



LE SUEUR PLANNING COMMISSION
Go to Meeting Webinar

MEETING AGENDA
Thursday, October 8, 2020
6:00 P.M.

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes – August 13, 2020
4. New Business
 - 4.1. Zoning Code Amendments
5. Other Business
 - 5.1 City Council Report
6. Miscellaneous
7. Adjournment

*For members of the public who wish to participate, please register for Le Sueur Planning Commission Regular Meeting being held on October 8, 2020 at 6:00 PM CDT at:

<https://register.gotowebinar.com/register/3709201786878773264>

After registering, you will receive a confirmation email containing information about joining the webinar.



LE SUEUR PLANNING COMMISSION
MEETING MINUTES
Thursday, August 13, 2020

A meeting of the Planning Commission was held on Thursday, August 13, 2020 at 6:00 p.m. virtually via Go To Meeting with the following Planning Commissioners in attendance: John Dieball, Colleen Johnson, Andrea Faches, Julie Sheehy, Jack Roberts, and Dan Ryerson. Commissioners absent: Melissa Huntington. Samantha DiMaggio, Community Development Director, and Newell Krogmann, Council Liaison, were also in attendance.

A **motion** was made by Commissioner Johnson, seconded by Commissioner Ryerson, to approve the agenda as written. Commissioners Voting in favor: Sheehy, Faches, Roberts, Ryerson, Johnson, and Dieball. Commissioners Voting no: None. Motion carried.

A **motion** was made by Commissioner Johnson, seconded by Commissioner Ryerson to approve the minutes from the June 11, 2020 meeting. Commissioners Voting in favor: Sheehy, Faches, Roberts, Ryerson, Johnson, and Dieball. Commissioners Voting no: None. Motion carried.

Item 4.1, Comprehensive Plan Amendment Process: Staff presented a proposed process that could be used when amending the Comprehensive Plan. The Planning Commissioners reviewed the process with staff and didn't recommend any changes at this time. A fee for this will be recommended when the 2021 Fee Schedule is adopted.

Item 5.1, City Council Report: Council Member Krogmann reported that a Redevelopment Tax Increment Financing District was approved for the new owners of Valleygreen Sq. Mall and an Ordinance was passed which rescinded a previous ordinance regulating the use of the Pedestrian Mall.

Item 6, Miscellaneous: Nothing currently.

A **motion** by Commissioner Johnson, seconded by Commissioner Dieball to adjourn the meeting. Commissioners Voting in favor: Sheehy, Faches, Roberts, Ryerson, Johnson, and Dieball. Commissioners Voting no: None. Motion carried.

Respectfully submitted,
Samantha DiMaggio, Community Development Director



**Planning Commission
Item 4.1**

TO: Planning Commission
FROM: Samantha DiMaggio, Community Development Director
SUBJECT: Zoning Code Amendments
DATE: Thursday, October 8, 2020

PURPOSE/ACTION REQUESTED

Discuss potential updates to the City of Le Sueur Zoning Code.

SUMMARY

The Zoning Code was updated and formally approved by the City Council on August 26, 2019. Staff and the public have utilized this code for the past year and minor modifications are being recommended.

The areas in need of revisions are as follows:

1. § 153.076 SWIMMING POOLS
 - a. Permanent vs temporary
 - b. If temporary, what is required?
 - c. Application Process
2. § 153.049 FENCES
 - a. Property Pins
 - b. Corner Lot Setbacks
3. § 153.044 YARD AND YARD REQUIREMENTS
 - a. Maximum Yard Sizes
4. § 153.020 GENERAL ADMINISTRATION
 - a. Recovery of Fee's for outside consultants

RECOMMENDATION

Staff would like to have a discussion with the Planning Commission on these areas and hear what their recommendations would be for code revisions.

SWIMMING POOL. An artificial basin filled with water intended for use for swimming or other recreational use, constructed either above or below ground of concrete, steel, fiberglass, lined or unlined, for public or private use. For purposes of this chapter, **SWIMMING POOLS** shall be considered accessory structures.

§ 153.076 SWIMMING POOLS.

