

**SECTION 1**  
**TITLE AND APPLICATION**

Subdivision

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**1.01 TITLE:** This Ordinance shall be known, cited and referred to as the St. Augusta City Zoning Ordinance, except as referred to herein, where it shall be known as "this Ordinance".

**1.02 INTENT AND PURPOSE:** This is an ordinance regulating the use of land in St. Augusta including the regulation of the location, size, use, and height of buildings, the arrangement of buildings on lots, and the density of population for the purpose of:

- A. Protecting the public health, safety, order, convenience and general welfare.
- B. Promoting orderly development and redevelopment of the residential, commercial, industrial, recreational, and public areas.
- C. Conserving the natural and scenic beauty and attractiveness of the community.
- D. Conserving, protecting, and developing natural resources.
- E. Providing for the compatibility of different land uses and the most appropriate use of land throughout the community.
- F. Preserving agricultural areas.
- G. Promoting orderly development of the community to provide adequate levels of service in areas of public safety, utilities, service, transportation, and administration in a financially responsible manner.

**1.03 RELATION TO COMPREHENSIVE PLAN:** It is the policy of St. Augusta that the enforcement, amendment, and administration of this Ordinance be accomplished with due consideration of the recommendations contained in the City Comprehensive Plan as developed and amended from time to time by recommendation of the Planning Commission and approval by the City Council of the City. The City Council recognizes the City Comprehensive Plan as the policy to regulate land use and development in accordance with the policies and purpose herein set forth.

**1.04 STANDARD REQUIREMENTS:**

- A. In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare.
- B. Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, statutes, resolution, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall prevail.
- C. Except as herein provided, no structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used, for any purpose nor in any manner which is not in conformity with this Ordinance.
- D. Except as herein provided, no building, structure, or premises shall hereafter be used or occupied and no building permit shall be granted that does not conform to the requirements of this Ordinance.
- E. No yard or lot existing in the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- F. This Ordinance is not intended to abrogate any easement, restrictions, covenants, relating to the use of land or imposed on lands within the City by private declaration or agreement, but where the provisions of this Ordinance are more restrictive than any such easement, restriction, or covenant, or the provision of any private agreement, the provisions of this Ordinance shall prevail.

**1.05 USES NOT PROVIDED FOR WITHIN ZONING DISTRICTS:** Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered prohibited. In such cases, the City Council, on their own initiative or upon request, may conduct a study to determine if the use is acceptable and if so, what zoning district would be most appropriate and the determination as to conditions and standards relating to development of the use. The City Council or property owner, upon receipt of the staff study, shall if appropriate, initiate an amendment to the zoning regulations to provide for the particular use under consideration or shall find that the use is not compatible for development within the City.

**1.06 MONUMENTS:** For the purpose of this Ordinance, all international, federal, state, county and other official monuments, benchmarks, triangulation points, and stations shall be preserved in their precise locations; and it shall be the responsibility of the applicant to insure that these markers are maintained in good condition during and following construction and development. All section, one-quarter (1/4) section, and one-sixteenth (1/16) section corners shall be duly described and tied.

**1.07 SEPARABILITY:** Every section, provision, or part of this Ordinance or any permit issued pursuant to this Ordinance is declared separable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this Ordinance or any permit issued pursuant to this Ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

**1.08 AUTHORITY:** This Ordinance is enacted pursuant to the authority granted by Minnesota Statutes 462.351 to 462.363.

**1.09 COMPREHENSIVE REVISION:** The City Council intends this Ordinance to be a comprehensive revision to Ordinance No. 83-1 and all other ordinances inconsistent with this Ordinance, as amended. Any act done, offense committed, or rights accruing or accrued, or liability, penalty incurred or imposed prior to the effective date of this Ordinance is not affected by its enactment.