CITY OF GRANT

WASHINGTON COUNTY, MINNESOTA

ORDINANCE 2026-87

An Ordinance Amending the Grant Code of Ordinances
Amending Section 30-7 Land with unapproved or lack of surveys or plats; Amending Section 32-59 and Adding Section 32-61 Variances; Amending Section 32-1 Definitions and Section 32-246 Table of Uses to add Data Center; Amending Section 32-246 (b) Additions and exception to the minimum area, height and other requirements

The City Council of the City of Grant, Washington County, Minnesota, does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 30, SUBDIVISIONS, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 30, Article I, Section 30-7 "Land with unapproved or lack of surveys or plats" is hereby AMENDED to ADD the following identified by underline, and AMENDED to DELETE as ~~strikethrough~~:

(a) *Conveyance restrictions*. No conveyance of land to which these regulations are applicable shall be filed or recorded, if:

(1) The land described is by metes and bounds or by reference to an unapproved registered land survey made after April 21, 1961, and

(2) The land or lot was not approved through the Minor Subdivision process established by Section 30-9 or its predecessor ordinance; and

(3) The lot or subdivision cannot be verified through official action of the City Council such as the City's adopted minutes or by Resolution; or

(4) Is a part of an unapproved plat.

(b) *Exemptions.* Subsection (a) of this section does not apply to a conveyance if the land described:

(1) Was a separate parcel of record or platted prior to April 1, 1945, or the date of adoption of subdivision regulations under Laws 1945, chapter 287, whichever is the later, or of the adoption of subdivision regulations pursuant to a home rule charter; or

(2) Was the subject of a written agreement to convey entered into prior to such time and such agreement was recorded with the office of the County Recorder or Registrar of Titles;

(3) Was a separate parcel of land platted prior to July 1, 1980 and contains a minimum of 1.0 acres of buildable area.

(4) Is a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width; or

(5) Is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

(c) *Waiver for hardship.* In any case in which compliance with the foregoing restrictions will create an unnecessary hardship, and failure to comply does not interfere with the purpose of the subdivision regulations, and the land is a minimum of 1.0 acre in size, the City Council may waive such compliance after submission of a Certificate of Survey that demonstrates that the land can support the intended use after conveyance, including private well and septic system as required by Chapter 32, and that such conveyance is consistent with the standards in Section 32-246 (b) of the City Code.

SECTION 2. AMENDMENT OF CHAPTER 32, ARTICLE II, ADMINSTRATION AND ENFORCEMENT, OF THE CITY'S CODE OF ORDINANCES

That City Code Chapter 32, Article II, Division 2 Board of Adjustment and Appeals; Appeals and Variances is hereby AMENDED to ADD the following identified as underlined, and AMENDED to DELETE as ~~strikethrough~~:

Sec. 32-59. Board of adjustment and appeals.

(a) *Established.* There is hereby established a board of adjustment and appeals. The board of adjustment and appeals shall have the powers provided by law.

(b) *Notice.* In addition to the notice of hearing required by this division, a notice shall be published in the official newspaper once at least ten days before the date of the hearing. If the board of adjustment authorizes the issuance of a permit, the council or other board or commission having jurisdiction shall have six months from the date of the decision of the board to institute proceedings to acquire such land or interest therein, and if no such proceedings are started within that time, the officer responsible for issuing building permits shall issue the permit if the application otherwise conforms to city ordinances. The board shall specify the exact location, ground area, height and other details as to the extent and character of the building for which the permit is granted.

(c) *No changes proposed, except to renumber.*

(d) *No changes proposed, except to renumber.*

Sec. 32-60. Variances Application.

(1) No changes proposed.

(2) What to present.

a. No changes proposed.

b. No changes proposed.

c. A narrative stating how the requested variance meets the definition of Practical Difficulties as defined in Sec. 32-61 of this Chapter.

Sec. 32-61. Variances.

(1) Variances shall only be permitted when:

a. They are in harmony with the general purpose and intent of the ordinance, and

b. The variance is consistent with the adopted Comprehensive Plan.