(A) Swimming pools shall be a permitted accessory use in each district subject to the following standards and requirements:

(1) The pool shall be constructed at least ten feet from all property lines in all districts. In no case shall a pool be allowed in any portion of the required yard abutting a public right-of-way;

(2) A six-foot high perimeter security fence shall be installed and maintained around the pool at all times;

(3) The fence shall have a maximum three-inch spacing between intermediate rails and the fence shall not be more than three inches off the ground;

(4) A permanent fence shall be in place a minimum of 30 days after the pool is completed;

(5) No construction of fences or accessory buildings shall be placed on or over any public utilities, or on any easements;

(6) A self-latching and lockable gate shall be installed; and

(7) Failure to complete the swimming pool construction project within 12 months from approval of the zoning and building permits shall be a violation of this chapter.

(Ord. 583, passed 8-26-2019)



**City of Le Sueur, MN
Pool Permit Application**

\$60

*Temporary swimming pools less than 24 inches in depth and less than 5,000 gallons are exempt from this permit.

APPLICANT INFORMATION	
Name:	
Street Address:	City/State/Zip:
Phone:	Email:

STRUCTURE INFORMATION	
Is this structure Permanent or Temporary?	How deep is the pool?
How many gallons of water does the pool hold?	What is the pool sidewall height (at top grade to top of the pool)?
What type of fencing will be around the pool?	Will there be a cover for the pool?
Is the pool ladder removable?	Will there be permanent decking around the pool?

NOTES TO APPLICANT	
<p>This permit becomes null and void if authorized work is not started within 180 days or if work is suspended or abandoned for 180 days or more after work has commenced.</p> <p>Submittal Checklist: <input type="checkbox"/> Completed Permit Application <input type="checkbox"/> Site Plan Showing location of Pool.</p> <p>I hereby acknowledge the following:</p> <ul style="list-style-type: none"> I have reviewed and understand the requirements of Le Sueur City Code §153.076 regarding pools. <p>I hereby certify that I have read and examined this application and all statements are true and correct. All provisions of laws and governing ordinances will be complied with whether specified herein or not. The granting of a permit does not give authority to violate or cancel the provision of any other state or local law regulating construction or the performance of construction.</p> <p>_____</p> <p>Signature of Applicant or Authorized Representative _____ Date</p>	

Pool Requirements:

- 1) All swimming pools, hot tubs, spas and other water tanks exceeding 24 inches in depth and 5,000-gallon capacity must be fenced as required by §153.076.

*continued on page 2.

- 2) Temporary swimming pools (those made of rubber, plastic, or inflatable vessel which can be erected without permanent support that is put up and taken down on an annual basis, typically bought from a big box store like Target, Walmart, or Menards) greater than 24 inches in depth and more than 5,000 gallons shall require a one-time lifetime permit.
- 3) The temporary swimming pool, if dismantled or removed, shall be put up in the same location annually.
- 4) A new permit shall be required if the location of the temporary swimming pool changes or the size or dimensions of the pool changes.
- 5) Temporary swimming pools less than 24 inches in depth and less than 5,000 gallons are exempt from a permit.

§ 153.076 SWIMMING POOLS.

- A. Swimming pools shall be a permitted accessory use in each district subject to the following standards and requirements:
 1. The pool shall be constructed at least ten feet from all property lines in all districts. In no case shall a pool be allowed in any portion of the required yard abutting a public right-of-way;
 2. A six-foot high perimeter security fence shall be installed and maintained around the pool at all times.
 3. The fence shall have a maximum three-inch spacing between intermediate rails and the fence shall not be more than three inches off the ground;
 4. A permanent fence shall be in place a minimum of 30 days after the pool is completed;
 5. No construction of fences or accessory buildings shall be placed on or over any public utilities, or on any easements;
 6. A self-latching and lockable gate shall be installed; and
 7. Failure to complete the swimming pool construction project within 12 months from approval of the zoning and building permits shall be a violation of this chapter.

(Ord. 583, passed 8-26-2019)

§ 153.049 FENCES.

