

**CITY OF COLOGNE  
CARVER COUNTY  
STATE OF MINNESOTA**

**ORDINANCE NO. 2026-**

**AN ORDINANCE AMENDING THE CITY OF COLOGNE CITY CODE RELATED TO  
THE PARKS AND RECREATION BOARD AND THE PLANNING COMMISSION**

**The City Council of Cologne, Minnesota ordains:**

**SECTION 1. RESCIND SECTION.** Section § 30.15 through § 30.26 of the Cologne City Code is hereby rescinded to eliminate the Parks and Recreation Board.

**SECTION 2. RESCIND AND REPLACE SECTION.** Section § 30.40 through § 30.51 of the Cologne City Code is hereby rescinded and a new Section 30.40 through 30.40 is added as follows:

**30.40 PLANNING COMMISSION REAFFIRMED.**

The Cologne Planning Commission is maintained and reaffirmed as the planning agency for the City. The Planning Commission shall be the city planning agency authorized by Minn. Stat. § 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in this ordinance or City Code, the Planning Commission shall be advisory directly to the City Council.

**30.41 COMPOSITION AND TERMS.**

- (A) **Composition, Number.** The Planning Commission shall consist of five members who are residents of the City. Four members shall be appointed by the City Council; and the City Council shall select one member of the Planning Commission from amongst its own members.
- (B) **Terms.** The members of the Commission shall be appointed for staggered terms of four years. Appointees shall hold their offices until their successors are appointed and qualified. The City will accept applications from any eligible individual for appointments to the commission prior to a term expiring. Current members must reapply for the position on the commission and may be appointed for consecutive terms. The City Council shall interview applicants and appoint members to the commission. The City Council shall make appointments in January of each calendar year or as soon as possible thereafter. Vacancies during the term shall be filled by the Council for the unexpired portion of the term. Every appointed member shall, before entering upon the discharge of his or her duties, take an oath

that he or she will faithfully discharge the duties of his or her office. The one member selected by the Council from its members shall be approved with the Annual Appointments typically approved in January of each year to serve until the next time the City Council adopts Annual Appointments. The member so selected from the Council shall not be the Mayor.

- (C) Removal. Members may be removed by the City Council with or without cause by a majority vote of the City Council.
- (D) Compensation. All members shall serve with the compensation as may be set from time to time by the City Council.

#### 30.42 ORGANIZATION AND MEETINGS.

- (A) Officers. At its first meeting of a calendar year, the Planning Commission shall elect a Chairperson from among its appointed members for a term of one year.
- (B) Meeting. The Commission shall hold at least one regular meeting each month. The Chairperson, working in conjunction with the City Administrator, may cancel the regular meeting, or schedule a special meeting.
- (C) Minutes. Written minutes of meetings shall be kept and filed with the City Clerk but shall be subject to approval at the next Planning Commission meeting.
- (D) Expenditures. No expenditures by the City on behalf of the Planning Commission shall be made unless and until authorized by the City Council.

#### 30.43 ATTENDANCE

In the event any appointed member fails to attend either three consecutive meetings or 25 percent of those meetings held in a calendar year, a vacancy may be declared to exist by a majority vote of the City Council. The vacancy shall be filled as provided in Section § 30.41 .

#### 30.44 POWERS AND DUTIES

- (A) Generally.** The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall exercise the duties conferred upon it by this ordinance and the City Code.
- (B) Comprehensive Plan.** It shall be the purpose of the Planning Commission to prepare and adopt a comprehensive plan pursuant to Minn. Stat. § 473.858, Subd.

1. This plan may be prepared in sections, each of which shall relate to a comprehensive plan program. After the City Council 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.

**(C) 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 City Council reasonable and practical means for putting into effect the plan or section thereof, in order that it will serve as a pattern and guide for the orderly physical development of the city 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 City Council.

**(D) 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 City Council or city policy, and make recommendations to the City Council concerning zoning ordinance amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

**(E) 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 City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

**(F) Interim Use Permits.** The Planning Commission may make recommendations on all requests for an interim use permit under the terms of the zoning ordinance and conduct public hearings as directed by City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

**(G) 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 City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

**(H) Zoning Variances.** All applications for variances may be referred to the Planning Commission and forwarded with or without recommendations directly to the City Council. The City Council 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.

**(I) 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 city 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 governing body a proposed official map covering the entire municipality 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 sections 462.351 to 462.364.

**(J) 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 city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed acquisition or disposal of real property with the comprehensive municipal plan. The City Council 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 municipal plan.

**(K) 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 city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed capital improvement with the comprehensive municipal plan. The City Council 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 municipal plan.

**(L) 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 City Council comprehensive plan amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

**SECTION 3. EFFECTIVE DATE**

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance attached hereto as Exhibit A as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

**SECTION 4. REPEALER**

All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions.

Passed by the City Council of Cologne this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Approved:

\_\_\_\_\_  
Matt Lein  
Mayor

Attested:

\_\_\_\_\_  
Michelle Morrison  
City Clerk