

CHAPTER 239—H. F. No. 158

An act to amend Mason's Minnesota Statutes of 1927, Section 1614, relating to the location, size and use of buildings in cities of the first class.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 1614, is hereby amended so as to read as follows :

"1614. **Height of buildings in cities regulated.**—That for the purpose of promoting the public health, safety, order, convenience, prosperity and general welfare, any city in the state of Minnesota now or hereafter having 50,000 inhabitants or over, acting by and through the governing body of such city, may by ordinance regulate the location, size and use of buildings, the height of buildings, the arrangement of buildings on lots, and the density of population therein, may make different regulations for different districts thereof, and may acquire or prepare and adopt a comprehensive city plan for such city or any portion thereof for the future physical development and improvement of the city, in accordance with the regulations made as aforesaid, and may thereafter alter said regulations or plan, such alterations, however, to be made only after there shall be filed in the office of the city clerk a written consent of the owners of two-thirds of the several descriptions of real estate situate within 100 feet of the real estate affected, and after the affirmative vote in favor thereof by a majority of the members of the governing body of such city; provided, however, that notwithstanding any resolution, ordinance or law conflicting herewith, the governing body of any such city, by an affirmative two-thirds vote in favor thereof, may by resolution grant a permit for the construction of additions, extensions or improvements to any hospital which is being actually operated and maintained on the premises which it occupies on the date of the passage of this act; provided, further, that whenever the city planning commission or board shall make recommendation in writing to the governing body of any such city for altering said regulation or plan, with respect to a more restricted use of any real estate within 1000 feet of a public park, which part contains not less than 50 acres, located near or adjacent to the waters of a navigable lake, covering an area of not less than 1000 square miles, said governing body, by a two-thirds vote of all its members, may alter said regulation or plan in accordance with said recommendation of the city planning commission or board."

Approved April 17, 1937.