

**LIME TOWNSHIP
COUNTY OF BLUE EARTH
STATE OF MINNESOTA**

ORDINANCE NO. 25-_____

ORDINANCE ESTABLISHING A PLANNING COMMISSION

The Township Board for the Township of Lime hereby ordains:

Section 1. Establishment of a Planning Commission.

1.1. Establishment: A Township Planning Commission is hereby established under the authority of Minnesota Statutes 462.354 through 462.358 for the purposes authorized by these statutes consistent with the terms of this Ordinance. Other powers and duties may be delegated to the Planning Commission by the Lime Township Board, consistent with Minnesota Statutes.

1.2. Powers and Duties:

1.2.1. Generally. The Planning Commission shall have the powers and duties given to Township planning agencies generally by law, including the authority to conduct public hearings as directed by the Lime Township Board or Lime Township policy. The Planning Commission also shall exercise the duties conferred upon it by this Ordinance. The Planning Commission shall review reports and recommendations of the Lime Township Planning Staff. All decisions and recommendations of the Commission are subject to final review and action by the Lime Township Board.

1.2.2. Comprehensive Plan. At the direction of the Lime Township Board the Planning Commission shall prepare a comprehensive plan for adoption by the Lime Township Board. This plan may be prepared in sections, each of which shall relate to a comprehensive plan program. After the Lime Township Board has adopted the comprehensive plan, the Planning Commission may periodically, but at least every ten years, review the comprehensive plan and any ordinances or programs implementing the plan.

1.2.3. Means of Executing Plan. Upon the adoption of a comprehensive plan or any section thereof, it shall be the concern of the Planning Commission to recommend to the Lime Township Board reasonable and practical means for putting into effect the plan or sections thereof, in order that it will serve as a pattern and guide for the orderly physical development of the Township and as a basis for judging the timely disbursements of funds to implement the objective.

Means of effectuating the plan, among other things, shall consist of a zoning ordinance, subdivision regulations, capital improvement programming and technical review, and recommendations of matters referred to the Planning Commission by the Lime Township Board.

1.2.4. Zoning Ordinance. Pursuant to Minn. Stat. §462.357, subd. 3, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed amendments to the zoning ordinance, conduct public hearings as directed by Lime Township Board or Lime Township policy, and make recommendations to the Lime Township Board concerning zoning ordinance amendments and their relation to the Lime Township comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the Lime Township Board for action.

1.2.5. Conditional Use Permits. The Planning Commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance and conduct public hearings as directed by Lime Township Board or Lime Township policy. The Planning Commission shall report its recommendations to the Lime Township Board for action.

1.2.6. Interim Use Permits. The Planning Commission may make recommendations on all requests for an interim use permit if allowed by current law and under the terms of the zoning ordinance and conduct public hearings as directed by the Lime Township Board or Lime Township policy. The Planning Commission shall report its recommendations to the Lime Township Board for action.

1.2.7. Subdivision Regulations. The Planning Commission may make recommendations about the subdividing of land as prescribed by the ordinance and conduct public hearings as directed by Lime Township Board or Lime Township policy. The Planning Commission shall report its recommendations to the Lime Township Board for action.

1.2.8. Zoning Variances. All applications for variances may be referred to the Planning Commission and forwarded with or without recommendations directly to the Lime Township Board. The Lime Township Board shall have the powers of a Board of Appeals and Adjustments as provided for in Minn. Stat. §462.357, subd. 6, as it may be amended from time to time for its decision.

1.2.9. Official Map. Pursuant to Minn. Stat. §462.359, subd. 2, as it may be amended from time to time, after adoption of a major thoroughfare plan and a community facilities plan (which may be contained in the Township comprehensive plan or adopted separately), the Planning Commission, for the purpose of carrying out the policies of the major thoroughfare plan and community facilities plan, may prepare and recommend to the Lime Township Board a proposed official map covering the entire Township or any portion thereof. The governing body may, after holding a public hearing, adopt and amend the official map by ordinance. The official map or maps shall be prepared in sufficient detail to permit the establishment of the future acquisition lines on the ground. In unplatted areas, a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by a licensed land surveyor. After adoption, a copy of the official map, or sections thereof with a copy of the adopting ordinance attached shall be recorded with the county recorder as provided in Minn. Stat. §462.351 to §462.364.

1.2.10. Purchase and Sale of Real Property. Pursuant to Minn. Stat. §462.356, subd. 2, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed acquisitions or disposals of publicly owned interests in real property within the Township by the Lime Township Board, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the Township, and make findings as to the compliance of the proposed acquisition or disposal of real property with the comprehensive plan. The Lime Township Board may by resolution adopted by two-thirds vote of those present dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive plan.

