

# **CITY OF GRAND RAPIDS**

*NOTICE OF MEETING  
PLANNING COMMISSION*



**CITY OF  
GRAND RAPIDS**  
*IT'S IN MINNESOTA'S NATURE*

## **Meeting Agenda Full Detail**

**Thursday, May 3, 2012**

**4:00 PM**

**Council Chambers**

### **Planning Commission**

**COUNCIL CHAMBERS  
CITY HALL - 420 N. Pokegama Ave.  
Grand Rapids, MN 55744**

**Call To Order****Call of Roll**

**Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.**

**Approval of Minutes**

**12-0260** Approve the minutes of the April 5, 2012 4:00 pm regular meeting.

**Attachments:** April 5, 2012 Planning Commission

**General Business**

**12-0261** Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would amend multiple sections of Chapter 30 Land Development Regulations establishing the BP/SBP (Business Park/Shoreland Business Park).

**Attachments:** PC Staff Report- TEXT Amnd. Business Park 5-3-2012

Sec. 30-511. Purpose of districts

Sec. 30-421. Definitions

Sec. 30-512 Business Park-Additions- Tables

Sec. 30-564. Uses with restrictions

Sec. 30-592. Supplementary height regulations

Sec. 30-679. District regulations for on premises signs

Sec. 30-803 Shoreland Management

**12-0262** Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.

**Attachments:** PC Staff Report- Rezoning Industrial Park Add. 5-3-2012

**Public Input**

*Individuals may address the Planning Commission about any non public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.*

**Miscellaneous\Updates**

**Adjourn**

NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:  
Thursday, June 7, 2012

**PLANNING COMMISSION:**

*Lee Anderson*  
*Mark Gothard*  
*Ron Niemala*  
*Michael Twite - Chairperson*  
*Marn Flicker*  
*Shane McKellep*  
*Julie Fedje-Johnston - Vice Chair*

**STAFF:**

**Rob Mattei - Community Development Director**  
**Eric Trast - Community Development Specialist**  
**Aurimy Groom - Recorder**  
**Chad Sterle - Attorney**



CITY OF  
GRAND RAPIDS  
IT'S IN MINNESOTA'S NATURE

# CITY OF GRAND RAPIDS

CITY COUNCIL CHAMBERS  
420 NORTH POKEGAMA  
AVE.

## Legislation Details (With Text)

**File #:** 12-0260      **Version:** 1      **Name:** Approve the minutes of the April 5, 2012 4:00 pm regular meeting.

**Type:** Minutes      **Status:** Approval of Minutes

**File created:** 4/26/2012      **In control:** Planning Commission

**On agenda:** 5/3/2012      **Final action:**

**Title:** Approve the minutes of the April 5, 2012 4:00 pm regular meeting.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [April 5, 2012 Planning Commission](#)

Date	Ver.	Action By	Action	Result
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**Title**  
Approve the minutes of the April 5, 2012 4:00 pm regular meeting.

body  
**Background Information:**  
*See attached draft meeting minutes.*



# CITY OF GRAND RAPIDS

NOTICE OF MEETING  
PLANNING COMMISSION

## Minutes - Final Planning Commission

*COUNCIL CHAMBERS  
CITY HALL - 420 N. Pokegama Ave.  
Grand Rapids, MN 55744*

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Thursday, April 5, 2012

4:00 PM

Council Chambers

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### Call To Order

### Call of Roll

- Present** 4 - Commissioner Lee Anderson, Commissioner Julie Fedje-Johnston, Commissioner Shane McKellep, and Chairperson Michael Twite
- Absent** 2 - Commissioner Ron Niemala, and Commissioner Mark Gothard

**Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.**

**A motion was made by Commissioner Julie Fedje-Johnston, seconded by Commissioner Shane McKellep, that the agenda be approved as presented . The motion PASSED by an unanimous vote.**

### Approval of Minutes

Approve the minutes of the March 1, 2012 4:00 pm regular meeting.

**A motion was made by Commissioner Lee Anderson, seconded by Commissioner Julie Fedje-Johnston, that the Minutes be Approved as Presented by Commission . The motion PASSED by an unanimous vote.**

### Public Hearings

Conduct a Public Hearing to consider a variance petition submitted by David and Debra Clark, d.b.a. Bloomer's Garden Center & Landscaping.

*Community Development Specialist Trast provided background information.*

*Motion by Commissioner Fedje-Johnston, Second by Commissioner Anderson to open the public hearing. The following voted in favor thereof: Flicker, Anderson, Twite, Fedje-Johnston, McKellep. Opposed: None, passed unanimously.*

*Perry Legering, DNR Area Wildlife Manager has been working with the Clark's to come up with a resolution their the deer issue. Mr. Legering provided photos of the proposed fence. This fence would be constructed of woven wire and have a life span of thirty plus years and require very little maintenance.*

*Martin Motherway, 1118 Golf Course Road, Grand Rapids is the homeowner that lives across from Bloomer's Garden Center and is concerned about the debris that will be caught in the fence and the clean up of that debris.*

*Debbie Clark, Owner Bloomer's Garden Center pointed out the area of the property that would be fenced and they would also take care of the debris issue. They've tried many options to deter the deer but have not had any success, this fence is their only viable option.*

*Motion by Commissioner Anderson, Second by Commissioner Flicker to recess the public hearing at 4:45 p.m. the following voted in favor thereof: Fedje-Johnston, Anderson, Twite, Flicker, McKellep. Opposed: None, passed unanimously.*

*Motion by Commissioner Fedje-Johnston, Second by Commissioner Anderson to reconvene the public hearing a 5:06 p.m. the following voted in favor thereof: McKellep, Flicker, Anderson, Twite, Fedje-Johnston. Opposed: None, passed unanimously.*

*Martin Motherway, 1118 Golf Course Road, Grand Rapids said he would be in favor of a 7 1/2 foot fence but is opposed to a 10 foot fence.*

*Debbie Clark, Owner Bloomer's Garden Center said the DNR's recommendation is for a 10 foot fence, anything shorter than that will not work.*

*Motion by Commissioner McKellep, Second by Commissioner Fedje-Johnston to close the public hearing. The following voted in favor thereof: McKellep, Anderson, Twite, Fedje-Johnston, Flicker. Opposed: None, passed unanimously.*

**Motion by Commissioner Fedje-Johnston, Second by Commissioner Anderson that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby grant the following variances to David and Debra Clark, d.b.a. Bloomer's Garden Center & Landscaping for the property legally described as:**

**S 330 ft of NW NE Section 29, Township 55N, Range 25W, EXC PT DESC as Following: BEG at SE COR of NW NE Thence W Along S Line A DIS of 423.35 ft, Thence N Along 29 DEG 28 MIN 34 SEC, W A DIS of 399.65 ft, Thence N 90 DEG E A DIS of 620 ft to E Line of NW NE Thence S Along E Line A DIS of 347.92 ft to PT of BEG**

- to allow a one time waiver of the requirements of Section 30-593(a)5 of the

Municipal Code for the construction of a 10 ft. high fence that would exceed the maximum allowable height limit in the street side yard area (adjacent to Golf Course Road) by 6 ½ ft., and would exceed the maximum allowable height limit by 4 ft. in all other yard areas, as proposed on the petitioners site plan.

and that the following condition shall apply:

- The variance exist as long as the property is zoned agriculture.

Commissioner Fedje-Johnston read her considerations for the record.

1. Is this an "Area" variance rather than a "Use" variance?

This is an area variance. The property will continue to be used as agricultural.

2. Does the proposal put property to use in a reasonable manner?

Yes, the proposal not only puts the property to reasonable use, but also allows for the property to continue to be used as it has been used for many years.

3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?

The plight of the landowners is not self created. Population growth in this part of town combined with deer population growth in the city has created the problem.

4. Is the variance in harmony with the purposes and intent of the ordinance?

Assuming the purpose and intent of the ordinance is for visual appeal, the proposed fence is not in harmony with the ordinance however, balancing the reduced visual appeal against the disruptive nature of the deer the need outweighs the diminished view.

5. Will the variance, if granted, alter the essential character of the locality?

Although a barrier will be created, the fence is as minimal visual barrier as possible. Passerbys will have a view into the property and area with a minimal visual obstruction.

6. Is the variance consistent with the comprehensive plan?

Yes, the Comprehensive Plan's community visions, values and guiding principles is to harmonize change with the existing community fabric and natural

systems. The principle recognizes that " change is inevitable" and that " opportunites and risks can be managed to protect and sustain community and

infrastructure". Allowing the variance recognizes the increased deer population can be managed by installing a taller fence and as a result protects a

business in the community.

The following roll call vote was taken: Yea: Flicker, Anderson, Twite, Fedje-Johnston, McKellep. Nay: None, passed unanimously.

**General Business**

Consider a recommendation to the City Council regarding the refund of a Text Amendment application fee.

*Community Development Specialist Trast said the time spent on this item by staff was roughly three hours which would equate to about \$180.00. Chair Twite suggested having the amount refunded be between \$325.00 and \$505.00 that way the City Council could decide what amount would be in the best interest of the City.*

**A motion was made by Commissioner Lee Anderson, seconded by Commissioner Marn Flicker to forward a recommendation to the City Council to approve a refund between \$325.00-\$505.00 for a text amendment application fee. The motion PASSED by an unanimous vote.**

Consider a recommendation to the City Council regarding the rezoning of a 20 ½ ft. strip of land from R-1 (One-Family Residential) to GB (General Business) located within Block 1, Clover First Addition to Grand Rapids.

**A motion was made by Commissioner Lee Anderson, seconded by Commissioner Marn Flicker, that based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward to the City Council a recommendation to approve the rezoning of property, as petitioned by Ronald and Patricia Childs, described as:**

**The West 20.5 ft. E 54.70 FT OF LOT 2 & ALL OF LOT 3, BLK 1, CLOVER 1ST & 2ND ADDITION TO GRAND RAPIDS, ITASCA COUNTY, MINNESOTA**

**from R-1 (One-Family Residential) to GB (General Business);**

**Contingent on the following stipulation(s):**

- That the lot line adjustments, proposed by the petitioner, and as depicted within the attached maps, be recorded at the Itasca County Recorders Office.
- Record cross-access parking agreement between parcels "A" and "B".

**Commissioner Anderson read his considerations for the record.**

1. Will the change affect the character of neighborhoods?  
No, it's 20.5 feet it won't affect the neighborhood.
2. Would the change foster economic growth in the community?  
Yes, it will make the parcel easier to deal with in the future.
3. Would the proposed change be in keeping with the spirit and intent of the ordinance?  
Yes, it makes things better and easier to deal with.
4. Would the change be in the best interest of the general public?  
As far as the public goes it probably doesn't matter either way but it is an improvement.
5. Would the change be consistent with the Comprehensive Plan?  
Yes, we're bringing something into conformance.

**The motion PASSED by an unanimous vote.**



Consider a recommendation to the City Council regarding the final plat of Lakewood Heights Addition.

**A motion was made by Commissioner Shane McKellep, seconded by Commissioner Lee Anderson, that the Planning Commission does hereby forward to the City Council a recommendation to approve the final plat of Lakewood Heights Addition, contingent upon:**

- **The private easements required as a condition of preliminary plat approval be simultaneously executed and recorded with the final plat.**
- **In accordance with Minnesota Statute §§505.02, Subdivision 1, the Subdivider shall set survey monuments of a permanent character in the locations on the boundary of the subdivision, and within it, as required within 1 year of the filing and recording of the Plat.**

**The motion PASSED by an unanimous vote.**

Discuss the development of the Business Park zoning district and consider initiating amendments to Chapter 30 *Land Development Regulations* establishing the BP/SBP (Business Park/Shoreland Business Park) district and concurrently initiating a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district, as guided by the 2011 *Comprehensive Plan*.

*Community Development Specialist Trast provided the staff report for this item. The Business Park zoning district sub-committee met with staff to provide recommendations. Chair Twite suggested a work session to discuss this item.*

**Motion by Commissioner Fedje-Johnston, Second by Commissioner Flicker that the Planning Commission, as provided for under Section 30-454, hereby initiates a request to amend:**

1. **Chapter 30 Land Development Regulations establishing the BP/SBP (Business Park/Shoreland Business Park) district**
- And**
2. **The Official Zoning Map over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.**

**The motion PASSED by an unanimous vote.**

## **Public Input**

## **Miscellaneous\Updates**

**Motion by Commissioner Fedje-Johnston, Second by Commissioner Anderson to have a work session from 3:30 p.m.-4:00 p.m. prior to the next regular meeting. The motion PASSED by unanimous vote.**

## **Adjourn**

**A motion was made by Commissioner Marn Flicker, seconded by Commissioner Shane McKellep, that the meeting be Adjourned at 5:35 p.m. . The motion PASSED by an unanimous vote.**





## Legislation Details (With Text)

<b>File #:</b>	12-0261	<b>Version:</b>	1	<b>Name:</b>	Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would amend multiple sections of Chapter 30 Land Development Regulations establishing the BP/SBP (Business Park/Shoreland Business Park).
<b>Type:</b>	Agenda Item	<b>Status:</b>			General Business
<b>File created:</b>	4/27/2012	<b>In control:</b>			Planning Commission
<b>On agenda:</b>	5/3/2012	<b>Final action:</b>			
<b>Title:</b>	Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would amend multiple sections of Chapter 30 Land Development Regulations establishing the BP/SBP (Business Park/Shoreland Business Park).				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">PC Staff Report- TEXT Amnd. Business Park 5-3-2012</a> <a href="#">Sec. 30-511. Purpose of districts</a> <a href="#">Sec. 30-421. Definitions</a> <a href="#">Sec. 30-512 Business Park-Additions- Tables</a> <a href="#">Sec. 30-564. Uses with restrictions</a> <a href="#">Sec. 30-592. Supplementary height regulations</a> <a href="#">Sec. 30-679. District regulations for on premises signs</a> <a href="#">Sec. 30-803 Shoreland Management</a>				

Date	Ver.	Action By	Action	Result
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### Title

Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would amend multiple sections of Chapter 30 *Land Development Regulations* establishing the BP/SBP (Business Park/Shoreland Business Park).

body

### **Background Information:**

*See attached Staff Report and background information.*



# Planning Commission Staff Report

Agenda Item #	Community Development Department	Date: 5/3/12
<b>Statement of Issue:</b>	Consider a recommendation to the City Council regarding amendments to the Zoning Ordinance that would amend multiple sections of Chapter 30 <i>Land Development Regulations</i> establishing the BP/SBP (Business Park/Shoreland Business Park).	
<b>Background:</b>	<p>On April 5, 2012 the Planning Commission formally initiated the process to amend Chapter 30 <i>Land Development Regulations</i> establishing the BP/SBP (Business Park/Shoreland Business Park) district.</p> <p>With guidance from the 2011 Comprehensive Plan, which recommends the establishment of a Business Park zoning district, staff developed draft amendments for the Planning Commission’s appointed subcommittee to review and provide comments, which they did on March 15<sup>th</sup>. The Business Park zoning district is intended to involve primarily small and lower intensity industrial uses, commercial land uses that are similar to wholesale businesses and businesses that have a mix of uses including office and back office operations, storage, assembly, and limited retail.</p> <p>At the April meeting, upon the recommendation of the subcommittee, staff presented the draft Business Park amendments to the full Planning Commission. It was determined at that time that the Planning Commission would use the month of April to individually review the draft amendments, and then address any comments or questions in a work-session format on May 3<sup>rd</sup>.</p> <p>The amendments for your consideration, were provided to the Planning Commission on April 5<sup>th</sup>, and are shown in the “marked-up” attachments. Based on the discussion at the work-session, the draft amendments may be forwarded to the City Council “as is”, or with any additional amendments the Planning Commission deems appropriate.</p> <p>Proposed Next Steps:</p> <ol style="list-style-type: none"> <li>1. May 3<sup>rd</sup> (<i>under separate agenda items</i>) Planning Commission forwards a recommendation to the City Council regarding the adoption of ordinances adopting the Business Park text amendments and amending the Zoning Map establishing a Business Park zoning district over Industrial Park Addition to Grand Rapids.</li> <li>2. (mid-May) City conducts a neighborhood meeting with property owners located within Industrial Park Addition to Grand Rapids discussing Business Park district.</li> <li>3. June 11<sup>th</sup> (<i>under separate agenda items</i>) City Council considers</li> </ol>	