(A) *General regulations.*

- (1) All fences shall be located at least 18 inches from any adjoining (rear or side) property line.
- (2) The applicant for the fence is responsible for establishing property lines by locating property pins by their own means or by hiring a registered land surveyor.
- (3) Property pins adjacent to location of proposed fencing shall be clearly marked for the purpose of identification and inspection.
- (4) All fences shall be located entirely upon the property of the person causing the fence to be constructed. A fence may be located on the property line of adjoining properties when the owners of said properties agree in writing to such location.
- (5) Fences in excess of three feet in the front yard are not permitted. Fences may be greater than three feet behind the front building line of the principal structure.
- (6) No residential fence shall be greater than seven feet in height.
- (7) Commercial and industrial fences may exceed seven feet in height but may not be greater than 12 feet in height. Fences between eight and 12 feet in height shall require a conditional use permit (CUP). The CUP request shall be considered in relation to traffic visibility, potential interference with street or pedestrian/bicycle traffic, common conditions in the immediate neighborhood, maintenance, materials, and any other factors considered relevant by the City Council to the construction of said fence.
- (8) That side of the fence considered to be the evident finished side or face (such as, the finished side having no structural supports) shall face outward toward abutting property or public spaces or uses. Vegetation or landscaping located between the abutting property lines and finished side of fence shall be entirely maintained by the owner of the fence.
- (9) Fences shall not obstruct any natural or constructed drainage patterns or wetlands or in any way adversely impact any neighboring properties.
- (10) Fences shall not be constructed from barbed wire, chicken wire, welded wire, plastic deer fence netting or similar product, snow fence, branches, or materials originally intended for other purposes.
- (11) All fencing shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger or constitute a nuisance. Any fence which is, or has become dangerous to the public safety, health or welfare, is a public nuisance, and the Zoning Administrator shall commence proper proceedings to abate the nuisance condition.
- (12) Retaining wall structures may be subject to review by the City Engineer. Retaining walls shall be subject to the same height requirements as fences.
- (13) Fencing located within any public right-of-way, drainage or utility easements may be removed by the city without notice or liability for damages caused by the removal.
- (14) Fence height shall be measured from the natural grade to the top of the fence at any point, with the exception that a fence may include an additional six inches of height for post-top finials or similar decorative features on posts only.

(15) Except as specified in this section, all wire fences, including barbed wire fences, electrical fences, and chicken and hog wire fences, shall only be permitted in the UR District when related to a farm use.

(B) *Residential, commercial district regulations.*

(1) All fences shall be constructed of stone, brick, finished wood, chain link, PVC, composite material, wrought iron or similar material, or other approved materials as determined by the Zoning Administrator.

(2) In commercial districts, fences in the rear yard greater than seven feet in height may be permitted with a conditional use permit.

(3) Except for agricultural uses in the UR district, fences shall not be supported using metal T- or U-posts or similar agricultural product or constructed of traditional agricultural materials.

(C) *Industrial regulations.*

(1) All fences shall be constructed of stone, brick, finished wood, chain link, PVC or composite materials.

(2) Barbed wire security fencing may be used in heights above seven feet.

(Ord. 583, passed 8-26-2019)

§ 153.044 YARD AND YARD REQUIREMENTS.

(A) *Minimum lot size.* No lot, required yard, or other open space shall be reduced in area or dimension so as to make such lot, yard, or open space less than the minimum required by this chapter, and if the existing yard or other open space as existing is less than the minimum required, it shall not be further reduced. No required open space provided about any building or structure shall be included as part of any open space required for another structure.

(B) *Exceptions.* The following shall not be considered as encroachments on yard setback requirements:

(1) Cantilevers up to ten feet in width, chimneys, flues, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than two feet into a yard.

(2) Terraces, steps, decks, uncovered porches, stoops or similar structures limited to not more than a height of three feet above grade may extend to within five feet of side yard and ten feet of rear yard lot lines, but not more than five feet into a required front yard or side yard adjacent to a public right-of-way.

(3) Recreational and laundry drying equipment, arbors and trellises, gazebos, and air-conditioning or heating equipment shall be allowed only in a rear or side yard, provided they are at a distance of five feet from any lot line.

(4) In residential districts, a one story entrance for a detached single-family or two-family dwelling may extend into the front yard setback not more than five feet, and shall not exceed 50 square feet in size.

(5) No encroachment shall be permitted in existing or required drainage and utility easements.

(C) *Front yard setback exceptions.* In the case of lots platted prior to the effective date of this chapter, the principal building setback requirements for front and side yards adjacent to a public right-of-way, as established by the respective zoning districts, may be reduced to a distance equaling the average setback of principal buildings on adjacent lots. In no case shall this distance be less than half of the required setback.