1.2.11. Capital Improvements. Pursuant to Minn. Stat. §462.356, subd. 2, as it may be amended from time to time, and if a comprehensive plan has been adopted, the Planning Commission shall review all proposed capital improvements within the Township by the Lime Township Board, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the Township and make findings as to the compliance of the proposed capital improvement with the comprehensive plan. The Lime Township Board may by resolution adopted by two-thirds vote dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive plan.

1.2.12. Comprehensive Plan Amendments. Pursuant to Minn. Stat. §462.355, subds. 2, 3, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed amendments to the comprehensive plan, hold at least one public hearing, and make recommendations to the Lime Township Board comprehensive plan amendments and their relation to the Township comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the Lime Township Board for action.

Section 2. Composition and Terms of Office of the Planning Commission.

2.1. Number of Members: The Lime Township Planning Commission shall consist of five members.

2.2. Township Board Members: Two of the Planning Commission members shall be persons lawfully occupying the office of Lime Township Board Supervisor. At its January meeting, the Lime Township Board shall appoint two of its members to serve on the Planning Commission. These persons may remain on the Planning Commission only for so long as they hold the office of Township Board member. These persons may be removed upon the majority vote of the Lime Township Board.

2.3. Resident Members: Three Lime Township residents shall be appointed to the position of Planning Commission member by the Lime Township Board. The term of each resident member shall be for a period of three years, with the term of one initial member being initially for one year, the term of one initial member being for two years, and the other initial member serving the full three year term. In the event the newly appointed resident members cannot determine among them which one shall serve what length of initial term, they may draw straws, cards, or flip a coin to determine the length of their initial terms. Resident members may be appointed to, and remain on, the Planning Commission for so long as they remain residents of Lime Township, provided that resident members of the Planning Commission may be removed upon the majority vote of the Lime Township Board. In the event of a vacancy of a resident member position, the Lime Township Board shall appoint a replacement resident for the balance of the departing member's term.

Section 3. Organization and Record Keeping.

3.1. Officers: The Lime Township Planning Commission shall create and fill the offices of Chair and Vice-Chair. Unless the Township Board appoints a Secretary, the Township Clerk shall act as the Secretary to the Planning Commission and shall prepare or supervise the preparation of the minutes of the Planning Commission and be responsible for record keeping.

3.2. Rules and Conduct: The Planning Commission may, as necessary, adopt rules for the conduct of its meetings and public hearings.

3.3. Compensation: All members shall be compensated at a fixed rate per meeting attended (regular and special) in an amount determined by the Lime Township Board.

3.4. Meeting. The Planning Commission may hold at least one meeting each month as needed at the time and place as established by the Lime Township Board by resolution. Special meetings may be called at any time by the Chairperson, or in the case of the Chairperson's absence, by the Vice-Chairperson, or as directed by the Lime Township Board.

3.5. Minutes. Written minutes of meetings shall be kept and filed with the Township Clerk but shall be subject to approval at the next Planning Commission meeting.

3.6. Expenditures. No expenditures by Lime Township on behalf of the Planning Commission shall be made unless and until authorized by the Lime Township Board.

3.7 Attendance. Duly appointed members of the Planning Commission shall be required to attend no less than half the official meetings of the Planning Commission held within a given calendar year unless specifically excused by the Chair of the Planning Commission and the excused absences are noted in the minutes. Failure to attend no less than half of the official meetings within a given calendar year, without excuse of the Chair of the Planning Commission, shall be considered as formal notice of resignation from the Planning Commission. In addition, failure to attend four-consecutive regular meetings without excuse of the Chair of the Planning Commission, shall be considered as formal notice of resignation from the Planning Commission.

Section 4. Planning Agency and Staff.

4.1. Planning Agency: The Planning Commission shall be the Lime Township Planning Agency and shall have the powers and duties given planning agencies generally by Minnesota Statutes 462.651 through 462.365, unless other powers and duties are specifically delegated to the Planning Commission by the Township Board consistent with Minnesota Statutes.

4.2. Planning Staff: The Lime Township Board may enter into contracts with, or hire persons to, provide planning and zoning staffing services to the Planning Commission. This staff shall receive and review applications for land use permits, review proposed ordinance changes, and provide reports, prepare proposed

recommendations and proposed findings of fact for consideration by the Planning Commission.

Section 5. Public Hearings.

5.1. Public Hearing: After adoption of this Ordinance, no land use plan, or conditional or interim use permit shall be adopted or issued by the Lime Township Board until a public hearing has been held on the matter by the Lime Township Planning Commission.

Section 6. Effective Date.

6.1. Effective Date: This Ordinance shall be effective after publication in the official Lime Township newspaper.

Passed by the Township Board for the Township of Lime this day of _____, 2025.

Cody J. Hilgers, Chair

ATTEST:

Jill F. Hilgers, Clerk