	<p>Planning Commission’s recommendation, conducts public hearings, adopt ordinances pertaining to Business Park text amendments and amending the Zoning Map establishing a Business Park zoning district over Industrial Park Addition to Grand Rapids.</p>
<b>Considerations:</b>	<p>The Planning Commission should make specific findings of fact regarding the proposed amendments to the ordinance:</p> <ol style="list-style-type: none"> <li>1. Will the change affect the character of the neighborhood?</li> <li>2. Will the change foster economic growth in the community?</li> <li>3. Would the proposed change be in keeping with the spirit and intent of the Zoning Ordinance?</li> <li>4. Would the change be in the best interest of the general public?</li> <li>5. Would the change be consistent with the Comprehensive Plan?</li> </ol>
<b>Recommendation:</b>	<p>Based on the above findings the Commission should consider a recommendation to the City Council in regard to these draft changes.</p>
<b>Required Action:</b>	<p>Pass a motion, based on the findings of fact, to forward either a favorable recommendation, either with or without changes to the draft amendments, to the City Council, or pass a motion, based on the findings of fact, forwarding an unfavorable recommendation to the City Council regarding amendments to Chapter 30 of the Zoning Ordinance.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby forward a <b>(favorable)(unfavorable)</b> recommendation to the City Council regarding the draft amendments to Chapter 30 of the Zoning Ordinance, establishing the BP/SBP (Business Park/Shoreland Business Park) district, as directed by the 2011 Comprehensive Plan.</p>
<b>Attachments:</b>	<ul style="list-style-type: none"> <li>• Draft Business Park Text Amendments</li> </ul>



### Commercial Land Use Policy

Commercial land uses include an extremely wide variety of small and large businesses, businesses with high intensity uses and businesses with low intensity uses. The Comprehensive Plan vision, values and principles are best served by recognizing these important distinctions and creating separate land use categories for different types of commercial land uses. These differences need to be incorporated into zoning and land use decision making processes. Consequently, the Grand Rapids Future Land Use map includes three distinct categories of commercial land uses: Downtown Mixed Use, Neighborhood Mixed Use, and Highway Commercial. Of these three, two (Downtown and Highway Commercial) are already acknowledged in the City’s policies and land use regulation.

Neighborhood Mixed Use is a new commercial land use category that helps create synergy with the City’s transportation, neighborhood character, and economic diversity goals.

***Neighborhood Mixed Use (NMU)***

Neighborhood Mixed Use areas are primarily small businesses with relatively low land use intensity that are compatible with and sometimes integrate directly with residential land uses, are designed to be pedestrian-friendly, and fit into small building footprints. NMU areas are located in or adjacent to higher density residential land uses (Traditional Neighborhood or Multi Family Residential), but typically away from other commercial areas. Floor to Area Ratios (FARs) are between 0.8 and 1.5, and building heights are consistent with the surrounding residential neighborhood. NMU businesses are distinct in intensity from downtown or highway commercial businesses that have a higher potential nuisance impact on nearby residential land uses.





### Industrial Land Use Policy

In the past, Grand Rapids has grouped all industrial uses into a single land use or zoning category. As business uses and the local economy have evolved, however, a single category no longer supports the City’s economic development needs nor the desired mix of uses in and around industrial areas. The Grand Rapids Comprehensive Plan uses three categories of industrial land uses to meet the City’s long term vision, values, and principles: Industrial - Traditional Workplace; Industrial Park; and Business Park/Limited Industrial. Of these three, the new land use category is Business Park/Limited Industrial. The Traditional Workplace category includes traditional industrial uses but specifically recognizes the unique characteristics of the Blandin UPM site, located at the nexus of heavy rail access, highway access, water, the downtown, a separation from most residential uses, and land available for industrial redevelopment.

***Business Park/Limited Industrial***

Business Park/Limited Industrial areas are primarily small and lower intensity industrial uses, commercial land uses that are similar to wholesale businesses, and businesses that have a mix of uses including office and back office operations, storage, assembly, and limited retail. BP areas include businesses that are inappropriate for industrial parks, but create few synergies by being located with retail establishments, including small wholesale businesses, back-office operations, mail-order operations, materials suppliers, and professional offices.



Category / Description	Primary Land Use	Potential Secondary Land Uses	Other aspects, zoning considerations
<p><b>Medical Campus</b> – areas with institutional (large scale) medical uses and aggregations of smaller medical businesses.</p> 	<p>Hospital, medical offices and related services</p>	<p>Related commercial, lodging, parks and recreation, assisted living facilities.</p>	<p>Clear regulatory connection needs to be created for integrating secondary uses.</p>
<p><b>Industrial – Traditional Workplace</b> - Paper and other industries in city center – part of greater Downtown and integrated with rail and highway infrastructure.</p> 	<p>Industrial, office, services. Facilities needing access to rail infrastructure.</p>	<p>N/A (In proximity to downtown retail and services).</p>	
<p><b>Industrial Park</b> – Traditional industrial park uses, primarily heavy/intensive uses such as manufacturing and warehousing.</p> 	<p>Production/manufacturing, warehouse, large-scale wholesale with trucking, transfer facilities</p>	<p>Office/administrative associated with primary uses. Retail outlets associated with and secondary to primary uses.</p>	<p>Clear regulatory standards defining appropriate mix of uses and relationship between primary and secondary uses.</p>
<p><b>Business Park / Limited Industrial</b> – Industrial and non-retail uses that are less intense than heavy manufacturing.</p> 	<p>Offices, limited production, small wholesale uses</p>	<p>Low visibility/limited retail, services such as child care, education, training facilities.</p>	<p>Will require zoning district modification or new district. Clear definition of preferred mix of land uses needed.</p>

## **Sec. 30-511. - Purpose of districts.**

The zoning districts are established for the specific purposes provided below:

(1) *RR rural residence district and SRR shoreland rural residence district.* These are low-density residential districts in areas where city water and sewer services are generally not available and primarily intended to accommodate traditional single-family detached dwellings. Clustering may be allowed by PUD according to the densities established herein. For uses permitted by right, refer to section 30-512. The SRR districts are subject to additional shoreland management standards.

(2) *R-1 one-family residence district and SR-1 shoreland one-family residence districts.* These are low density residential district which are primarily intended to accommodate traditional single-family detached dwellings. Clustering may be allowed by PUD according to the densities established in this division. For uses permitted by right, refer to section 30-512. The SR-1 districts are subject to additional shoreland management standards.

(3) *R-1a one-family residence district (small lot) and SR-1a shoreland one- family residence district (small lot).* These are more compact, low-density residential districts which are primarily intended to accommodate traditional single-family detached dwellings that meet the housing needs of the city. These districts accommodate single-family detached dwellings on smaller lots in established neighborhoods or new development areas which have access to municipal sewer and water. Clustering may be allowed by PUD according to the densities established herein. For uses permitted by right, refer to section 30-512. The SR-1a districts are subject to additional shoreland management standards.

(4) *R-2 one- and two-family residence district and SR-2 shoreland one- and two-family residence districts.* These are low density residential district that generally correlate with the existing close in neighborhoods that were originally divided into town size lots. While they are primarily for single-family detached dwellings at densities slightly higher than the R-1 district, they are also intended to be used for twin homes or two-family dwellings in other areas of the city designated by the comprehensive plan for low density residential development. They may also serve a transitional function in sensitive areas along major streets and railroad tracks and in areas where the land use changes from high to low intensity, e.g., commercial to single-family residential. In such locations, rental housing at low densities may offer a more feasible alternative than owner occupied housing. Such zoning would allow the conversion of existing and the construction of new dwellings provided all district development regulations are met. Refer to the tables in section 30-512, district development regulations. For uses permitted by right refer to section 30- 512. The SR-2 districts are also subject to shoreland management standards.

(5) *R-3 multiple-family residence district (medium density) and SR-3 shoreland multiple-family residence district (medium density).* These are modest density residential districts that are primarily intended to provide families with efficient alternatives to traditional single-family living. They are intended to provide for a variety and a mixture of multiple-family housing including townhouses, condominiums, apartments and other group housing types. They are also intended to provide recreation amenities and group usable open space within each project or development. For uses permitted by right refer to section 30-512. The SR-3 districts are also subject to shoreland management standards.



(6) *R-4 multiple-family residence district (high density) and SR-4 shoreland multiple-family residence district (high density)*. These are generally higher density districts which are primarily intended to accommodate condominiums and apartments for the full range of contemporary families including singles, couples, empty nesters, single headed families, etc. These, too, are intended to provide a variety of housing opportunities, with recreation and open space amenities, for people of all income and age groups. For uses permitted by right refer to section 30-512

(7) *LB limited business district and SLB shoreland limited business district*. These districts are primarily transitional in nature in that they generally occur where residential and commercial uses must necessarily interface. Because they intend to correlate with existing residential areas, these districts accommodate a wide range of residential uses plus office, cultural, small specialty retail and other uses that are generally compatible with intense commercial areas and surrounding residential areas. For uses permitted by right refer to section 30-512. The SLB districts are also subject to shoreland management standards.

(8) *GB general business district and SGB shoreland general business district*. These districts are intended to accommodate a broad range of retail goods and services, land uses and generally serve the entire community. Though not exclusively so, businesses in this district are relatively freestanding and tend to occupy independent building sites. They may enjoy close proximity to like businesses but depend primarily on good accessibility, high visibility and a relatively large volume of passing traffic. For uses permitted by right refer to section 30-512. The SGB districts are also subject to shoreland management standards.

(9) *CBD central business district*. This district correlates only with the downtown area of the city and is intended to serve a regional clientele. It is highly diversified and intended to offer the full array of high value comparison goods and services; hotel, cultural, tourist and entertainment services; high density residential; finance; general office and public uses. Because the CBD is a very high use intensity zone, is fully developed, much of which occurred prior to the existence of zoning regulations, and is an area that requires the city to play a role in the provision of parking, normal parking, yard and lot requirements do not apply. For uses permitted by right refer to section 30-512

(10) *MU mixed use district and SMU shoreland mixed use district*. These districts are intended to accommodate a mix of residential, retail, office and public uses. Developments within this district are encouraged to use creative arrangements to incorporate a variety of uses into an integrated plan that are compatible with surrounding land uses. Developments should incorporate features to encourage pedestrian activity, such as an interconnected street pattern, sidewalks, smaller blocks and public gathering spaces. For uses permitted by right refer to section 30-512. The SMU districts are also subject to shoreland management standards.

(11) *M medical district and SM shoreland medical district*. This district is intended to accommodate the development of medical, office, multifamily residential and related uses in the area surrounding the hospital medical complex. This may be a transitional area, and it is expected that the existing one- and two-family dwellings in the area will be replaced with more intensive uses. Development should be characterized with large lots and high landscaping standards. For uses permitted by right refer to section 30-512. The SM districts are also subject to shoreland management standards.

(12) *RC recreational commercial district and SRC shoreland recreational commercial district*. These districts reserve specific areas for commercial recreational uses, whether publicly or

privately owned, such as shooting ranges, ATV parks, game farms and golf courses. For uses permitted by right refer to section 30-512. SRC districts are also subject to shoreland management standards.

(13) BP business park district and SBP shoreland business park district. These areas are primarily small and lower intensity industrial uses, commercial land uses that are similar to wholesale businesses and businesses that have a mix of uses such as: office and back office operations, storage, assembly, and limited types of retail. BP/SBP areas include businesses that are inappropriate for industrial parks, but create few synergies by being located with retail establishments, including small wholesale businesses, back-office operations, mail-order operations, materials suppliers, and professional offices.

(143) *I-1 industrial park district and SI-1 shoreland industrial park district.* These are planned industrial districts that are intended to accommodate new, modern, high performance, low impact industrial uses in a park-like setting. They allow a full range of industrial activities plus support services but allow only limited sales of goods and services directly to the public. For uses permitted by right refer to section 30-512. SI-1 districts are also subject to shoreland management standards.

(154) *I-2 general industrial park district and SI-2 shoreland general industrial park district.* These districts generally correlate with the older existing industrial areas of the city and accommodate freestanding industrial buildings. These may be used for new industrial developments that are so designated by the city comprehensive plan provided all performance standards and extraordinary requirements are met with regard to R district relationships. For uses permitted by right refer to section 30-512. The SI-2 districts are also subject to shoreland management standards.

(156) *CD conservancy district.* These districts are established to preserve and protect open space including lakes, streams, wetlands, marshes, woodlands and similar areas of natural, aesthetic and scenic value.

(167) *PU public use district and SPU shoreland public use district.* The public land use districts are primarily intended to be used for major public and quasipublic uses of land as set forth in the comprehensive plan. They are also intended to accommodate major essential public facilities that provide governmental, educational, recreational, cultural and health care services to the entire community. For uses permitted by right refer to section 30-512. The SPU districts are also subject to shoreland management standards.

(178) *AG agricultural district.* These districts are intended to allow for the continuation of agricultural practices and activities especially in areas that may be annexed to the city where public services are not yet available, an alternative use is not imminent and the owner desires to continue to farm the land. For uses permitted by right refer to section 30-512

(189) *AP airport district.* This is a highly specialized district that encompasses that part of the city airport property which is exclusively used for air transportation and related or complementary uses. For uses permitted by right refer to section 30-512 and article III of this chapter.

(Code 1978, § 23.5(E); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

## **Sec. 30-421. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory building* means a subordinate building or structure on the same lot with a principal or main building, or the part of the main building occupied or devoted exclusively to an accessory use. In a shoreland zone, an accessory structure or facility means any building or improvement subordinate to a principal use which, because of the nature of its use, can reasonably be located at or greater than normal structure setbacks.

*Accessory use* means a use on the same lot with the principal use of building that is customarily incidental and subordinate to the principal use or building.

*Administrative and support services*, means establishments engaged in activities that support the day-to-day operations of other organizations. The processes employed in this sector (e.g., general management, personnel administration, clerical activities, telemarketing bureaus & contact centers, cleaning activities) are often integral parts of the activities of establishments found in all sectors of the economy.

*Agriculture* means the use of the land for agricultural purpose, including farming, dairying, pasturage, horticulture, animal and poultry husbandry and the necessary accessory uses for packing, treating or storage of produce; provided, however, the operation of any such accessory uses shall be secondary to that of normal agriculture and provided further that these uses shall not include the commercial feeding of garbage or offal to swine or other animals.

*Airport or heliport* means any land or structure which is used or intended for use, for the landing and take-off of aircraft, and appurtenant land or port building or other port structures or rights-of-way.

*Airspace zones A, B, and C.* Refer to article III of this chapter.

*Alley* means a public right-of-way which affords a secondary means of access to abutting property.

*Alterations* means any modification, additions, or change in construction or type of occupancy; any enlargement of a building, either horizontally or vertically; or the moving of a structure from one location to another.

*Animals, domestic*, means fish, dogs, cats, birds and similar household pets.