(D) *Triangular lots.* In the case of triangular lots, where the rear lot line is a single vertex, the rear yard setback points of reference shall be determined by measuring the length of the setback distance from the vertex along the side lot lines. The rear setback line shall be determined by traversing the lot and connecting these points of reference.

(Ord. 583, passed 8-26-2019)

§ 153.020 GENERAL ADMINISTRATION.

(A) *Development application procedures.* Certain applications of this chapter require study and action by the City Council, the Planning Commission, city staff, the applicant, and various experts, in varying combinations dependent upon the nature of the non-standard use or proposed use or change. These include proposed conditional use permits, variances, site plan reviews, zoning ordinance text or map amendments, and appeals on zoning questions.

(B) *Decision process.* The City Council, acting as the Board of Adjustment and Appeals under M.S. §§ 462.357(6), 462.359(4), and 15.99, shall make the decisions within the legislative and executive framework of the city on applicable development applications.

(C) *Application procedure.* An application for a zoning ordinance text or map amendment, conditional use permit, interim use permit, variance, and/or site plan review shall be processed in accordance with the following procedure:

(1) *Timeline.* Pursuant to M.S. § 15.99, an application for an amendment shall be approved or denied within 60 days from the date of its official and complete submission unless extended by the city pursuant to statute or a time waiver is granted by the applicant.

(2) *Application.* Applications shall be filed with the Zoning Administrator on an official application form of the city, accompanied by a fee as established by City Council resolution. The application shall also be accompanied by detailed written and graphic materials fully explaining the proposed change, development, or use. The number of copies to be provided and any additional data shall be determined by the Zoning Administrator. Applications shall be complete before they are accepted. A complete application shall include the following information:

(a) A city application form(s) relating to the request signed by all persons with an interest in the subject property affected by the request. A copy of an owner's Duplicate Certificate of Title or other approved documentation of interest shall also be submitted with the signed application form(s);

(b) All supporting information required by this chapter and/or outlined in § [153.023](#) of this chapter and application documents included with the city application forms, unless specifically waived in writing by the Zoning Administrator; and

(c) Payment of all fees associated with the applicable application(s). Applicants shall be responsible for all costs incurred by the city and/or employed consultants. Expenses shall be charged against the required escrow accounts in accordance with this chapter.

(d) A pre-application meeting shall be required by city staff at which the appropriate application procedures, requirements and applicable provisions relating to the request will be reviewed and explained.

(3) An application will be deemed complete unless the applicant receives written notice within 15 business days exclusive of Saturdays, Sundays and legal holidays of its submission indicating it is not complete and indicating what information is missing. This notice shall be considered given by its deposit in the U.S. Mail, first class postage prepaid, addressed to any listed applicant at the address given on the application form. In the event the applicant fails to provide an address on the application form, this notice requirement for incomplete applications shall be deemed waived by the applicant.

(4) *Additional data.* The City Council, Planning Commission, and city staff may request additional information from the applicant concerning the application or may retain expert opinions at the expense of the city, or may require as a condition of proceeding with its consideration of any matter, that the applicant furnish expert opinion and data at the expense of the application.

(5) *Technical reports.* The Zoning Administrator shall instruct the appropriate staff persons to prepare technical reports where applicable and provide general assistance in preparing a

recommendation on the action to the Planning Commission and City Council. The technical reports are to be entered in and made part of the record of the Planning Commission and forwarded to the City Council.

(6) *Notice of hearing.* For applications involving zoning amendments, conditional use permits, and variances, the Zoning Administrator shall set a date for a public hearing. Notice of such hearing shall consist of a legal property description, a general description of the property location, and a description of the request to be published in the official newspaper at least ten days prior to the hearing. Written notices shall be mailed not less than ten days nor more than 30 days prior to the hearing to all owners of property, according to the records available to the city within 350 feet of each parcel included in the request.

(7) *Notice not received.* Failure of the city to send, or a property owner to receive notice shall not invalidate any proceedings under this chapter, provided that a bona fide attempt has been made to comply with the requirements of this chapter.

(8) *Hearing.* After receipt of the report of the Zoning Administrator, the Planning Commission shall conduct the public hearing and consider the application.