(2) Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with the adopted zoning ordinance.

(3) *Practical Difficulties.* When used in connection with the granting of a variance, means that:

a. The property owner proposed 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.

d. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

(4) *Expiration of Variance.* Any variance approved but not utilized through obtaining a building permit within twelve (12) months of the date of approval shall become null and void, unless the applicant requests an extension in writing prior to the expiration and states a reason for non-use.

SECTION 3. AMENDMENT OF CHAPTER 32, ARTICLE III, ZONING DISTRICTS ESTABLISHED; PERMITTED USES; DIMENSIONAL STANDARDS OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Article I, Section 32-1 Definitions is hereby AMENDED to ADD the following to be added alphabetically identified as underlined:

Data Center means a physical facility or building that houses computer systems, servers, and related hardware to store, process, and share digital information.

That City Code Chapter 32, Article III, Section 32-245 Table of Uses is hereby AMENDED to ADD the following to be added alphabetically identified as underlined:

USE	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
Data Centers	N	N	N	N	N

SECTION 4. AMENDMENT OF CHAPTER 32, ARTICLE III, ZONING DISTRICTS ESTABLISHED; PERMITTED USES; DIMENSIONAL STANDARDS OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Article III, Section 32-246 (b) "Additions and exception to the minimum area, height and other requirements", is hereby AMENDED to ADD the following identified as underlined, and AMENDED to DELETE as ~~strikethrough~~:

(b) Additions and exception to the minimum area, height and other requirements.

(1) *Existing Lot defined.* For the purpose of this article, the term "existing lot" means a lot or parcel of land, whether created by plat or conveyed through metes and bounds, which was of record as a separate lot or parcel in the Office of the County Recorder or Registrar of Titles on or before the date of adoption of the ordinance from which this chapter is derived.

(2) *Existing Lot of Record Standards – Undersized Platted Lots.* The following standards shall be met to establish a platted lot as buildable for residential use:

i. The lot must be a part of a subdivision plat that was approved and recorded in the office of the County Recorder or Registrar of Titles prior to July 1, 1980.
ii. The lot must contain a minimum of 1.0 acres of buildable land.
iii. The lot must contain suitable area to site an individual septic system in compliance with MN Rules 7080, or successor statutes as required and permitted by Chapter 12 Environment Article IV: Individual Sewage Treatment Systems of the City Code.
iv. The lot must have adequate area to site a principal structure that meets 80-percent of the minimum rear and side yard setback requirements but shall be exempt from minimum lot width and lot frontage requirements.
v. The lot must meet all other dimensional requirements established in Table 32-246 (a).

(3) *Existing Lot of Record Standards – Undersized Unplatted Lots (metes and bounds).* The following standards shall be met to establish that an unplatted lot, conveyed through metes and bounds, is buildable for residential use:

i. The lot size shall be a minimum of 2.5 acres.
ii. The lot must be recorded, in the configuration, with the office of the County Recorder or Registrar of Titles prior to July 1, 1980.

iii. Any lot that exceeds 2.5 acres shall be exempt from minimum lot width and lot frontage requirements but must comply with all other dimensional requirements established in Table 32-246 (a).

iv. The lot must contain a minimum of 1.0 acres of buildable land.

v. The lot must contain suitable area to site an individual septic system in compliance with MN Rules 7080, or successor statutes as required and permitted by Chapter 12 Environment Article IV: Individual Sewage Treatment Systems of the City Code.

(4) – (9) No Changes proposed.

SECTION 5. SEVERABILITY.

In the event that a court of competent jurisdiction adjudges any part of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included within that judgment.

SECTION 6. EFFECTIVE DATE.

This ordinance takes effect upon its adoption and publication according to law.

WHEREUPON, a vote, being taken upon a motion by Council member Cremona and seconded by Council member Anderson, the following upon roll call:

Voting AYE: Cornett, Rog, Cremona, Anderson, Giefer
Voting NAY: None

Whereupon said Ordinance was declared passed adopted this 6th day of October 2026.

Jeff Giefer, Mayor

Attest: Lacey Smieja, City Clerk