*Animals, farm*, means cattle, hogs, horses, sheep, goats, rabbits, chickens and other farm animals.

*Animals, wild and exotic*, means animals other than domestic and farm animals that are customarily found in the wild and including snakes, wolves, and tigers and other such animals.

*Antenna support structure* means a building, athletic field lighting, water tower, or other structure, other than a tower, which can be used for location of telecommunications facilities.

*Apartment* means a room or suite of rooms, including bath and kitchen facilities, in a multiple-family building designed for occupancy by a single family.

*Apartment, accessory*, means an apartment that is secondary and incidental to a principal use or building.

*Applicant* means a person who applies for a permit to develop, construct, build, modify or erect a building, structure or use.

*Application* means the process by which the owner of a plot of land within the city submits a request to develop, construct, build, modify or erect a building, structure or use upon that land.

*Attorney* means the city attorney or his designated representative.

*Basement* means a portion of a building located partly underground, but having less than half its floor-to-ceiling height below the average grade of the adjoining ground.

*Bed and breakfast* means a facility where for compensation and by prearrangement for definite periods of time not to exceed one week, morning meals and lodging are provided for not more than eight guestrooms.

*Bluff* means a topographic feature such as a hill, cliff, or embankment having the following characteristics (an area with an average slope of less than 18 percent over a distance for 50 feet or more shall not be considered part of the bluff):

(1) Part or all of the feature is located in a shoreland area;

(2) The slope rises at least 25 feet above the ordinary high water level of the waterbody;

(3) The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30 percent or greater; and

(4) The slope must drain toward the waterbody.

*Bluff impact zone* means a bluff and land located within 20 feet from the top of a bluff.

*Board of adjustments and appeals, zoning board, board of adjustment, board of zoning appeals, board or board of appeals* means the planning commission.

*Boardinghouse* means a building other than a motel or hotel, where, for compensation and by prearrangement for definite periods, meals and lodging are provided for not less than three or more than eight persons.

*Boathouse* means a structure designed and used solely for the storage of boats or boating equipment.

*Building* means any structure having a roof which may provide shelter or enclosure of persons, animals or chattel, and when the structure is divided by party walls without openings, each portion of such building so separated shall be deemed a separate building. The term "building" includes the term "structure."

*Building height* means the distance between the average ground level at the building line and the highest point of the roof or flat roof, to the deckline of a mansard or to the highest gable on a pitched or hipped roof. In a shoreland district, the height of building means the vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped

roof.

*Building line* means that line measured across the width of the lot at the point where the main structure is placed in accordance with setback provisions. Building line also means a line parallel to a lot line or the ordinary high water level at the required setback beyond which a structure may not extend.

*Building, principal*, means a building in which is conducted the main or primary use of the lot on which it is located.

*Carport* means an open-sided roofed automobile shelter, usually formed by extension of the roof from the side of a building.

*Carwash* means a principal building which is equipped with a conveyor system or other mechanical equipment and facilities for washing motor vehicles.

*Carwash, accessory*, means an accessory building or part of a principal building equipped with mechanical equipment for washing autos (not a conveyor system) which is accessory to an automobile service or gasoline station and comprises only one normal service bay of the gas station.

*Cellar* means that portion of the building having more than half of the floor-to-ceiling height below the average grade of the adjoining ground.

*Church* means a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

*City engineer* means the professional engineer employed by the city or person otherwise authorized by the city.

*Clinic* means an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, mental health specialists or similar professionals.

*Club, lodge, membership organization* means a nonprofit organization or association which meets on a regular basis regarding the interests of its members and their guests.

*Cluster housing* means the grouping of housing units which results in higher density clusters while maintaining approximately the same overall allowable site density. Cluster housing shall include townhouses, zero lot line houses, row houses and similar housing types.

*Commercial planned unit developments* are typically uses that provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, resorts, recreational vehicle and camping parks, and other primarily service-oriented outdoor activities are commercial planned unit developments.

*Commercial use* means the principal use of land or buildings for the sale, lease, rental, or trade of products, goods, and services.

*Commission* means the planning commission of the city.

*Commissioner* means the commissioner of the department of natural resources.

Communication services, means a public or commercial facility primarily engaged in the provision of broadcasting and other information relay services. This term includes radio and television studios, cable and Internet providers, and related services and equipment. This term does not include major communication equipment.

*Comprehensive plan* means a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development of the city and including a land use plan, a community facilities plan, and a transportation plan which has been prepared and adopted by the city.

*Conditional use* means a use which is permitted in a district only upon issuance of a conditional use permit (CUP). It means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that certain conditions as detailed in this article exist, the use or development conforms to the comprehensive land use plan of the community, and the use is compatible with the existing neighborhood.

*Congregate housing* means group housing for three or more individuals not related by blood, marriage or adoption on a weekly or longer basis. Typical uses include retirement homes and boardinghouses.

Construction material suppliers, means establishments (except those known as home centers, and hardware stores) primarily engaged in retailing specialized lines of new building materials, such as lumber, fencing, glass & windows, doors, plumbing fixtures and supplies, paint and wallpaper stores, electrical supplies, prefabricated buildings and kits, and kitchen and bath cabinets and countertops to be installed.

*Council* shall refer to the city council of the city.

*Curb level* means the level of the established curb front of a building measured at the center of such front. Where no curb elevation has been established, the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the curb level for purposes of this article.

*Day care center* means a use defined by Minn. Stat. ch. 462, which is operated for profit for the daytime only care of children and adults.

*Deck* means a horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site.

*Density* means the number of dwelling units residing upon, or to be developed upon, an acre of land.

*District* means an area of land for which there are uniform regulations governing the use of buildings and premises.

*Duplex, triplex, and quad* mean a dwelling structure on a single lot, having two, three, and four units, respectively, being attached by common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.

*Dwelling* means any building or portion thereof, which is designed or used exclusively for residential purposes but not including rooms in motels, hotels, nursing homes, boardinghouses, nor trailers, tents, cabins or trailer coaches.

*Dwelling, attached*, means a dwelling which is joined to another dwelling at one or more sides by a party wall or walls.

*Dwelling, detached*, means a single-family dwelling.

*Dwelling, multiple-family* means a residential building, or portion thereof, containing three or more dwelling units.

*Dwelling, single-family*, means a detached building designed for or occupied exclusively by one family.

*Dwelling, twin home* means a residential building containing two dwelling units divided by a common property line and may have different owners.

*Dwelling, two-family* means a residential building containing two dwelling units.

*Dwelling, unit*, means a building, or portion thereof, which includes complete kitchen and toilet facilities and is designed exclusively for one family.

*Emergency housing facility* means a building or portion thereof where persons who do not have housing live until more permanent arrangements can be made.

*Essential services* means the erection, construction, alteration or maintenance by private or public utilities, or municipal departments of underground or overhead telephone, gas, electrical, steam, hot water, waste, or water transmission, distribution, collection, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith for the furnishing of adequate service by such private or public utilities or municipal departments. Essential services shall not include waste facilities (transfer facilities, landfills, or other sanitary solid waste).

*Essential service structure* means structures and buildings necessary for the operation of essential services, including building not limited to: telephone buildings, telephone booths, gas regulator stations, substations, electrical stations, water tanks, lift stations or pump houses. Essential service structures shall not include transmission/reception antennas.

*Extractive use* means the use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minn. Stat. §§ 93.44—93.51.

*Family* means an individual, or two or more persons related by blood, marriage or adoption, or group of not more than four persons not so related, living together as a single housekeeping unit using common cooking and kitchen facilities.

*Floodway* means an area subject to periodic flooding as delineated by a flood boundary on the zoning map.

*Floor area* means the sum of the gross horizontal areas of the floors of a building or dwelling unit, measured from the exterior walls, or from the centerline of party walls separating buildings, excluding cellars but including basements.

*Forest land conversion* means the clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

*Garage, private* means an accessory building or an accessory portion of a principal building designed or used solely for the storage of noncommercial motor vehicles, boats, and similar vehicles which are owned and used by the occupants of the building to which it is accessory.

*Garage/yard sale* means the temporary display and sale of goods within the garage and/or driveway of a residence.

*Gasoline station* means a structure plus an area of land that is used or designed for the supply of motor vehicle fuels. For the purpose of this article, this term shall also mean an area or structure used for greasing, changing the oil, washing or repairing automobiles when such uses are accessory to the principal gasoline station use.

*Ghost plat* means a plan that shows the eventual build out of a parcel at urban densities by establishing future lot lines; building envelopes; layout of future streets; easements; and information on how public utilities may be extended to accommodate future, urban development.

*Gross floor area (GFA)* means, for the purpose of computing required parking, the floor area for the building excluding accessory garages, underground parking, areas not enclosed by exterior walls, mechanical rooms, patios, decks, restrooms, elevator shafts, or stairwells.

*Group, foster home*, means a residential use defined by Minn. Stat. ch. 462, which provides housing for the mentally retarded, physically handicapped and those in need of rehabilitation, excepting mental rehabilitation.

*Group usable open space* means open space associated with a multiple-family development that is not part of a required yard, is relatively free of buildings and is available for recreational usage by the residents.

*Guest cottage* means a structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

*Guestroom* means a room or group of rooms occupied, arranged or designed for occupancy by one or more guests for compensation.

*Hardship* means the same as that term is defined in Minn. Stat. ch. 462.

*Hazardous material* means any substance that because of its quantity, concentration, or physical/chemical characteristic poses a significant present or potential hazard to human health or the environment when improperly used, handled, treated, processed, stored, transported, disposed of, or otherwise managed.

*Health & fitness club* means a business that provides recreational services and facilities, usually for the benefit of its membership or the general public, involving aerobic exercises, strength and cardiovascular equipment, indoor or outdoor game courts, swimming pools, running tracks, massage, tanning and other personal services, saunas, steam room, showers and lockers and the like that may be used at any time that the operation is open for business.

*Home occupation* means a gainful occupation conducted in a residential building which is clearly secondary and incidental to the principle residential use of such building and generates no appreciable increase in traffic at any time over that customarily associated with a residential use.

*Hotel* means a building containing eight or more guestrooms in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests or both, and where no provision is made for cooking in any guestroom, and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge.



*Impervious surface* refers to improvements on or to the land which prevent precipitation from percolating into the soil. Impervious surface includes buildings, concrete or asphaltic pavement, compacted class 5 (gravel), or other similar hard surfaces. It does not include naturally occurring surface bedrock. Porous decks or paving systems over unpaved or uncompacted surfaces are not considered impervious.

*Industrial use* means the use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.

*Intensive vegetation clearing* means removal of trees, brush or shrubs in a way that would greatly reduce the natural screening and decrease the aesthetic and ecological values of the property.

*Junkyard* means an area where used, waste, discarded, or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to, scrap iron, and other metals, paper, rags, rubber products, bottles and lumber. Storage of such material in conjunction with a permitted manufacturing process when within an enclosed area or building shall not be included.

*Juvenile detention center* means a secure facility to detain juveniles being held for court.

*Kennel* means any lot or premises used for the sale, boarding or breeding of dogs, cats or other household pets. Kennel shall mean three or more animals over six months of age.

*Land reclamation* means the rehabilitation of land through the establishment on a continuing basis of vegetative cover, soil stability, water conditions, safety conditions and other measures appropriate to the subsequent beneficial use of mined and reclaimed lands. This may include the conversion of the property to other uses.

*Land/sea container* means a fully enclosed metal or other prefabricated material structure, container, holder or receptacle, sometimes called a cargo container, which is independent of any trailer or axels, greater than five feet in length, has an opening for access which may or may not have a door attached, and which is used for purposes of, but not limited to storage, transportation of freight or holding for sale or lease. It does not include tractor-trailers.

*Licensed residential facility* means a program that provides 24-hour-a-day care, supervision, food, lodging, rehabilitation, training, education, habilitation, or treatment outside of a person's own home which is registered under Minn. Stat. ch. 144D.

*Limited clearing* means the removal of trees, brush or shrubs in a noncontiguous pattern to allow visibility and other permitted uses. Limited clearing shall not greatly reduce the natural screening assuming summer leaf on conditions. For the purpose of this definition, trees are woody plants that attain a height of 20 feet or more, with a single woody stem and a definite crown. Brush/shrubs are smaller than trees, usually with multiple woody stems, and seldom exceeds 12 feet in height.

*Lot* means land occupied or to be occupied by a building, land use or group of buildings together with such open spaces or yards as are required by this article and having its principal frontage on a public street. The term "lot" includes the terms "plot" or "parcel."

*Lot area* means the area of a lot in square feet as bounded by the lot lines.

*Lot area per dwelling unit* means the number of square feet of lot area required for each dwelling unit.

*Lot, corner*, means a lot which has at least two contiguous sides abutting upon a street for their full length.

*Lot coverage, building*, means the percent of the lot covered with principle and accessory buildings.

*Lot interior* means a lot other than a corner lot.

*Lot line* means the lines bounding a lot as described in this article.

*Lot of record* means a lot which is part of a subdivision or plat, an auditor's subdivision or a registered land survey; or a parcel of land not so platted, for which a deed has been recorded in the county recorder's office prior to September 10, 1975.

*Lot, through*, means a lot where opposite lot lines abut two parallel streets and which is not a corner lot.

*Lot width* means the width measured along the front lot line of street line, or the shortest distance between lot lines measured at the midpoint of the building line.

*Manufactured home* means a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files the certification required and complies with the standards established under Minnesota Statutes, ch. 327.

*Manufactured home park* means any premises on which are parked two or more occupied manufactured homes.

*Manufacturing, heavy*, means a use engaged in the basic processing, manufacturing, packaging, assembly, compounding or treatment of materials or products predominantly from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

*Manufacturing, light*, means a use engaged in the manufacture, fabrication, processing, packaging or assembly, predominantly from previously prepared materials, of finished products or parts, but excluding basic industrial processing. The activities shall take place in a manner which will not produce offensive conditions observable from neighboring properties.

*Medical equipment and supplies* means establishments primarily engaged in the sale, leasing or rental of durable medical equipment and supplies operating out of a permanent structure. It does not include establishments primarily engaged in the sale of pharmaceuticals, medicines, optical goods, beauty supplies, and food supplement products.

*Membrane structure* means a structure with a canvas or other membrane material canopy suspended from a pole structure that has at least one end that can be opened.

*Mining* means the extraction of sand, gravel or other such material from the land in the amount of 400 or more cubic yards.

Mini storage, means an enclosed storage facility containing multiple individual units used solely for the storage of personal property. These units are intended to be leased or rented to private individuals. This facility is not intended to be used for commercial or industrial storage, nor shall the storage of flammable liquids or other hazardous materials be permitted.

*Mobile home* is synonymous with manufactured home whenever it appears.

*Mobile home park* is synonymous with manufactured home park whenever it appears.

*Modular housing* means a factory-built home, other than a manufactured home, composed of components substantially assembled in a manufacturing plant which are designed only for final erection or installation on a site-built, permanent foundation and is not designed to be moved once so erected or installed. Modular housing shall be regulated like dwellings which are constructed on site.

*Motel* means a building or group of attached or detached buildings under common ownership containing eight or more guests or sleeping rooms which is used or intended to be used primarily for the accommodation of transient automobile travelers. This term shall include buildings designated as auto courts, tourist courts, motor courts, motor hotels and similar names.

*Motor freight terminal* means a building or area in which freight brought by motor truck is assembled and/or stored for routing in intrastate or interstate shipment.

*Multiple-family dwelling*. See "dwelling, multiple-family."

*Nonconforming use* means a building or use of land existing at the time of adoption of the ordinance from which this article is derived which does not conform to the regulations of the district or zone in which it is situated.