(9) *Presentation of application.* The applicant or a representative of the applicant shall appear before the Planning Commission in order to present the case for the application and to answer questions concerning the request. Failure of the proponent to appear at either the Planning Commission or City Council, consideration of the matter may constitute grounds for rejection of the application. The City Council may require sworn testimony and a verified transcription of the proceedings at the expense of the city. The applicant shall have the same privilege of presenting sworn testimony and may provide for a transcript of the proceedings at the expense of the applicant.

(10) *Recommendations of Planning Commission.* The Planning Commission shall recommend such actions or conditions relating to the application as deemed necessary or desirable to carry out the intent and purpose of this chapter and the comprehensive plan. Such recommendation shall be either in the minutes or by written resolution and forwarded to the City Council.

(11) *Record before City Council.* The Zoning Administrator shall place the report and recommendation of the Planning Commission and the city staff on the agenda for the next regular City Council meeting after Planning Commission action, or the expiration of 60 days after the first consideration by the Commission, whichever is earlier, subject to the limitations of M. S. § 15.99. Such reports and recommendations shall be entered in and made part of the permanent written record of the City Council meeting.

(12) *City Council review.* Subject to the limitations of M.S. § 15.99, the City Council shall act upon an application after it has received the report and recommendation from the Planning Commission. If, upon receiving the reports and recommendations of the Planning Commission and Zoning Administrator, the City Council desires further consideration, or finds that inconsistencies exist in the review process, data submitted or recommended action, the City Council may, before taking final action, refer the matter back to the Planning Commission with a statement detailing the reasons for referral.

(13) *City Council action.* Upon receiving the request and any report and recommendations of the Planning Commission and the city staff, the City Council shall have the option to set and hold a public hearing if deemed necessary and shall make recorded findings of fact.

(a) The City Council may adopt and amend a zoning ordinance by a majority vote of all its members. The adoption or amendment of any portion of a zoning ordinance which changes all or part of the existing classification of a zoning district from residential to either commercial or industrial requires a two-thirds majority vote of the City Council.

(b) In the case of a conditional use permit, the Council may impose any condition it considers necessary to protect the public health, safety, and welfare.

(c) In the case of an amendment, the amendment shall not become effective until such time as the City Council approves an ordinance or code provision reflecting the amendment and after the ordinance or code provision is published in the official newspaper.

(14) *Notice to applicant.* The Zoning Administrator shall notify the applicant of the decision of the City Council in writing, including any relevant resolution and findings which may have been passed by the City Council.

(15) *Filing of notice of action.* A certified copy of any zoning ordinance amendment, conditional use permit, interim use permit, or variance authorized shall be filed with the Le Sueur County Recorder.

(16) *Reconsideration.* Whenever an application for an amendment or conditional use permit has been considered and denied by the City Council, a similar application for the amendment or conditional use permit affecting substantially the same property shall not be considered again by the Planning Commission or City Council for at least six months from the date of its denial; and a subsequent application affecting substantially the same property shall likewise not be considered again by the Planning Commission or City Council for an additional six months from the date of the second denial unless a decision to reconsider such matter is made by not less than four-fifths vote of the full City Council.

(D) *Expiration of zoning approvals.*

(1) Unless otherwise specified by the City Council at the time it is authorized, a conditional use permit, interim use permit, or variance shall be null and void and expire if the applicant fails to implement such approvals and fulfill each and every condition attached thereto within one year from the date of its authorization unless a petition for an extension of time in which to implement the approved plans has been granted by the Zoning Administrator provided that:

(a) The extension is requested in writing and filed with the city at least 30 days prior to the expiration of the initial request;

(b) The request for extension states facts demonstrating that a good faith attempt has been made to complete or utilize the use or activity permitted in the approval;

(c) A maximum of one administrative extension shall be granted;

(d) The extension shall not exceed six months from the initial expiration date; and

(e) There shall be no charge for the filing of a petition for an administrative extension.

(2) Upon receiving a recommendation from the Planning Commission and City staff, the City Council may grant an extension of greater than six months provided that:

(a) The conditions described in divisions (1)(a) through (1)(c) above are satisfied;

(b) The extension shall not exceed one additional year; and

(c) The filing of a petition for extension is subject to fee requirements established by the city's fee schedule.

