a related condition that are provided in or outside of a person's own home. Residential Facilities shall not include Residential Rehab Centers.

RESIDENTIAL REHAB CENTER. Any cooperative living residence that provides, but is not limited to, homebased services for persons with chemical dependency, emotional disturbance, substance abuse disorder, or co-occurring disorders and operates under a manager or managed program setting with house

rules, curfews, facilitated meetings, and stipulate that residents must abstain from using alcohol or other illicit drugs or substances not prescribed by a physician.

Section 2. City Code § 152.608(H) is amended by adding the underlined language as follows:

(H) Nursing homes and similar group housing, hospitals, sanitariums or similar institutions, not including Residential Rehab Centers, provided that:

Section 3. City Code 152.648 is amended by adding the underlined language as follows:

Subject to applicable provisions of this chapter, the following are conditional uses in the B-2 District and require a conditional use permit based upon procedures set forth in and regulated by §§ 152.070 through 152.074 of this chapter:

* * *

(Y) Residential Rehab Centers provided that:

- (1) A fence is to be installed around the rehab center. The fence shall be constructed of masonry, brick or wood, except as otherwise provided in this section. The fence shall provide a solid screening effect and be a minimum of six feet in height but not exceed eight feet in height. The fence shall be required in the side, rear and front yards (subject to §152.186 of this chapter). Grade for determining height shall be the grade elevation of the building or use for which the screening is providing protection, unless otherwise established by the Zoning Administrator. The design and materials used in constructing a required screening fence shall be subject to the approval of the Zoning Administrator.
- (2) All sides of the rehab center shall require a green belt planting strip. A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and be a minimum of 20 feet in width and of a sufficient density to provide a visual screen and reasonable buffer. This planting strip shall be designed to provide visual screening to a minimum height of six feet. The grade for determining height shall be the grade elevation of the building or use for which the screening is providing protection, unless otherwise established by the Zoning Administrator. The planting plan and type of plantings shall require the approval of the Zoning Administrator.
- (3) The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated;
- (4) All state statutes and regulations governing the use are strictly adhered to and all required operating permits are secured; and
- (5) Adequate off-street loading space is provided in compliance with §§ 152.255 through 152.264 of this chapter.

Section 4. This ordinance shall become effective upon its passage and publication.

PASSED AND ADOPTED BY THE CITY Council of the City of Cannon Falls, Minnesota, this 19th day of March, 2024.

Matt Montgomery, Mayor

ATTEST:

Neil L. Jensen, City Administrator

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GOODHUE COUNTY, MINNESOTA**

SUMMARY ORDINANCE NUMBER 404

**AN ORDINANCE OF THE CITY OF CANNON FALLS, MINNESOTA AMENDING
CITY CODE CHAPTER 152 RELATED TO ZONING**

The above-referenced Ordinance amends the Cannon Falls City Code § 152 relating to Zoning by adding criteria relating to residential rehab centers.

A printed copy of the entire Ordinance is available for inspection and copying during regular business hours at the office of the City Administrator, Cannon Falls City Hall, 918 River Road, Cannon Falls, Minnesota 55009.

PASSED AND ADOPTED by the City Council of the City of Cannon Falls, Minnesota, this 19th day of March, 2024.

Matt Montgomery, Mayor

ATTEST:

Neil L. Jensen, City Administrator