Nursery, landscape means a business involving retail or wholesale sales of trees, flowering and decorative plants, and shrubs for purposes of transplanting, as well as accessory items directly related to their care and maintenance, which may be conducted within a building or without.

*Nursery school* means a school for children of preschool age.

*Off-road motorized sport vehicle trails* means a trail developed or designated for the purposes for motorized sport vehicles such as all-terrain vehicles and dirt bikes.

*Offices, business*, means a building in which business of a non-retail low-traffic generating nature and clerical services and duties are carried out, including corporate offices, banks, credit unions, insurance and real estate offices and similar uses.

~~*Offices, professional*, means a building in which professional and management duties and services are carried out, including medical and dental clinics and offices; psychiatrists and psychologists offices; architectural, engineering, planning and legal offices; and similar uses.~~

*Open space* means any unoccupied spaces open to the sky on the same lot with a building.

*Ordinary high water level* means the boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water

level is the operating elevation of the normal summer pool.

*Outdoor display* means the storage or exhibition outside a commercial building of a representative sample of merchandise, goods or inventory intended for sale, rent or lease in the normal course of the principal occupant's business.

*Outdoor storage* means the practice and keeping of materials, supplies, or equipment on a lot but not within the confines of a structure.

*Performance standard* means a criterion established to control noise, odor, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

*Person* means any natural person, firm, partnership, association, corporation, company or other legal entity, private or public, whether for profit or not for profit.

*Planned unit development* means a type of development characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent, or lease, and also usually involving clustering of these units or sites to provide areas of common open space, density increases, and a mix of structure types and land uses. These developments may be organized and operated as condominiums, time-share condominiums, cooperatives, full fee ownership, commercial enterprises, or any combination of these, or cluster subdivisions of dwelling units, residential condominiums, townhouses, apartment buildings, campgrounds, recreational vehicle parks, resorts, hotels, motels, and conversions of structures and land uses to these uses.

*Principal use of structure* means the main use to which the premises are devoted and the principal purpose for which the premises exist.

*Professional, scientific and technical services*, means a place devoted to experimental study such as testing and analyzing materials, not including manufacturing or packaging of such materials, except incidentally. These activities require a high degree of expertise and training. The establishments in this sector specialize according to expertise and provide these services to clients in a variety of industries and, in some cases, to households. Activities performed include: legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; medical and dental clinics; consulting services; research services; advertising services; and other professional, scientific, and technical services.

*Public hearing* means an official public meeting for which notice has been published in the official newspaper.

*Public waters* means any waters as defined in Minn. Stat. § 103G.005, subd. 15.

*Publication* means a notice placed in the official newspaper.

*Recreational facility, commercial-outdoors* means an area or structure that offers commercial entertainment or recreation where any portion of the activity takes place outside. This includes but is not limited to batting cages, miniature golf, paint ball, go-cart track, or similar activities. This use may include associated accessory eating and drinking areas, retail sales areas and staff offices. This definition does not include trails for off-road motorized vehicle sports such dirt bike and all-terrain vehicles.

*Residential planned unit development* means a use where the nature of residency is non-transient and

the major or primary focus of the development is not service-oriented. For example, residential apartments, manufactured home parks, time-share condominiums, townhouses, cooperatives, and full fee ownership residences would be considered as residential planned unit developments. To qualify as a residential planned unit development, a development must contain at least five dwelling units or sites.

*Retail, convenience*, means a retail establishment offering for sale a limited line of groceries and household items, except for gasoline, intended for the convenience of the neighborhood.

*Retail, general sales and services*, refers to a broad range of commercial activities operating out of a permanent structure catering to the general public. It does not include other land uses referred to in Table 1 (Uses Permitted) in section 30-512.

*Right-of-way* means a street, alley or easement permanently established for the passage of persons and vehicles including the traveled surface and adjacent lands that are formally dedicated to such usage.

*Senior citizen housing* means housing that is exclusively for occupancy by a family of elderly persons over 65 years of age.

*Senior housing with services* means an establishment, licensed by the State of Minnesota, whose purpose is to provide living accommodations along with health related services primarily for the elderly, as further defined by Minnesota Statute §§ 144D.01, subpart 4.

*Sensitive resource management* means the preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over groundwater or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.

*Setback* means the minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, or property line.

*Sewage treatment system* means a septic tank and soil absorption system or other individual or cluster type sewage treatment system as described and regulated in this article.

*Sewer system* means pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

*Shooting range* means an area or facility designated or operated primarily for the use of firearms or archery.

*Shore impact zone* means land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.

*Shoreland* means land located within the following distances from public waters: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.

*Significant historic site* means any archaeological site, standing structure, or other property that meets the criteria for eligibility to the national register of historic places or is listed in the state register of

historic sites, or is determined to be an unplatted cemetery that falls under the provisions of Minn. Stat. § 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the state archaeologist or the director of the state historical society. All unplatted cemeteries are automatically considered to be significant historic sites.

*Solar collector* means a device, structure or part thereof that transfers direct solar energy into thermal, chemical or electrical energy and that contributes significantly to a structure's energy supply.

*Solar energy* means radiant energy, direct, diffuse and reflected, received from the sun.

*Solar skyspace* means the space between a solar collector and the sun that shall be free of obstructions so the collector is not shaded to an extent that precludes its cost-effective operation.

*Stealth* means designed to blend into the surround environment; examples of stealth facilities include, without limitation, architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and telecommunications towers designed to appear other than as a tower, such as light poles, power poles, and trees.

*Steep slope* means land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of this article. Where specific information is not available, steep slopes are lands having average slopes over 12 percent, as measured over horizontal distances of 50 feet or more, that are not bluffs.

*Street* means a public thoroughfare which affords the principal means of access to abutting property.

*Street line* means the legal line of demarcation between a street and abutting land.

*Structure* means anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground.

*Subdivision* means land that is divided for the purpose of sale, rent, or lease, including planned unit developments, as defined in article V of this chapter.

*Surface water-oriented commercial use* means the use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conductance of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.

*Telecommunications facilities* means cables, wires, lines, wave guides, antennas or any other equipment or facilities associated with the transmission or reception of telecommunications located or installed on or near a tower or antenna support structure. The term does not include:

- (1) A satellite earth station antenna two meters in diameter or less located in an industrial or commercial district; or
- (2) A satellite earth station antenna one meter or less in diameter, wherever located; or
- (3) A tower.

*Telecommunications tower or tower* means a self-supporting lattice, guyed, or monopole structure constructed from grade that supports telecommunications facilities; the term does not include amateur

radio operations equipment licensed by the Federal Communications Commission.

*Toe of the bluff* means the point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from gentler to steeper slope above. If no break in the slope is apparent, the toe of the bluff shall be determined to be the lower end of a 50-foot segment with an average slope exceeding 18 percent.

*Top of the bluff* means the point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from steeper to gentler slope above. If no break in the slope is apparent, the top of the bluff shall be determined to be the upper end of a 50-foot segment with an average slope exceeding 18 percent.

*Tourist home* means a building providing lodging for not less than three, or more than eight tourists where accommodations have no cooking facilities.

*Truck* means any vehicle or combination of vehicles or trailers whose total weight loaded or unloaded exceeds 10,000 pounds, or is registered with a GVW of 12,000 pounds or more, except recreational vehicles shall not be considered trucks for the purpose of this article.

*Use* means the purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied or maintained and shall include any manner of performance of such activity with respect to the performance standards of this article.

*Use, conditional*, means a permitted use which is potentially detrimental to a neighborhood or area which requires special treatment and the issuance of a CUP.

*Use, permitted by PUD*, means a use which is permitted only if the PUD procedure is used and a plan is formally approved by the city.

*Use, permitted with special restrictions*, means a use which is permitted in the district under which it is listed in division 7 of this article subject to all of the conditions listed.

*Used or occupied* includes the terms "intended," "designed" or "arranged" to be used or occupied.

*Variance* means the same as that term is defined or described in Minn. Stat. ch. 462.

*Veterinary Services*, means an establishment providing medical and surgical treatment of household animals including dogs, cats, birds, and similar animals. Large farm animals including cattle, horses, hogs, and similar animals shall not be treated at a small animal veterinary clinic. This term includes grooming and boarding for not more than thirty (30) days and an animal crematorium.

*Warehouse, general*, means a use dedicated to the storage of materials, equipment, merchandise or commodities within an enclosed building, as a principal use, including packing and crating.

*Water-oriented accessory structure or facility* means a small, aboveground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.

*Wetland* means a surface water feature classified as a wetland by the Wetland Conservation Act of 1991.

Wholesale and distribution facility, means establishments or places of business primarily engaged in selling of goods and merchandise to retailers; to industrial, commercial, institutional, and professional business users; or to other wholesalers and related subordinate services.

*Yard or setback* means a required open space on a lot which is unoccupied and unobstructed from the ground upward, except as otherwise provided for in this article. The measurement of a yard shall be construed as the minimum horizontal distance between the lot line and the building line.

*Yard, front*, means a yard existing along the full width of the front lot line between side lot lines and extending from the abutting front street right-of-way line to a depth required in the front yard regulations for the district in which such lot is located. On a corner lot the narrowest street dimension shall be the front yard.

*Yard, interior side* means a side yard which is not adjacent to a street.

*Yard, rear*, means a yard extending along the full width of the rear lot line between the side lot lines and extending toward the front lot line for a depth as specified in the yard regulations for the district in which such lot is located.

*Yard, side*, means a yard extending along a side lot line between the front and rear yards, having a width as specified in the yard regulations for the district in which such lot is located.

*Yard, street side*, means a side yard which is adjacent to a street.

*Zero lot line housing* means single-family detached dwellings located on individual lots which are designed to have little or no setback from lot lines.

*Zoning administrator* means the person, or designee, charged with the administration and enforcement of this article.

*Zoning district*. See "district."

(Code 1978, § 23.3(A), (D); Ord. No. 06-03-01, 3-13-2006; Ord. No. 06-03-02, 3-27-2006; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 10-01-01, 1-25-2010)



TABLE 1 - PERMITTED USES  
TABLE INSET:

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	<u>BP/</u> <u>SBP</u>	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
RESIDENTIAL																		
P	P	P	P	P	P											P		single-family detached
		P	P	P	P											P		twin home attached
		P	P	P	P			P										two-family attached
																R		manufactured home < 24' wide
																P		accessory apartments
R	R	R	P	P	P											R		roomers
		R	R	R	P											P		bed and breakfast accommodations
																		multifamily
		CUP	CUP															manufactured home park
			P		P													congregate housing
	R	R	R	R	R			R							R	R		emergency housing facility
																		SENIOR HOUSING WITH SERVICES
R	R	R	P	P	P				P									6 or fewer persons
R	R	R	P	P	P				P									7 to 8 persons
R	R	R	P	P	P				P									9 to 16 persons

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	P	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	BP/ SBP	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
			P	P															17 or more persons
GROUP HOMES, FOSTER HOMES AND RESIDENTIAL TREATMENT CENTERS																			
R	R	R	R	R	R												R		6 or fewer persons
			P	P	P								P				P		7 to 16 persons
				P	P			P	P	P			P						17 or more persons
DAY CARE/NURSERY																			
P	P	P	P	P	P		P	P	P	R		P	R	R		P	P	P	14 or fewer persons
R	R	R	R	R	P		P	P	P	R		P	R	R		P	P	P	15 or more persons
MISCELLANEOUS RESIDENTIAL USES																			
P	P	P	P	P	P		P	P	P	P	P	P	P	P		P	P	P	accessory buildings
R	R	R	R	R	R												R		garage/yard sales
R	R	R	R	R	R		R	R	R	R	R	R	R	R		R	R	R	essential services
R	R	R	R	R	R		R				R						P		outdoor storage
R	R	R	R	R	R												P		private recreation
R	R	R	R	R	R												P		woodpiles
											R								

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	BP/ SBP	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
R	R	R	R	R	R	R	R	R	R		R	R	R	R	R	R	R	temporary buildings
R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	P	P	satellite dish/solar collectors
R	R	R	R	R												R		Home occupations
COMMERCIAL																		
																	P	aviation related commercial operation
AGRICULTURAL SALES AND SERVICE																		
																P		kennels
						P	P											pet shops
						P	R				R	R				P		<del>vet</del> clinics/veterinary services
R																R		farm animals
						P												farm equipment
						P												feed, grain, supplies
AUTOMOTIVE/RECRE ATIONAL VEHICLES																		
						P												sales: new or used
						R												repair/service
						R												car/truck wash

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	BP/ SBP	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
						R	R											gasoline stations
						CUP												junk/salvage yard
						P						P	P		P			auto-truck fleet storage
CONSTRUCTION																		
						P												building/plumbing/electrical-supplies
					R	P	P				P							construction material suppliers
						R						R	R					contractor's yard, materials storage
						P												equipment/truck sales and service
						R												equipment and/or tool rental
FINANCIAL INSTITUTIONS																		
						P	P											bank, savings and loan, loan agency, etc.
FOOD SERVICE																		
						P	P	P	R	R								restaurant
					R	R	R	R	R			R	R		R	R	R	vending machines
HEALTH CARE																		

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	BP/ SBP	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
					P	P	P	P	P		P	P						clinic (outpatient treatment centers)
								P	P									hospitals
CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	INTERIM USE
					R	P	P				P					P	P	OFFICE-Business
					R	P	P	P	P		P					P		OFFICE Professional
					R	P	P	P	P		P						P	professional, scientific, and technical services
					R	P	P	P	P		P							administrative and support services

RECREATION/ENTERTAINMENT																		
						P	P											indoor
					R	P	P				P							health & fitness club
R					R	R	R	R									R	clubs, lodges, membership organizations, etc.
						CUP				P			CUP	CUP	CUP			recreation facility, commercial-outdoor
										R								Shooting range
										P								Off-road motorized sport vehicle trails

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	BP/ SBP	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
						R	R											video arcades
						P	P				P							COMMUNICATION SERVICES
RETAIL																		
					R	P	P										R	general sales and services (see definition)
						CUP												general sales and services (see definition), greater than 70,000 sq. ft. building footprint
						P	P									P		greenhouse/nursery and sales/nursery, landscaping
						P												grocery stores
						P	P		P		P							medical equipment and supplies (see definition)
					R	P	P	R	R									pharmacy
						R	R	R							R	P		temporary outdoor sales
SCHOOLS PUBLIC AND PRIVATE																		
R	R	R	R	R											P			elementary - secondary
						P	P								P	P		post high schools and colleges
WAREHOUSE																		

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	BP/ SBP	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
						P					P	P	P		R			general
						P												mini storage
						P					P	P	P					motor freight terminal
					R	R	R	R	R	R	R	R	R	R	R	R	R	outdoor storage of land/sea containers
PUBLIC/SEMI-PUBLIC																		
P	P	P	P	P										P	P			athletic facilities - public
															P	P		cemeteries
R	R	R	R	R	R	R	R									P		churches
						P	P									P		cultural facilities (art galleries, libraries, museums)
R	R	R	R	R						P					R	P		golf and country clubs
												P	P		P			water sewage treatment
										CUP		CUP	CUP			CUP		telecommunications towers
P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	treatment, power substations, neighborhood parks
CUP	CUP	CUP	CUP	CUP	R	R	CUP	CUP	R	R	R	R	R	R	R	R	R	essential services structure
												CUP						

RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	<u>BP/</u> <u>SBP</u>	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
																		jail, detention center, and juvenile detention center
TRANSPORTATION																		
											P	P	P			P	P	major (terminals, hangers, switching yards, sidings, runways, heliports)
	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	minor (railroad, rights- of-way, streets, transit shelters)
INDUSTRIAL																		
						P						P						monument work/sales
												P			P		P	military post
					R	R	R				P	P	P					manufacturing, custom (production and sale of handmade goods on the premises)
												P	P					manufacturing, heavy (fabricating, processing, assembly from raw or semifinished products)
											P	P	P					Light industrial activities not listed
												P	P					Heavy industrial activities not listed
						R												recycling center



RR/ SRR	R-1/ R-1a SR-1/ SR-1a	R-2/ SR-2	R-3/ SR-3	R-4/ SR-4	LB/ SLB	GB/ SGB	CBD	MU/ SMU	M/ SM	RC/ SRC	BP/ SBP	I-1/ SI-1	I-2/ SI-2	CD	PU/ SP U	AG	AP	LISTING OF USES IN ZONING DISTRICTS
						P					P	P	P					testing and research/wholesale distribution facility
					R	R	R				R	R	R					outdoor storage (merchandise/material)
CUP										CUP		CUP	CUP					mining of sand and gravel

TABLE 2-A DISTRICT DEVELOPMENT REGULATIONS - PRINCIPAL STRUCTURES  
TABLE INSET:

ZONE	MINIMUM LOT SIZE			MINIMUM YARD SETBACKS					MAXIMUM LOT COVERAGES			BUILDING SIZES	
	Gross Area	Area S/F Unit	Width	Front	Interior Side	Street Side	Rear	Building (percentage)	Total Surface (percentage)	GUOS Unit	Maximum Height (feet)	Minimum Dimension (feet) <sup>5</sup>	
RR	1.5 acre	1.5 AC	200	30	15	30	30	20	N/A		35	24	
R-1	8,400	8,400	70	30	6-9 <sup>1</sup>	15	30	30	N/A		30	24	
R-1a	6,000	6,000	44	30	6	15	30	40	NA		30	24	
R-2	7,000 <sup>4</sup>	5,000	50 <sup>4</sup>	30	6--9 <sup>1,4</sup>	15	30	30	N/A		30	24	
R-3	15,000 <sup>4</sup>	5,000	100 <sup>4</sup>	35	10 <sup>4</sup>	15	35	30	75	400	30	24	
R-4	15,000 <sup>4</sup>	2,500	100 <sup>4</sup>	35	20 <sup>4</sup>	30	35	35	75	400	45	24	
LB	14,000 <sup>4</sup>	3,000	100 <sup>4</sup>	30	10 <sup>4</sup>	15	15	35	85	500	35	24	
GB	10,500	3,000	75	30	10	15	10	40	90	500	35	24	

ZONE	MINIMUM LOT SIZE		MINIMUM YARD SETBACKS				MAXIMUM LOT COVERAGES			BUILDING SIZES		
	Gross Area	Area S/F Unit	Width	Front	Interior Side	Street Side	Rear	Building (percentage)	Total Surface (percentage)	GUOS Unit	Maximum Height (feet)	Minimum Dimension (feet) <sup>b</sup>
CBD	7,000	3,000	50	N/A	N/A	N/A	N/A	100	100	N/A	60	24
MU	40,000	2,500	100	35	20	30	35	40	75	N/A	45	24
M <sup>3</sup>	20,000	3,000	100	30	10	15	15	35	85	500	35	24
RC	1.5 acre	1.5 acre	200	50	25	25	25	25	50	N/A	35	N/A
<u>BP</u>	<u>30,000</u>	<u>N/A</u>	<u>150</u>	<u>50</u>	<u>15</u>	<u>25</u>	<u>15</u>	<u>40</u>	<u>85</u>	<u>N/A</u>	<u>35</u>	<u>24</u>
I-1	1 acre	N/A	150	50	25	25	25	50	90	N/A	40	24
I-2	1 acre	N/A	150	50 <sup>2</sup>	25	25 <sup>2</sup>	25	60	90	N/A	110	N/A
PU	1 acre	N/A	50	30	10	15	30	N/A	N/A	N/A	35	N/A
CD	N/A	N/A	50	50	50	50	50	N/A	N/A	N/A	N/A	N/A
AG	2.5 acres	2.5 acres	50	50	50	50	50	N/A	N/A	N/A	N/A	N/A
AP	N/A	N/A	50	50	50	50	50	N/A	N/A	N/A	N/A	N/A

TABLE INSET:

FOOTNOTES: 1.	The sum of the two side yards must equal 15 feet, and six feet is the minimum side yard dimension.
2.	These yards may be reduced to zero feet if abutting the CBD zone.

3.	When a building in the medical zone is proposed to abut an existing building, for the purpose of providing a pedestrian linkage between the adjacent structures, a zero foot setback may be allowed along the common lot line.
4.	For Twin Homes, each lot shall have a minimum lot size (gross area) of seven thousand (7,000) sq. ft., each lot shall be a minimum of fifty feet (50') wide and the interior side setback shall be nine feet (9') or zero feet (0') minimum. (Rev 3/98)  EXAMPLES: A duplex in R-2      10,000 sq. ft. required
5.	Essential services structures may have a minimum building dimension less than 24 feet.

TABLE 2-B DISTRICT DEVELOPMENT REGULATIONS ACCESSORY STRUCTURES  
 MINIMUM YARD SETBACKS  
 TABLE INSET:

ZONE	FRONT	INTERIOR SIDE	STREET SIDE <sup>1</sup>	REAR	MAXIMUM HEIGHT
RR	30 <sup>2</sup>	15	30 <sup>2</sup>	30	25
R-1	30	6	15	10	18 <sup>3</sup>
R-1a	30	6	15	10	18 <sup>3</sup>
R-2	30	6	15	10	18 <sup>3</sup>
R-3	30	6	15	10	18
R-4	30	6	30	10	18
LB	30	10	15	15	18
GB	30	10	15	10	18
CBD	N/A				
MU	30	10	15	15	18
M	30	10	15	15	18
RC	50	25	25	25	35
BP	<u>50</u>	<u>15</u>	<u>25</u>	<u>15</u>	<u>30</u>
I-1	50	25	25	25	40
I-2	50 <sup>4</sup>	25	25 <sup>4</sup>	25	60
CD	50	50	50	50	40
PU	30	10	15	30	18
AG	50 <sup>2</sup>	50	50 <sup>2</sup>	50	60
AP	50	50	50	50	N/A

TABLE INSET:

FOOTNOTES:	1. A minimum of 20 feet where a garage is entered from a street for R-1, R-1a, R-2 and R-3 Districts.
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2.	Accessory buildings in RR and AG districts must be setback 75 feet if located in front or side yard, please refer to section 30-563 (1)d.
3.	18 feet or the same height as the principal structure (whichever is greater) in R-1, R-1a & R-2 Zones.
4.	These yards may be reduced to zero feet if abutting the CBD zone.
NOTE:	For total square footage allowed for accessory buildings, please refer to section 30-563(2).

TABLE 2-C DISTRICT DEVELOPMENT REGULATIONS - SURFACE PARKING  
 MINIMUM YARD SETBACKS  
 TABLE INSET:

ZONES	MINIMUM YARD SETBACKS				INTERIOR LANDSCAPING REQUIREMENTS	
	FRONT	INTERIOR SIDE	STREET SIDE	REAR	AMOUNT (sq. ft./stall)	THRESHOLD <sup>3</sup>
RR	Please refer to section 30-593(e)					N/A
R-1	Please refer to section 30-593(e)					N/A
R-1a	Please refer to section 30-593(e)					N/A
R-2	Please refer to section 30-293(e)					N/A
R-3	10	6	10	6	20	25
R-4	10	6	10	6	15	40
LB	10 <sup>1</sup>	6	10	10	20	25
GB	10 <sup>1</sup>	6	10	6	15	40
GBD	6	6	6	6	10	40
M	10 <sup>1</sup>	6	10	10	20	25
MU	10 <sup>1</sup>	6	10	10	20	25
RC	35 <sup>1</sup>	10	25	10	10	40
<u>BP</u>	<u>10</u>	<u>6</u>	<u>10</u>	<u>6</u>	<u>10</u>	<u>25</u>
I-1	10	6 <sup>2</sup>	10	6 <sup>2</sup>		N/A
I-2	10	6 <sup>2</sup>	10	6 <sup>2</sup>		N/A
CD, PU	25	25	25	25	15	40
AG	N/A					
AP	25	25	25	25		N/A

TABLE INSET:

FOOTNOTES: 1.	Amount indicated in above table, or ten percent of the parking lot depth, whichever is greater.
2.	Increase to 25 feet when parking lot abuts a residential district.
3.	If the parking lot is designed for more than the number of cars shown in this column, then the interior landscape requirements shall be invoked. Threshold refers to the number of stalls in a parking lot which, if equaled or exceeded, requires the installation of interior landscaping.

TABLE 17C-1 MINIMUM LOT SIZE STANDARDS SHORELAND DISTRICTS  
TABLE INSET:

LAKE CLASSIFICATIONS AND ZONING DISTRICTS	Sewered Lots						Non-Sewered Lots					
	Riparian Lots			Non-Riparian Lots			Riparian Lots			Non-Riparian Lots		
	Area	Width	Width <sup>1</sup>	Area	Width <sup>1</sup>	Area	Area	Width	Width	Area	Area	Width
Natural Environment Lily Lake and Horseshoe Lake)	1 acre	150	150	1 acre	150	1 acre	1 acre	200	200	1 acre	1 acre	200
SPU	1.5 acres	200	200	1.5 acres	200	80,000	80,000	200	200	80,000	80,000	200
SRR	40,000	125	125	20,000	125	80,000	80,000	200	200	80,000	80,000	200
SR-1	40,000	125	125	20,000	125	80,000	80,000	200	200	80,000	80,000	200
SR-1a	30,000	100	95	15,000	95	40,000	40,000	100	100	80,000	80,000	200
SR-2 (SR-1 plus "X" per additional dwelling unit)	35,000	50	50	17,500	50	60,000	60,000	50	50	80,000	80,000	100
SR-2 Twin Homes Only	Must meet requirements of 30-809											
SR-3 or SR-4	1 acre	200	200	1 acre	200	1 acre	1 acre	200	200	1 acre	1 acre	200
SLB, SGB, SMU or SM	1.5 acre	200	200	1.5 acre	200	1.5 acre	1.5 acre	200	200	1.5 acre	1.5 acre	200
SRC	1 acre	150	150	1 acre	150	1 acre	1 acre	200	200	1 acre	1 acre	200
SBP, SI-1 or SI-2	(McKinney Lake, Crystal Lake, Hale Lake, Forest Lake)											
Recreational Development	1 acre	200	200	1 acre	200	1 acre	1 acre	200	200	1 acre	1 acre	200
SPU	1.5 acres	200	200	1.5 acres	200	1.5 acres	1.5 acres	200	200	1.5 acres	1.5 acres	200
SRR												



LAKE CLASSIFICATIONS AND ZONING DISTRICTS	Sewered Lots				Non-Sewered Lots			
	Riparian Lots		Non-Riparian Lots		Riparian Lots		Non-Riparian Lots	
	Area	Width	Area	Width <sup>1</sup>	Area	Width	Area	Width
SR-1	20,000	75	15,000	75	40,000	150	40,000	150
SR-1a	20,000	75	15,000	75	40,000	150	40,000	150
SR-2 (SR-1 plus "X" per additional dwelling unit)	15,000	60	11,000	60	40,000	75	40,000	115
SR-2 Twin Homes Only	17,500	50	13,000	50	40,000	50	80,000	60
SR-3 or SR-4	Must meet requirements of section 30-809							
SLB	15,000	100	14,000	100	20,000	100	20,000	100
SGB, SMU	15,000	75	12,500	75	20,000	100	20,000	100
SRC	1.5 acre	200	1.5 acre	200	1.5 acre	200	1.5 acre	200
<u>SBP</u> , SI-1 or SI-2	1 acre	200	1 acre	200	1 acre	200	1 acre	150
General Development	Mississippi Reservoir from the Blandin Dam West to City Limits, and Pokegama Lake							
SRR	1.5 acres	200	1.5 acres	200	1.5 acres	200	1.5 acres	200
SR-1	15,000	75	10,000	75	20,000	100	40,000	150
SR-1a	15,000	75	10,000	75	20,000	100	40,000	150
SR-2 (SR-1 plus "X" per additional dwelling unit)	9,000	60	7,500	60	20,000	80	40,000	115
SR-2 Twin Homes Only	12,000	50	8,750	50	20,000	50	40,000	60
SM	1.5 acre	250	1.5 acre	150	1.5 acre	250	1.5 acre	150
SR-3 or SR-4	Must meet requirements of section 30-809							
SPU <sub>1</sub> , SLB, SGB, SMU, SRC, <u>SBP</u> , SI-1, SI-2	Same requirements as Recreational Development Lakes							

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River Classification and Zoning Districts	Sewered Lot		Unsewered Lot	
	Lot Area	Lot Width	Lot Area	Lot Width
Urban River – Mississippi River Blandin Dam to the N/S ¼ section line of Section 27-55-25				
Tributary River – Mississippi River all areas of township 55 north, range 25 west under City's zoning jurisdiction				
SRR	1.5 acres	200	1.5 acre	200
SR-1	15,000	75	20,000	100
SR-1a	15,000	75	20,000	100
SR-2 (SR-1 plus "X" per additional dwelling unit	9,000	60	20,000	100
SR-2 Twin Homes Only	12,000	50	20,000	50
SR-3 or SR-4	Must meet requirements of Section 30-809			
SLB, SGB, SMU or SM	15,000	75	20,000	100
SRC	1.5 acre	200	1.5 acre	200
SI-1 or SI-2	1 acre	150	1 acre	150
SPU	1 acre	200	1 acre	200
Forested River - Mississippi River – N/S ¼ section line of Section 27-55-25 to the south line of township 55 north, range 25 west				
SRR	1.5 acre	200	1.5 acre	200
SR-1	40,000	200	80,000	200
SR-1a	40,000	200	80,000	200
SR-2 (SR-1 plus "X" per additional dwelling unit	30,000	100	40,000	100
SR-2, Twin Homes Only	35,000	100	60,000	100
SR-3 or SR-4	Must meet requirements of 30-809			
SLB, SGB, SMU or SM	1 acre	200	1 acre	200
SRC	1.5 acre	200	1.5 acre	200
SI-1 or SI-2	1 acre	200	1 acre	200
SPU	1 acre	200	1 acre	200

TABLE INSET:

<b>*EXAMPLE:</b>	A SFD located on a sewerred, riparian, Natural Environment Lake lot in a SR-2 zone would require a minimum lot size of 40,000 square feet. A similarly situated duplex would require a minimum lot size of 70,000 square feet (40,000 plus 30,000).
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TABLE 17C-2 MINIMUM SETBACKS/COVERAGE STANDARDS SHORELAND DISTRICTS  
TABLE INSET:

	SETBACK FROM OHWL (feet)				SETBACK FROM PROPERTY LINE (feet)				OTHER REQUIREMENTS		
	Building (Public Sewer)	Building (Private Sewer)	Sewage Treatment System	Front Street	Interior Side	Street Side	Rear	Maximum <sup>1</sup> Lot Coverage (percentage)	Maximum Building Height	Minimum Building Dimension	
Natural Environment (Lily Lake and Horseshoe Lake)											
SPU	150	150	150	30	10	15	10	85	35	24	
SRR	150	150	150	30	15	30	30	25	35	24	
SR-1	150	150	150	30	6-9 <sup>2</sup>	15	30	25	25	24	
SR-1a	150	150	150	30	6	15	30	25	25	24	
SR-2	150	150	150	30	6-9 <sup>2</sup>	15	30	25	25	24	
SR-3	150	150	150	35	10	15	35	75	25	24	
SR-4	150	150	150	35	20 <sup>4</sup>	30	35	75	45	24	
SLB, SGB	150	150	150	30	10	15	10	85	35	24	
SM	150	150	150	30 <sup>5</sup>	10	20 <sup>5</sup>	15	25	45	24	
SMU	150	150	150	35	30	30	35	75	45	24	
SRC	150	150	150	50	25	25	25	25	35	N/A	
<u>SBP</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>50</u>	<u>15</u>	<u>25</u>	<u>15</u>	<u>85</u>	<u>35</u>	<u>24</u>	
SRC, S-11 or SI-2	150	150	150	50	25	25	25	85	60	N/A	
Recreational Development	(McKinney Lake, Crystal Lake, Hale Lake, Forest Lake)										
SPU	75	100	75	30	10	15	10	85	35	24	
SRR	75	100	75	30	15	30	30	25	35	24	

SR-1	75	100	75	75	30	6-9 <sup>2</sup>	15	30	35	25	24
SR-1a	75	100	75	30	6	15	30	35	25	24	
SR-2	75	100	75	30	6-9 <sup>2</sup>	15	30	35	25	24	
SR-3	75	100	75	35	10	15	35	75	25	24	

	SETBACK FROM OHWL (feet)			SETBACK FROM PROPERTY LINE (feet)				OTHER REQUIREMENTS		
	Building (Public Sewer)	Building (Private Sewer)	Sewage Treatment System	Front Street Side	Interior Side	Street Side	Rear	Maximum <sup>1</sup> Lot Coverage (percentage)	Maximum Building Height	Minimum Building Dimension
SR-4	75	100	75	35	20 <sup>4</sup>	30	35	75	45	24
SLB, or SGB	75	100	75	30	10	15	10	85	35	24
SMU	75	100	75	35	20	30	35	75	45	24
SRC	75	100	75	50	25	25	25	25	35	N/A
SRC, SI-1 or SI-2	75	100	75	50	25	25	25	85	60	N/A
General Development	Mississippi Reservoir from Blandin Dam West to City Limits, and Pokegama Lake									
SPU	75	100	75	30	10	15	10	85	35	24
SRR	50	75	50	30	15	30	30	25	35	24
SR-1	50	75	50	30	6-9 <sup>2</sup>	15	30	35	25	24
SR-1a	75	100	75	30	6	15	30	35	25	24
SR-2	75	100	75	30	6-9 <sup>2</sup>	15	30	35	25	24
SR-3	75	100	75	35	10	15	35	75	25	24
SR-4	75	100	75	35	20 <sup>4</sup>	30	35	75	45	24
SLB or SGB,	75	100	75	30	10	15	10	85	25	24
SM	50	75	50	30 <sup>5</sup>	10	20 <sup>5</sup>	15	25	45	24
SMU	75	100	75	35	20	30	35	75	45	24
SRC	75	100	75	50	25	25	25	25	35	N/A
<u>SBP</u>	<u>75</u>	<u>100</u>	<u>75</u>	<u>50</u>	<u>15</u>	<u>25</u>	<u>15</u>	<u>85</u>	<u>35</u>	<u>24</u>

S-11 or SI-2	75	100	75	50	25	25	25	90	110	N/A
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	SETBACK FROM OHWL (feet)			SETBACK FROM PROPERTY LINE (feet)				OTHER REQUIREMENTS		
	Building (Public Sewer)	Building (Private Sewer)	Sewage Treatment System	Front Street Side	Interior Side	Street Side	Rear	Maximum <sup>1</sup> Lot Coverage (percentage)	Maximum Building Height	Minimum Building Dimension
Urban River	Mississippi River - Blandin Dam to the N/S ¼ section line of Section 27-55-25									
Tributary River	Prairie River – All areas of township 55 north, range 25 west under City's zoning jurisdiction.									
SPU	50	100	75	30	10	15	10	90	35	24
SRR	50	100	75	30	15	30	30	20	35	24
SR-1	50	100	75	30	6-9 <sup>2</sup>	15	30	35	25	24
SR-1a	50	100	75	30	6	15	30	35	30	24
SR-2	50	100	75	30	6-9 <sup>2</sup>	15	30	35	30	24
SR-3	50	100	75	35	10	15	35	75	25	24
SR-4	50	100	75	35	20 <sup>4</sup>	30	35	75	45	24
SLB or SGB	50	100	75	30	10	15	10	90	35	24
SMU	50	100	75	35	20	30	35	75	45	24
SRC	50	100	75	50	25	25	25	25	35	N/A
SRC, SI-1 or SI-2	50	100	75	50	25	25	25	90	60	N/A

	SETBACK FROM OHWL (feet)			SETBACK FROM PROPERTY LINE (feet)				OTHER REQUIREMENTS		
	Building (Public Sewer)	Building (Private Sewer)	Sewage Treatment System	Front Street	Interior Side	Street Side	Rear	Maximum <sup>1</sup> Lot Coverage (percentage)	Maximum Building Height	Minimum Building Dimension
Forested River	Mississippi River from N/S ¼ section line of Section 27-55-25 to the south line of township 55 north, range 25 west									
SPU	150	150	100	30	10	15	10	90	35	24
SRR	150	150	100	30	15	30	30	20	35	24
SR-1	150	150	100	30	6-9 <sup>2</sup>	15	30	35	25	24
SR-1a	150	150	100	30	6	15	30	35	30	24
SR-2	150	150	100	30	6-9 <sup>2</sup>	15	30	35	30	24
SR-3	150	150	100	35	10	15	35	75	25	24
SR-4	150	150	100	35	20 <sup>4</sup>	30	35	75	45	24
SLB or SGB	150	150	100	30	10	15	10	90	35	24
SMU	150	150	100	35	20	30	35	75	45	24
SRC	150	150	150	50	25	25	25	25	35	N/A
SRC, SI-1 or SI-2	150	150	100	50	25	25	25	90	60	N/A

FOOTNOTES:	
1.	These maximum lot coverage's are subject to the requirements of section 30-806(3) otherwise the maximum allowable lot coverage within a shoreland district is 25 percent (see definition of "impervious surface").
2.	The sum of the two side yards must equal at least 15 feet, and six feet is the minimum dimension.
3.	These yards may be reduced to zero feet if abutting a CBD zone.
4.	For Twin Homes, the interior side setback shall be nine feet (9') or zero feet (0') minimum.
5.	Where front or side yards abut either Federal, State, or County Roadways, the required setback shall be a minimum of 50'. (per 6120.3300, subpart F)
* Single-family development within the SR-1 or SR-2 zones on legal lots of record that fall below the minimum lot size and width standards may be permitted to cover up to 50 percent of the lot with impervious surfaces. Development of conforming lots within the SR-1/SR-2 district shall be limited to the provisions of Table 17C-2. (Accessory structures in Shoreland follow standard setbacks (pg 150). Exception: Water Oriented Structures follow Shoreland Regulations (Pg. 125).	



TABLE 3-A  
 DISTRICT DEVELOPMENT REGULATIONS - BUFFERYARD COMPONENTS  
 Required Plant Materials per 100 Linear Feet (from each category)  
 TABLE INSET:

Type of Bufferyard	Canopy Trees	Understory Evergreen Trees	Shrubs	Fence
A	1	2	4	No
B	1	3	6	No
C	1	4	8	No
D	1	5	10	Yes*
E	1	6	12	Yes**

\* Fence required only when off-street parking area abuts a residential zone and fences are required only when an off-street parking area is situated abutting a residential zone and located within 25 feet of a residential zone property line. The fence shall not be less than 3 1/2 feet high nor more than six feet high, and located within 25 feet of a residential zone property line. The fence shall not be less than 3 1/2 feet nor more than six feet in height, and shall have an opacity of not less than 90 percent. No parking lot fencing shall be required in a required front yard or street side yard.

\*\* In addition to the parking lot fence requirements for a type E bufferyard, a fence shall be required only on the common lot line(s) or lot lines adjacent to an alley, but shall not extend into the required front yard. The fence shall have an opacity of not less than 90 percent, and shall be six feet high, unless otherwise required in this article.

Appendix 1  
 Examples of Acceptable Plantings  
 TABLE INSET:

CANOPY	UNDERSTORY	EVERGREENS	SHRUBS
Red Maple	Amur Maple	White Fir	Black Chokeberry
Sugar Maple	American Alder	Balsam Fir	Japanese Barberry
Yellow Birch	Serviceberry	Eastern Red Cedar	Siberian Peashrub
Paper Birch	River Birch	White Spruce	Russian Peashrub
Common Hackberry	Pagoda Dogwood	Blackhill Spruce	American Bittersweet
White Ash	Cockspur Hawthorn	Norway Spruce	Button Bush
Green Ash	Winterking Hawthorn	Blue Spruce	Bailey's Dogwood
Bigtoothed Aspen	Russian Olive	Jack Pine	Gray Dogwood
Quaking Aspen	Crab Apples	Austrian Pine	Redozier Dogwood
White Oak	Ironwood	Red Pine	American Hazelnut
Swamp White Oak	Plum	White Pine	Burning Bush
Northern Red Oak		Scotch Pine	Forsythia
Barr Oak		Douglas Fir	Common Witchhazel
Pin Oak		American Arborvitae	Common Privet
		Canadian Hemlock	Clay's Dwarf Honeysuckle
			Honeysuckle-Bush
			Northern Bayberry

NOTE: This listing is not necessarily inclusive of all the plant species that would be acceptable in the city. It is intended to be illustrative of the types of plants that grow well here. Contact a qualified landscaper or nursery professional for more information.

(Code 1978, § 23.5(F); Ord. No. 05-05-08, 5-18-2005)

Secs. 30-513--30-530. Reserved.



**Sec. 30-564. - Uses with restrictions.**

The following restrictions apply in this article as indicated:

(1) Accessory apartments (within the CBD zone): Shall be required to have one off-street parking stall per unit.

~~(2)~~ Administrative and support services (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.

~~(32)~~ Automotive/RV repair provided:

- a. No repair work shall take place outside of the principal structure; and
- b. Any damaged or disassembled (partially or wholly) vehicle stored overnight shall be kept in an enclosure screening the vehicle and/or other materials from public view in such manner as described in section 30-594(h).

~~(43)~~ Bank, savings and loan, or loan agency (within the LB, SLB zone): Maximum size of structure 2,000 square feet GFA.

~~(54)~~ Bed and breakfast facilities (within R-2, SR-2 zone) provided:

- a. One off-street parking space is provided for each guestroom in addition to the minimum number required for residential and any other permitted uses.
- b. The facility shall be limited to providing service to four persons, excluding children under 12 accompanied by a parent; provided that service to up to ten (10) persons may be allowed in an R2 zone by Conditional Use Permit
- c. The facility shall not have more than two guestrooms; provided that up to five (5) guest rooms may be allowed in an R2 zone by Conditional Use Permit.
- d. Signs identifying bed and breakfast facilities shall not exceed three square feet in area. This provision shall take precedence over any less restrictive sign regulations in this article.

~~(65)~~ Bed and breakfast facilities (within R-3, SR-3, R-4, SR-4 zone): Same restrictions as the R-2 zone, except that the facility may serve up to ten persons, but shall not have more than five guestrooms.

~~(76)~~ Car, truck and equipment cleaning establishments (within GB, SGB zone): Subject to the special restrictions established for gasoline and fuel sales and service establishments. See subsection (15) of this section. In addition, the vehicle entrance door shall be no more than ten feet high.

~~(87)~~ Churches and similar places of worship provided as follows (within RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, GB, SGB, CBD zone):

- a. No principal building shall be located within 30 feet of any lot line of an abutting lot in an R district;

- b. The site shall be at least one acre in size; and
- c. The use shall be subject to the site development standards defined in division 7 of this article, and for bufferyard purposes shall be treated as an R-3 property.

(98) Clubs, lodges and membership organizations (within RR, LB, GB, SGB, CBD, MU, SMU, and AG zone):

- a. Within GB, SGB, CBD, MU, and SMU, may not be located closer than 600 feet to any school.
- b. Within RR, LB and AG districts, no commercial (retail or service) uses shall be conducted as part of the organization's operations from the site.

(109) Contractor's yard, material storage (within the GB, SGB, I-1, SI-1, I-2 and SI-2 zone): All outdoor storage of equipment, except automobiles and trucks up to two ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).

(11) Construction material suppliers (within LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area, and no more than 1,000 square feet GFA of retail sales space.

(1240) Customary home occupations are subject to all of the following conditions:

- a. Home occupations shall be conducted solely by persons residing in the residence.
- b. All business activity and storage shall take place within the interior of the residence and shall not take place in an accessory building or buildings.
- c. There shall be no alteration to the exterior of the residential dwelling, accessory building or yard that in any way alters the residential character of the premises.
- d. No sign, display, or device identifying the occupation shall be used.
- e. The occupation shall not be visible or audible from any property line.
- f. Such occupation shall not involve the retail sale or rental of products on the premises.
- g. No vehicle used in the conduct of the occupation shall be parked, stored or otherwise present at the premises other than such as is customarily used for domestic or household purposes such as a van or three-quarter ton truck.
- h. Only on-site off-street parking facilities normal for a residential use shall be used.
- i. The use of substances that may be hazardous to the health, safety or welfare of neighbors and neighboring property shall not be used in the conduct of a home occupation.

(1344) Day care centers (within MU, SMU, M, SM, I-1, SI-1, I-2, SI-2 zone): Must be accessory to a permitted use and available only for employees of that permitted use.

(1442) Day care centers for 15 or more persons (within the RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4 zone): Licensed by the state within elementary, junior high and

senior high schools and religious institutions.

(1543) Emergency housing facility (within R-1, R-2, R-3, SR-3, R-4, SR-4, LB, SLB, GB, PU, SGB, CBD, MU, SMU, AG zone): Provided as follows:

- a. Facility shall provide detailed program information including goals, policies, site plan, building plan, staffing pattern, target capacity, security measures, and emergency management plan.
- b. The facility shall not be located in a two-family or multi-family dwelling unless it occupies the entire structure.
- c. The facility shall be limited to no more than 16 residents in residential zoning districts or 32 residents in non-residential districts without a conditional use permit.
- d. Existing residential structures used for an emergency housing facility shall not be externally altered so that the original residential character of the structure is compromised unless approved by the city council.
- e. No on-street parking shall be allowed. Adequate off-street parking shall be required by the city based on the staff and resident needs of the specific facility. Private driveways shall be of adequate width to accommodate effective vehicle circulation. Emergency vehicle access shall be available at all times.
- f. Landscaping and buffering shall be provided consistent with the requirements contained in section 30-594
- g. Signage of the emergency housing facility shall be limited to the provisions of division 10 based on the zoning district in which it is located.
- h. Emergency housing within the R-1 and R-2 districts shall be as accessory uses to the principle use.

(1644) Equipment and/or tool rental (within the GB, SGB zone): All outdoor storage of equipment, except automobiles and trucks up to two ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).

(1745) Essential services (within all zones): Provided as follows:

- a. Prior to the installation, the owner files with the city engineer/zoning administrator all maps, sketches or diagrams and other pertinent information as deemed necessary by the city engineer/zoning administrator for review of the proposed project.
- b. Radio transmitters and receivers accessory to an essential service may be located on existing utility poles or light standards within the public right-of-way provided the radio transmitters and receivers comply with the following standards:
  1. Radio transmitters and receiver devices located on a utility pole/tower or light standard shall be at least fifteen feet above grade.
  2. Radio transmitters and receiver devices shall not exceed eighteen inches in length or width or extend more than eighteen inches from the pole.