(E) *Performance agreement.* Upon approval of a conditional use permit, interim use permit, variance, permit with zoning requirements, or other such action authorized by this chapter, the city may require the applicant to enter into a performance agreement prior to the issuing of building permits or initiation of work on the proposed improvement or development. Said agreement shall

guarantee conformance and compliance with the conditions of the approval and the codes of the city. The performance agreement shall be prepared and approved by the City Attorney and shall contain, but not be limited to, the following items and conditions:

(1) *Performance security.* The performance agreement shall require the applicant to provide financial security to assure compliance with the agreement and conditions of the approval. The security may be in the form of a surety bond, cash escrow, certificate of deposit, irrevocable letter of credit, securities or cash deposit. The security shall be in an amount determined by the City Engineer or Building Official under the direction of and approved by the Council, to cover estimated costs of labor and materials for the proposed improvements or development. The project can be handled in stages with prior approval of the city.

(2) *Security release.* The city shall hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the application approval and building code of the city has been issued by the city Building Official.

(3) *Security forfeiture.* Failure to comply with the conditions of the application approval and/or the ordinances of the city shall result in forfeiture of the security.

(4) *Hold harmless and indemnification of city.* The applicant shall agree to indemnify and hold harmless the city and its agents and employees against any and all claims, demands, losses, damages and expenses (including attorney fees) arising out of or resulting from the applicant's negligent or intentional acts, violation of any safety law, and regulation or any code in the performance of this agreement, without regard to any inspection or review made or not made by the city, its agents or employees or failure to take any other prudent precaution. In the event any city employee, agent or representative shall come under the direct or indirect control of the applicant, or the city, upon failure of the applicant to comply with any conditions of the approval, performs said conditions pursuant to the bond, the applicant shall indemnify and hold harmless the city, its employees, agents and representatives for its own negligent or intentional acts in the performance of the applicant's required work under the permit.

(5) *Fees.* The applicant shall agree to pay any and all attorney and consultant fees incurred by the city to enforce the terms and conditions of any application approval or provisions of any performance agreement relating to said permits.

(F) *Cost recovery.*

(1) *Purpose.* The costs of the city for receiving, analyzing, processing, hearing and final process for requests of changes, modification, or special consideration under this chapter, such as requests for amendments (map or text), site and building plan reviews, conditional use permits, interim use permits, and variances are considered to be unique to the applicant requesting such consideration, and it is the intent of this section to provide that all costs of the city occasioned by such requests shall be borne by the applicant. The reimbursement to the city shall be limited to actual costs of the city. Actual costs shall include all engineering, legal, planning, or other consultant fees or costs paid by the city for other consultants for expert review of a development application.

(2) *Base zoning fee.* Each applicant shall pay a non-refundable base zoning fee at the time an application is presented to the city for a zoning change of any nature, site and building plan review, a conditional use, an interim use, or a variance. This fee is intended to reimburse the city for its costs for administrative processing a development application. If this fee proves to be insufficient to cover such costs, such additional costs will be charged as a part of the zoning deposit, or the supplemental zoning deposit.

(3) *Escrow deposit.* In addition to the non-refundable base zoning fee, each applicant shall pay an escrow deposit in an amount established by City Council on the fee schedule at the time of

application. All actual costs including, but not limited to, planning, engineering, legal, or other consultant fees or costs, incurred by the city in the processing of the application shall be paid from or reimbursed to the city, from the escrow deposit. Actual costs not fully paid or reimbursed from the base zoning fee shall be paid or reimbursed from this escrow or supplemental deposit.

(4) *Supplemental deposit.* At any time while the application is pending and before its final conclusion, if the Zoning Administrator determines that the amount of the escrow deposit is or is estimated to be insufficient to pay for present or anticipated actual costs of the application, a supplementary deposit shall be required by the Zoning Administrator to be paid by the applicant. The one or more supplemental deposits shall be in an amount sufficient to pay all actual costs of the city.

(5) *Refunds, administrative costs.* The base zoning fee, intended to cover administrative costs, is non-refundable.

(6) *Refunds, direct costs.* If the direct costs of the city in processing the application are less than the amount of the escrow deposit and any supplemental deposit, any such unexpended amount shall be refunded to the applicant upon the conclusion of the proceedings, and any such costs in excess of the supplemental deposits on hand with the city shall be paid by the applicant prior to completion of the proceedings by the city.

(Ord. 583, passed 8-26-2019)