

## ORDINANCE NO. 5.101

AN ORDINANCE AMENDING THE ECHO URBAN AND RURAL SERVICES DISTRICTS ZONING ORDINANCE TO CREATE URBAN AND RURAL SERVICE DISTRICTS IN THE CITY OF ECHO PURSUANT TO MINNESOTA STATUTES 272.67.

THE CITY OF ECHO DOES ORDAIN:

### 1. ESTABLISHMENT OF TAX DISTRICTS

Pursuant to Minnesota Statute 272.67, the City of Echo hereby divides the area within its corporate limits into an Urban Service District and a Rural Service District. Said districts shall be constituted as separate taxing districts for the purpose of all municipal property taxes, except those levied for the payment of bonds and judgments and interest thereon.

### 2. CRITERIA/DEFINITIONS

- A. The Urban Service District shall include all properties located within the corporate limits of the City of Echo, except those properties which are included in a Rural Service District.
- B. The Rural Service District shall include only unplatted lands, which need not be continuous to one another, and which, in the judgment of the city council at the time of the adoption of the ordinance, are rural in character, and are not developed for commercial, industrial, or urban residential purposes, and, for these reasons, are not benefitted to the same degree as other lands located within the limits of the City of Echo and financed by general taxation.

The lands described on the Exhibit A are hereby included in the Rural Service District

### 3. ZONING DISTRICT DESIGNATION

The Echo City Zoning Ordinance is hereby amended by changing the district map and adding to the Zoning Ordinance a new zoning district known as RS, Rural Service District. Regulations for RS Districts: Rural Service Districts, include:

In Rural Service Districts, the following regulations shall apply, unless otherwise provided herein:

- A. The property must be rural in character;
- B. The property must not be developed, or used, for commercial, industrial or residential purposes;
- C. Each parcel of record must be not less than thirty (30) contiguous acres in area, and under single ownership;
- D. The property must be unused and seeded, or used for agricultural purposes only. For purposes of this district, "agricultural purposes" shall include only the following uses:

*Agricultural uses, included farm crops, and farm and agricultural related buildings and structures (not residential dwellings), subject to Minnesota Pollution Control standards, but not including feedlots, manure spreading, livestock, or other commercial or industrial operations.*

- E. Farm and ag-related buildings and structures existing (but no residential dwellings) at the time a property is first included in the Rural Service District may continue to be utilized for agricultural purposes. Existing building and structures may be repaired or replaced, if destroyed by wind or fire, but may not be expanded. No permit shall be granted to construct any new or additional buildings or structures.
- F. The following uses may be permitted by conditional use permit:
  - 1. Landscape nurseries or forest lands;
  - 2. Privately owned recreational uses, such as golf courses, golf driving ranges, and similar outdoor recreational activities which require relatively large amounts of land.

#### 4. CHANGE IN USE OF PROPERTY IN RS DISTRICT

Whenever application is made for a permit for construction of a commercial, industrial or residential building, or improvement, or whenever such improvement or building is commenced without a permit, the Echo City Council shall make and enter an order by resolution transferring such parcel, or part thereof, from the Rural Service District to the Urban Service District.

Any application for platting of the property shall also permit the governing body of the City of Echo to make and enter an order

by resolution transferring such parcel from the Rural Service District to the Urban Service District.

5. TAX RATIO

In the judgment of the Echo City Council, the ratio which exists between the benefits resulting from tax-supported municipal service to parcels in the Rural Service District to parcels in the Urban Service District is equal to property taxes levied within Echo Township, plus any municipal property taxes levied for payment of bonds, and judgments, and interest thereon.

The property tax rate levied upon property in a Rural Service District shall be equal to the levy rate imposed for properties in Echo Township, except those levied for the payment of bonds, judgments and interest thereon.

6. REPEAL

The City of Echo Urban and Rural Service District Ordinance adopted March 8, 1988, and designated as 5.101, is hereby repealed to the extent inconsistent herewith.

Dated \_\_\_\_\_, 2012.

CITY OF ECHO

By \_\_\_\_\_  
Its Mayor

By \_\_\_\_\_  
Its Clerk

**EXHIBIT A**

Tax Parcel Numbers

33-103-1010 (160 acres)

33-103-2010 (154 acres)

33-103-4010 (90 acres)

33-103-4020 (40 acres)