3. Antennas may not extend more than twenty-four inches from the equipment.
4. A map shall be submitted showing the location of all proposed radio transmitters and receivers. The map shall be accompanied by a list of all sites referenced by the closest street address or property identification number. The list of sites must also describe the type of pole to be used.
5. The applicant shall notify the city of any changes to the approved list prior to erecting or placing any additional equipment in the right-of-way.
6. The applicant shall notify the city at the time of permit application of any obstruction that would cause traffic to be rerouted or stopped.
7. The applicant shall enter into an encroachment agreement with the city if required.

(1846) Essential service structures (LB/SLB, GB/SGB, M/SM, RC/SRC, BP/SBP, I-1/SI-1, I-2/SI-2, CD, PU/SPU, AG, AP): Provided they shall not be located within 30 feet of any lot line of an abutting residential district.

(17) Farm Animals (within AG, RR, SRR zone) provided:

- a. All farm and permitted non-domestic animals must be so contained to prevent the animals from escaping onto neighboring properties or injuring the public.
- b. Enclosed pens, corrals, feed lots, and structures used to house farm and permitted non-domestic animals shall be setback a minimum of 25 feet from the nearest lot line or the applicable accessory structure setback, whichever is greater (said setback shall not apply to open grazing or pasture areas).

(1948) Garage/yard sales (within RR, SRR, R-1, SR-1, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, AG)—Temporary: Provided as follows:

- a. The sale is not more than four successive days in duration.
- b. Not more than three such sales are conducted on the premises in a calendar year.
- c. There shall be at least one month between sales on the same premises.

(2049) Gasoline and fuel sales and service establishments including accessory car washes (within GB, SGB zone): Subject to all of the following:

- a. Minimum front yard of 30 feet.
- b. All operations shall be conducted within the principal building except for vacuuming and gas pumps.
- c. A curb six inches above grade shall be provided at any edge of a parking lot abutting a property line which adjoins a public street.
- d. The site shall be planned so as not to permit water from a car wash to run into a public street or accesses thereto. A drainage system shall be installed subject to the approval of the city engineer.

e. Pump islands, canopies, and tank vents shall conform to yard requirements or a minimum of 20 feet from a street right-of-way whichever is greater.

~~(2120)~~ Gasoline station (within CBD zone): No more than one carwash bay and/or two service bays shall be permitted as accessory uses.

~~(2224)~~ Golf and country clubs (within residential zones and PU, SPU zone): Other than golf driving ranges and miniature golf courses but including clubhouses provided the site shall be 40 or more acres in size and shall have a direct access to a major street as defined by the city comprehensive plan. Swimming pools, tennis courts, structures and parking shall be located a minimum of 50 feet from all residential property lines.

~~(2322)~~ Group homes, foster homes or licensed residential facilities for six or fewer persons (within residential zones, LB, SLB and AG zone): Must be licensed by the state for six or fewer persons.

~~(24)~~ Health & fitness club (within the LB, SLB zone): Maximum size of structure 3,000 square feet GFA.

~~(2523)~~ Individual manufactured homes with a minimum dimension of less than 24 feet (within the AG zone): Provided:

- a. They are occupied by members of the family or an employee.
- b. Not more than two such units are permitted on each farm.

~~(2624)~~ Manufactured housing as defined by Minn. Stat. § 327.31 and further subject to the following:

- a. Manufactured homes will conform to Minn. Stat. §§ 327.31—327.35 (the Manufactured Home Building Code, July 1972 to Present) and shall bear the state inspectors seal.
- b. Manufactured home foundation installations shall comply with the state building codes.

~~(2725)~~ Manufacturing, custom (within LB, SLB zone): Subject to the following:

- a. Not to exceed a gross floor area of 1,000 square feet with at least one-third of such space to be used for retail sales and display purposes.
- b. No outdoor storage permitted.
- c. No hazardous materials used in the fabrication of materials.

~~(2826)~~ Manufacturing, custom (within GB, SGB, CBD zone): Subject to the following:

- a. Not to exceed a gross floor area of 6,000 square feet with at least one-third of such space to be used for retail sales and display purposes.
- b. No hazardous materials used in the fabrication of materials.

~~(2927)~~ Multifamily residential (within the CBD zone): Shall provide one off-street parking space per unit.



(3028) Office—Business or Professional (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.

(3129) Outdoor storage (within RR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2 zone): Of not more than two portable recreation buildings or vehicles provided they are owned by the resident(s), are maintained in a neat, safe and orderly fashion and further provided that they are not stored in the front yard or nearer the front lot line than the principal building, or less than five feet from any other lot line.

(3230) Outdoor storage (within R-3 SR-3, R-4, SR-4, LB, SLB zone): Subject to the following:

- a. All outdoor storage shall be accommodated within a central storage area.
- b. Such outdoor storage area shall not be within a required yard.
- c. The storage area shall be screened from view from all public streets and R districts by a wall, fence and/or plant materials providing 90 percent capacity during all seasons of the year to a height above the ground of six feet, in such a manner as described in section 30-594(h).

(3334) Outdoor storage—merchandise/material (within GB, SGB, CBD, BP, SBP, I-1, SI-1, I-2, SI-2 zone): Of those items not normally considered to be retail display items, shall be subject to the requirements of section 30-594(h). Such items may include, but shall not be limited to, construction materials, tires, packaged inventory, salvaged/discarded materials, damaged or disassembled vehicles. This would not include such items as cars, trucks, recreational vehicles, lawn equipment, ornaments, etc., to the extent that the display items conform to the setback requirements for parking lots in the district.

(3432) Outdoor storage of land/sea containers (within all non-residential zones, including MU and SMU): Shall be allowed on a temporary basis as an accessory use subject to the following:

- a. A permit shall be obtained prior to the arrival and placement of one or more containers on the site. The permit shall be issued for a maximum of twenty-four consecutive months in industrial zones and twelve consecutive months in all other non-residential zones. In unique situations when the lapse of permit and abrupt discontinuance of the land/sea container use will not have a harmful effect upon the principal use of the property, the planning commission may consider approval of a one-time permit term extension, the length of which will be determined by the planning commission, with a maximum extension of no greater than one year in non-industrial permitted areas. The permit shall identify the number of containers to be placed on the site within the set time period. No permit shall be reissued until at least eighteen months has elapsed in industrial zones and six months has elapsed in other non-residential zones since the expiration of the previous container permit.
- b. Containers shall not be stacked and shall be placed on a level, stable surface allowing for adequate drainage at all times.
- c. Containers shall not be stored in the front yard of the property or in the required side or rear yard setback areas.
- d. All non-industrial properties obtaining more than two permits in three years shall screen any containers from the motoring public or residential neighborhoods immediately adjacent to the property where it is located through fencing, walls or landscaping.

- e. Containers shall not be placed on parking spaces required to meet the site's parking demand.
- f. Containers shall be placed to provide sufficient access to the container and any buildings on the site for fire fighting purposes.
- g. The recipient of the permit shall be the only party allowed to use the container.
- h. The containers shall be limited to a maximum square footage of container storage area not to exceed two percent of the gross area of the site on which the container is located. In no cases shall the footprint of all of the containers on a site exceed 3,200 square feet.

(3533) Pharmacy (within the LB, SLB, MU, SMU zone): Must be accessory to a permitted principal use.

(3634) Pharmacy (within the M and SM zones): May be accessory to a permitted principal use, or as a stand alone principal use, provided the following:

- a. The lot, upon which a Pharmacy, as a principal use, is to be located, shall not be adjacent to residentially zoned property.
- b. Type "C" bufferyard requirements shall be adhered to.
- c. No greater than five percent of the gross floor area of the structure shall be utilized for the display and sale of merchandise which is not either medication or medical/health care supplies.

(3735) Private noncommercial recreation (within residential zones and LB, SLB zone): Including tennis courts, hot tubs and swimming pools provided they are located no nearer the front lot line than the principal structure and are not less than ten feet from a property line. Swimming pools shall be completely enclosed with a six-foot high protective fence and a latching gate.

(38) Professional, scientific, and technical services (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.

(3936) Recycling center (within GB, SGB zone): All outdoor storage of equipment, except automobiles and trucks up to two ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).

(4037) Restaurant (within the M, SM zone): Must be accessory to a permitted principal use; no sale of alcoholic beverages.

(4138) Restaurant (within the RC, SRC zone): Must be accessory to a permitted principal use.

(4239) Retail—General sales and service (within the LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area, and no more than 1,000 square feet GFA of retail sales space.

(4340) Retail—General sales and service (within the AP zone): Shall be permitted to occupy up to 25 percent of the gross floor area in the main terminal building, and shall not have signs visible from the public street right-of-way.

(4444) Roomers (within the RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, AG zone): The leasing of rooms to not more than two roomers provided no signs are displayed, the rooms are not equipped with kitchen facilities of any kind and one on-site parking space is provided for each roomer in addition to the minimum number required for the residence.

(4542) Satellite dishes and solar energy systems/collectors (within all zones): Provided they comply with the yard and height requirements for principal buildings. Where a rear yard abuts a lake or stream, satellite dishes and solar collectors shall not be permitted between the water body and the principal building.

(4643) Schools—Elementary through secondary (within RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4 zone): Subject to the following:

a. Small schools within existing buildings: Schools for 25 or fewer students shall be permitted within the existing principal church or religious building provided that:

1. Alterations: There shall be no external alteration of the building(s) or grounds to reflect school usage.
2. Parking: There shall be sufficient parking within the existing parking lot to accommodate off-street parking as required by section 30-628

b. Primary, middle or secondary schools:

1. Minimum site area: One acre.
2. Minimum yards: 30 feet from all R district lot lines or the minimum for the district, whichever is greater.
3. All other requirements of the zoning district are met.
4. The use shall be subject to the site development standards in article VI, division 7 of this chapter, and for bufferyard purposes shall be treated as an R-3 property.

(4744) Shooting ranges (within RC zone): Subject to the following:

a. All shooting ranges shall be subject to the standards set forth in Minnesota Statutes ch. 87A, as may be amended.

b. Shooting activities and discharge of firearms shall be limited to 7:00 .a.m. to 10:00 p.m. daily.

c. All shooting ranges shall comply with the minimum standards for range design, location, management, operation, noise abatement and safety listed in the National Rifle Association's Range Sourcebook, 1999; or successor sourcebook.

d. No part of any shooting range may be located within 500 feet of any residential dwelling, commercial or industrial building or other structure used for human occupancy.

e. There shall be no discharge of lead shot into any wetland.

(4845) Senior housing with services (within RR, R-1 and R-2): Subject to the following:

- a. For six or fewer persons, said use shall be licensed by the State of Minnesota for six or fewer persons.
- b. For seven to eight persons, in situations when the area of the lot upon which the proposed use is to be located is equal to or less than two acres, the use will be considered as a conditional use, and, as such will require the issuance of a conditional use permit by the city.
- c. For nine to 16 persons, the maximum density of the proposed use shall not exceed four persons per acre.

(4946) Temporary buildings (within all zones): Incidental to construction work on the premises. Such buildings shall be removed upon completion or abandonment of such work or within the period of one year from the establishment of the building whichever is the lesser.

(5047) Temporary outdoor sales (within GB, SGB, CBD, MU, SMU, PU, SPU zone): Subject to all of the following:

- a. The sale is conducted by the owner or lessee of the premises, or with his written permission.
- b. The sale is no longer than four months in duration.
- c. The setbacks for a parking lot in that district shall be met for the storage and display of all merchandise and equipment used for the sale.
- d. One sign shall be permitted per vendor, with a maximum size of 16 square feet (four feet by four feet). Such sign may contain up to two sides. Off-premises signs shall not be permitted.
- e. Parking demand shall be sufficiently met. If the use of parking spaces by the temporary outdoor sales results in insufficient parking for the area, the temporary outdoor sales area must be reduced to ensure sufficient parking supply.

(5148) Vending machines (within LB, SLB, GB, SGB, CBD, MU, SMU, M, SM, SRC, I-1, SI-1, I-2, SI-2, PU, SPU, AP zone): Subject to the following:

- a. Must be accessory to a permitted principal use.
- b. Must conform to setback requirements of principal structure.
- c. Must be located adjacent to principal structure.

(5249) Veterinary Services ~~Vet clinic~~ (within CBD zone): Limited to domestic animals only.

(5350) Veterinary Services ~~Vet clinic~~ (within ~~I-1~~ within BP, SBPSI-1 zone): All animals shall be housed indoors.

(5454) Video arcades (within GB, SGB, and CBD zone): Subject to the following:

- a. Any arcade with 15 or more machines shall have an adult supervisor on the premises during all hours of operation.

b. No arcade shall be operated within 500 feet of a school, church or residence.

(5552) Warehouse—General (within PU, SPU zone): Limited to the indoor storage of private recreational vehicles. Warehouse space shall not be leased, rented or sold for commercial purposes or uses.

(5653) Woodpiles: Subject to the same restrictions as subsection (3128) of this section.

(Code 1978, § 23.5(H); Ord. No. 06-03-02, 3-27-2006; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

**Sec. 30-592. - Supplementary height regulations.**

(a) *Permitted exceptions.* The following structural appurtenances shall be permitted to exceed the height restrictions for the district provided they do not impair the solar access of buildings on adjoining properties and are not used for human occupancy or commercial enterprise:

(1) Ornamentation such as church spires, belfries, bell towers, cupolas, domes, monuments and flagpoles.

(2) Mechanical appurtenances such as solar collectors, chimneys, smoke stacks, public utility facilities, elevator and stairwell penthouses, aerials, radio and television antennae and cooling towers.

(3) Security fences or walls in the R-3, SR-3, R-4, SR-4, GB, SGB, CBD, BP, SBP and I zones, shall be permitted to a height of 12 feet provided that any fence or wall over 6 feet in height meets the setback requirements for buildings. No barbed wire shall be permitted on any fence at a height of less than seven feet from the finished grade level.

(b) *Required reduction.* Refer to airspace overlay regulations, section 30-701

(Code 1978, § 23.6(B); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

**Sec. 30-679. - District regulations for on-premises signs.**

In addition to those signs permitted in all districts, the following on-premises signs are permitted within each specific district subject to the size and location requirements established in this section:

(1) *Signs in residential districts.*

- a. One nameplate sign for each dwelling which shall not exceed three square feet in area per surface, and no sign shall be so constructed so as to have more than two sides. Such sign may indicate the name and address of the occupant.
- b. One nameplate for each dwelling group of four or more dwelling units, which shall not exceed three square feet plus one square foot for each unit over one per surface, and no signs shall be so constructed as to have more than two surfaces.
- c. Nonresidential uses permitted within the R districts shall not have a total square footage of sign surface in excess of one-half square foot per front foot of lot.

(2) *Signs in LB, SLB, M, and SM districts.* Within LB, SLB, M, and SM districts, the aggregate sign area per lot for advertising, business and nameplate signs shall not exceed one square foot per front foot of lot.

(3) *Signs in GB, SGB, CBD, MU, and SMU districts.* Within GB, SGB, CBD, MU, and SMU districts, wall, freestanding signs and, where specifically prescribed, portable signs, are permitted subject to the following regulations:

- a. The aggregate sign area per lot for advertising, business and nameplate signs shall not exceed the sum of:
  1. Two square feet per front foot of lot.
  2. One square foot for each foot of side yard abutting a public right-of-way 50 feet or more in width. (If the rear of the property abuts a public owned parking lot, and is to be used as a primary building entrance, it is considered to be the same as a public right-of-way allowing one square foot of signage per linear foot of rear lot frontage.)
- b. No individual on-premises sign shall exceed 250 square feet in sign area.
- c. In a business district where the established building setback is less than required by section 30-591, a sign attached to the principal structure may encroach into the required yard for signs, or in the case where there is no yard, into the public right-of-way, a distance not to exceed 4½ feet, subject to the following restrictions:
  1. Any sign extending more than six inches into the public right-of-way shall provide a minimum clearance of ten feet above ground.
  2. The sign shall not extend more than 4½ feet from the building wall to which it is attached.

