

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

**ORDINANCE NUMBER 405  
SECOND SERIES**

**AN ORDINANCE OF THE CITY OF CANNON FALLS, MINNESOTA AMENDING  
CITY CODE § 152.648 TO ALLOW RELIGIOUS INSTITUTIONS AS A  
CONDITIONAL USE IN THE B-2, HIGHWAY BUSINESS**

THE CITY OF CANNON FALLS ORDAINS

**WHEREAS**, Bethel’s Rock Church (“Applicant”) is the applicant for an Ordinance Text Amendment for property located in the City of Cannon Falls and legally described on the attached Exhibit A (the “Property”);

**WHEREAS**, the Applicant is applying to amend City Code § 152.648 by adding language allowing Religious Institutions in the B-2, Highway Business as a conditional use (the “Amendment”);

**WHEREAS**, City staff studied the matter, made a report, and provided other information to the Planning Commission and City Council;

**WHEREAS**, on August 19<sup>th</sup>, 2024, the Planning Commission held a public hearing and after considering the Applicant’s request for the Amendment, recommended approval; and

**WHEREAS**, the City Council of the City of Cannon Falls has considered the Planning Commission’s recommendation at its September 3, 2024, City Council meeting.

**NOW, THEREFORE**, the City Council of the City of Cannon Falls makes the following:

**FINDINGS**

1. The Applicant is requesting the Amendment to allow Religious Institutions as defined by City Code § 152.021 in the B-2, Highway Business zone as a conditional use, including on the Property (the “Proposed Use”).

2. The Property where the Proposed Use will be located is currently zoned B-2, Highway Business.

3. Minn. Stat. § 462.357 grants to the City, for the purpose of promoting the public health, safety, morals and general welfare, the authority to regulate use of land within the City through zoning regulations.

4. The time limit for a decision on the Applicant’s applications will not expire until October 1<sup>st</sup>, 2024.

5. The granting of amendments within the City is governed both by the City Code and State Statutes.

6. Minn. Stat. § 462.357, subd. 4 states an amendment to a zoning ordinance may be initiated by the governing body, the planning agency, or by petition of affected property owners as defined in the zoning ordinance. An amendment not initiated by the planning agency shall be referred to the planning agency, if there is one, for study and report and may not be acted upon by the governing body until it has received the recommendation of the planning agency on the proposed amendment or until 60 days have elapsed from the date of reference of the amendment without a report by the planning agency.

7. City Code § 152.056 states that an “[a]pplication for an amendment of this chapter (text or map) requires a public hearing and is to be processed in accordance with the procedures set forth in § 152.037 of this chapter.

8. City Code § 152.055 states that “[t]he City Council or Planning Commission may, upon their own motion, initiate a request to amend the text or the district boundaries of this chapter. The procedural requirements of this section shall not apply to the proposed amendments except to the extent required by state statute. Any person owning real estate within the city may initiate a request to amend the district boundaries or text of this chapter so as to affect the real estate.”

9. City Code § 152.057 states:

The Planning Commission shall consider possible effects of the proposed amendment. Its judgment shall be based upon, but not limited to, the following factors:

(A) The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan;

(B) The proposed use is or will be compatible with present and future land uses of the area;

(C) The proposed use conforms with all performance standards contained in this chapter;

(D) The proposed use can be accommodated with existing public services and will not overburden the city's service capacity; and

(E) Traffic generation by the proposed use is within capabilities of streets serving the property.

10. The Applicant’s requested Amendment would amend City Code § 152.648 by allowing Religious Institutions as a conditional use anywhere within the B-2, Highway Business district. The requested Amendment is consistent with the Cannon Falls Comprehensive Plan. Allowing religious institutions in the B-2, Highway Business district as a conditional use is compatible with present and future land uses in the area.

**DECISION**

Section 1. Amendment. City Code § 152.648 is hereby amended by adding the underlined language, as follows:

§ 152.648 CONDITIONAL USES.

Subject to applicable provisions of this chapter, the following are conditional uses in a 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) Religious Institutions.

Section 2. Effective Date. This ordinance shall not be effective until the Applicant acquires fee simple ownership of the Property and upon its subsequent passage and publication according to law, but in no case more than ninety (90) days after it is introduced.

**ADOPTED** by the City Council this 17<sup>th</sup> day of September, 2024.

\_\_\_\_\_  
Matt Montgomery, Mayor

ATTEST: \_\_\_\_\_  
Neil L. Jensen, City Administrator

**Exhibit A**

Legal Description: WINTER ADDITION LOT-003 BLOCK-001 3.17 AC DOC#682968 LOT 3 BLK 1

**CITY OF CANNON FALLS  
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**SUMMARY ORDINANCE NUMBER 405**

**AN ORDINANCE OF THE CITY OF CANNON FALLS, MINNESOTA AMENDING  
CITY CODE § 152.648 TO ALLOW RELIGIOUS INSTITUTIONS AS A  
CONDITIONAL USE IN THE B-2, HIGHWAY BUSINESS**

The above-referenced Ordinance amends the Cannon Falls City Code § 152.648 to allow religious institutions as a conditional use in the B-2, Highway Business zone.

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 17<sup>th</sup> day of September, 2024.

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Matt Montgomery, Mayor

ATTEST:

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Neil L. Jensen, City Administrator