3. No part of such sign or superstructure shall extend nearer than three feet to the vertical line extended from the face of the curb.
- d. There shall be no more than one freestanding sign per 300 feet of street frontage on any lot.
  - e. Within the CBD, MU and SMU zoning districts, a maximum of one portable sign, per lot, shall be allowed, subject to the following restrictions:
    1. Portable signs may not be displayed without a permit.
    2. Portable signs shall be limited to a maximum height of 42 inches and a maximum width and depth of 30 inches. (For three-dimensional signs, compliance with this section will be based on a cross sectional measurement of the sign at its point of maximum dimension.)
    3. Portable signs shall be constructed of wood, plastic or metal, and shall have a professional appearance, and shall complement and not compete with, the character of the downtown.
    4. Portable signs shall not be electrified or have moving parts.
    5. Portable signs on display shall be braced or secured, as needed, to prevent motion.
    6. The text and images on portable signs shall be limited to an advertising message related to the business being conducted on the lot upon which it is located, or, as allowed under section 30-679 (3)e.10 adjacent to.
    7. No portable sign may be erected or maintained if it prevents free ingress or egress from any door, window, or fire escape.
    8. No portable sign shall obstruct or impede the movement or vision of pedestrian or vehicular traffic, or create a hazardous or unsafe condition.
    9. Portable signs shall be setback from the property line a minimum of two feet.
    10. Subject, also, to the following, portable signs may be located on public sidewalks and street boulevard areas, under the jurisdiction of the city, in situations where buildings extend to the property line or to within 30 inches of the property line, thus making the location of the sign on private property impractical:
      - i. Portable signs must be positioned directly adjacent to the lot frontage on the private property side of the sidewalk or boulevard.
      - ii. Portable signs shall not be attached to trees, utility poles, governmental signs, public benches, streetlights, or other public infrastructure.
      - iii. Portable signs shall only be displayed during normal business hours.
      - iv. The owner shall remove the portable sign, during snow removal and other maintenance operations.



v. All persons involved in the maintenance, installation, alteration, or relocation of signs near or upon any public right of way shall, as a condition of the use of such public property for sign work, agree to hold harmless and indemnify the city and its officers, agents and employees against any and all claims of negligence resulting from such work insofar as this subdivision has not specifically directed the placement of a sign.

f. Within the GB and SGB zoning districts a maximum of one on-premise portable sign, per lot, shall be allowed, subject to the following restrictions:

1. Portable signs may not be displayed without a permit.
2. Portable signs may not be displayed for more than 90 days per calendar year.
3. Portable signs shall be limited to 32 square feet of sign area per side. (For three-dimensional signs, compliance with this section will be based on a cross sectional measurement of the sign at its point of maximum dimension.)
4. Portable signs shall be constructed of wood, plastic or metal, and shall have a professional appearance.
5. Portable signs on display shall be braced or secured, as needed, to prevent motion.
6. The text and images on portable signs shall be limited to an advertising message related to the business being conducted on the premises within which it is located.
7. Portable signs may not be placed in the right-of-way. Portable signs shall be setback from the property line a minimum ten.
8. No portable sign shall obstruct or impede the movement or vision of pedestrian or vehicular traffic, or create a hazardous or unsafe condition.

(4) Signs in Business park districts. Within the business park districts, wall and freestanding signs are permitted subject to the following restrictions:

a. The aggregate sign area per lot for advertising, business and nameplate signs shall not exceed the sum of:

1. One square foot per front foot of lot
2. There shall be no more than one freestanding sign per 300 feet of street frontage on any lot.

(54) Signs in industrial districts. Within the industrial districts, wall and freestanding signs are permitted subject to the following restrictions:

a. The aggregate sign area per lot for advertising, business and nameplate signs shall not exceed the sum of:

1. Two square feet per front foot of lot.
2. One square foot per foot of side yard abutting a public right-of-way 50 feet or more

in width.

(65) *Signs in RC and SRC districts.* Within RC and SRC districts, wall, freestanding signs and, where specifically prescribed, portable signs, are permitted subject to the following regulations:

- a. The aggregate sign area per lot for advertising, business and nameplate signs shall be the greater of 500 square feet or the sum of one square foot per front foot of lot and one square foot for each foot of side yard abutting a public right-of-way 50 feet or more in width. (If the rear of the property abuts a public owned parking lot, and is to be used as a primary building entrance, it is considered to be the same as a public right-of-way allowing one square foot of signage per linear foot of rear lot frontage.)
- b. No individual on-premises sign shall exceed 250 square feet in sign area.
- c. There shall be no more than one freestanding sign per 300 feet of street frontage on any lot.
- d. Within the RC and SRC zoning districts a maximum of one on-premise portable sign, per lot, shall be allowed, subject to the following restrictions:
  1. Portable signs may not be displayed without a permit.
  2. Portable signs may not be displayed for more than 90 days per calendar year.
  3. Portable signs shall be limited to 32 square feet of sign area per side. (For three-dimensional signs, compliance with this section will be based on a cross sectional measurement of the sign at its point of maximum dimension.)
  4. Portable signs shall be constructed of wood, plastic or metal, and shall have a professional appearance.
  5. Portable signs on display shall be braced or secured, as needed, to prevent motion.
  6. The text and images on portable signs shall be limited to an advertising message related to the business being conducted on the premises within which it is located.
  7. Portable signs may not be placed in the right-of-way. Portable signs shall be setback from the property line a minimum ten feet.
  8. No portable sign shall obstruct or impede the movement or vision of pedestrian or vehicular traffic, or create a hazardous or unsafe condition.

(Code 1978, § 23.8(G); Ord. No. 04-11-17, 11-9-2004; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 07-05-09, 5-29-07; Ord. No. 08-07-06, 7-14-2008)

**Sec. 30-803. - General site development design standards.**

(a) Except as noted elsewhere in this division, land within the shoreland districts is subject to the same site development regulations as nonshoreland areas (see division 7 of this article). For purposes of consistency in this article, the following zones shall be considered equal:

S R R	=	RR
S R- 1	=	R-1
S R- 1a	=	R-1a
S R- 2	=	R-2
S R- 3	=	R-3
S R- 4	=	R-4
SL B	=	LB
S G B	=	GB
S M U	=	MU
S M	=	M
S R C	=	RC
S B P	=	BP
SI- 1	=	I-1
SI- 2	=	I-2
S	=	PU

P	
U	

Wherever the requirements of two or more sections are contradictory, the strictest requirement shall apply.

(b) Yard and bulk requirements. Please refer to Tables 17C-1 and 17C-2 in section 30-512 for a listing of the yard and bulk requirements for principle structures (setbacks, lot area, lot width, etc.) that apply to lands located in the shoreland districts.

(c) Additional special provisions.

(1) Residential subdivisions with dwelling unit densities exceeding those in the tables referred to in subsection (b) of this section can only be allowed if designed and approved as residential planned unit developments under section 30-809. Only land above the ordinary high water level of public waters can be used to meet lot area standards, and lot width standards must be met at both the ordinary high water level and at the building line. The sewer lot area dimensions in Table 17C-1 in division 4 of this article can only be used if publicly owned sewer system service is available to the property.

(2) Subdivisions of duplexes, triplexes, and quads on natural environment lakes must also meet the following standards:

- a. Each building must be set back at least 200 feet from the ordinary high water level;
- b. Each building must have common sewage treatment and water systems in one location and serve all dwelling units in the building;
- c. Watercraft docking facilities for each lot must be centralized in one location and serve all dwelling units in the building; and
- d. No more than 25 percent of a lake's shoreline can be in duplex, triplex, or quad developments.

(3) One guest cottage may be allowed on riparian lots meeting or exceeding the duplex lot area and width dimensions presented in Table 17C-1 in division 4 of this article provided the following standards are met:

- a. For lots exceeding the minimum lot dimensions of duplex lots, the guest cottage must be located within the smallest duplex-sized lot that could be created including the principal dwelling unit;
- b. A guest cottage must not cover more than 700 square feet of land surface and must not exceed 15 feet in height; and
- c. A guest cottage must be located or designed to reduce its visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions.

(4) Lots intended as controlled accesses to public waters or as recreation areas for use by owners of non-riparian lots within subdivisions are permissible and must meet or exceed the

following standards:

- a. They must meet the width and size requirements for residential lots, and be suitable for the intended uses of controlled access lots.
- b. If docking, mooring, or over-water storage of more than six watercraft is to be allowed at a controlled access lot, then the width of the lot, keeping the same lot depth, must be increased by the percent of the requirements for riparian residential lots for each watercraft beyond six, consistent with the following table:

TABLE 17C-3

Controlled Access Lot Frontage Requirements

Ratio of Lake Size to Shore Length (acres/miles)	Required Increase in Frontage
Less than 100	25
100—200	20
201—300	15
301—400	10
Greater than 400	5

c. They must be jointly owned by all purchasers of lots in the subdivision or by all purchasers of non-riparian lots in the subdivision who are provided riparian access rights on the access lot.

d. Covenants or other equally effective legal instruments must be developed that specify which lot owners have authority to use the access lot and what activities are allowed. The activities may include watercraft launching, loading, storage, beaching, mooring, or docking. They must also include other outdoor recreational activities that do not significantly conflict with general public use of the public water or the enjoyment of normal property rights by adjacent property owners. Examples of the non-significant conflict activities include swimming, sunbathing, or picnicking. The covenants must limit the total number of vehicles allowed to be parked and the total number of watercraft allowed to be continuously moored, docked, or stored over water, and must require centralization of all common facilities and activities in the most suitable locations on the lot to minimize topographic and vegetation alterations. They must also require all parking areas, storage buildings, and other facilities to be screened by vegetation or topography as much as practical from view from the public water, assuming summer, leaf-on conditions.

(5) Additional structure setbacks. The following additional structure setbacks apply, regardless of the classification of the waterbody:

Setback From:	S e t b
---------------	------------------

		a c k  ( i n  f e e t )
( 1 )	Top of bluff	30
( 2 )	Unplatted cemetery	50

(6) Bluff impact zones. Structures and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.

(7) Uses without water-oriented needs must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must either be set back double the normal ordinary high water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.

(8) When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the ordinary high water level, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone. Structures shall be located as follows in subsection (d) of this section.

(d) Design criteria for structures.

(1) High water elevations. Structures must be placed in accordance with any floodplain regulations applicable to the site. Where these controls do not exist, the elevation to which the lowest floor, including the basement, is placed or floodproofed must be determined as follows:

- a. For lakes, by placing the lowest floor at a level at least three feet above the highest known water level, or three feet above the ordinary high water level, whichever is higher;
- b. For rivers and streams, by placing the lowest floor at least three feet above the flood of record, if data are available. If data are not available, by placing the lowest floor at least three feet above the ordinary high water level, or by conducting a technical evaluation to determine effects of proposed construction upon flood stages and flood flows and to establish a flood protection elevation. Under all three approaches, technical evaluations must be done by a

qualified engineer or hydrologist consistent with state rules governing the management of floodplain areas. If more than one approach is used, the highest flood protection elevation determined must be used for placing structures and other facilities; and

c. Water-oriented accessory structures may have the lowest floor placed lower than the elevation determined in subsection (d)(1)a. of this section if the structure is constructed of flood-resistant materials to the elevation, electrical and mechanical equipment is placed above the elevation and, if long duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.

(2) Water-oriented accessory structures. Each lot may have water-oriented accessory structures not meeting the normal structure setback in section 30-803(b) if the water-oriented accessory structures comply with the following provisions:

a. The structures or facilities must not exceed ten feet in height, exclusive of safety rails, and cannot occupy an area greater than 250 square feet total. Detached decks must not exceed eight feet above grade at any point;

b. The setback of the structure or facility from the ordinary high water level must be at least ten feet;

c. The structure or facility must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer, leaf-on conditions;

d. The roof may be used as a deck with safety rails, but must not be enclosed or used as a storage area;

e. The structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities; and

f. As an alternative for general development and recreational development waterbodies, water-oriented accessory structures used solely for watercraft storage, and including storage of related boating and water-oriented sporting equipment, may occupy an area up to 400 square feet provided the maximum width of the structure is 20 feet as measured parallel to the configuration of the shoreline.

(3) Stairways, lifts, and landings. Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas. Stairways and lifts must meet the following design requirements:

a. Stairways and lifts must not exceed four feet in width on residential lots. Wider stairways may be used for commercial properties, public open-space recreational properties, and planned unit developments;

b. Landings for stairways and lifts on residential lots must not exceed 32 square feet in area. Landings larger than 32 square feet may be used for commercial properties, public open-space recreational properties, and planned unit developments;

c. Canopies or roofs are not allowed on stairways, lifts, or landings;

d. Stairways, lifts, and landings may be either constructed above the ground on posts or

pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion;

e. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming summer, leaf-on conditions, whenever practical; and

f. Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of subsections (d)(3)a.—e. of this section are complied with in addition to the requirements of state regulations, chapter 1340 (handicap accessibility code).

(4) Significant historic sites. No structure may be placed on a significant historic site in a manner that affects the values of the site unless adequate information about the site has been removed and documented in a public repository.

(5) Steep slopes. The zoning administrator must evaluate possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of sewage treatment systems, roads, driveways, structures, or other improvements on steep slopes. When determined necessary, conditions must be attached to issued permits to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of public waters, assuming summer, leaf-on vegetation.

(Code 1978, § 23.17(C); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

### **Sec. 30-806. - Stormwater management.**

The following general and specific standards shall apply:

(1) *General standards:*

a. When possible, existing natural drainageways, wetlands, and vegetated soil surfaces must be used to convey, store, filter, and retain stormwater runoff before discharge to public waters.

b. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.

c. When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle stormwater runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and manmade materials and facilities.

(2) *Specific standards.* Impervious surface coverage of lots shall not exceed the standards outlined in subsection (3) of this section.



(3) *Permitted impervious surface coverage.* Except as permitted below, the impervious surface coverage of lots within shoreland areas shall not exceed those spelled out in Table 17C-2 in section 30-512

a. Single-family development within the SR-1, SR-1a and SR-2 zones on legal lots of record that fall below the minimum lot size and width standards may be permitted to cover up to 50 percent of the lot with impervious surfaces. Development on conforming lots within the SR-1, SR-1a and SR-2 zones shall be limited to the provisions of Table 17C-2 in section 30-512

b. Development within the SR-3, SLB, SGB, SM, RC, SBP, SI-1, SI-2 and SPU zones will be held to the following restrictions:

1. An existing site which is being altered, remodeled or expanded without increasing the amount of existing impervious surface will be allowed through the normal plan review process established in section 30-456

2. New construction on, or modifications to, an existing site which will result in the expansion of the existing impervious surface coverage up to the standards outlined in Table 17C-2 in division 4 of this article may be allowed through the normal plan review process established in section 30-456 provided that:

i. All other requirements of this division are met;

ii. The lot is served by municipal water and sewer service; and

iii. The lot shall provide for the collection and treatment of stormwater runoff in compliance with the city's stormwater management plan and shall require review and approval by the city engineer and the county soil and water conservation district.

3. Where a development/redevelopment project falls under the stormwater collection and treatment provisions of subsection (3)b.2. of this section and the impervious surface coverage of the property on which such a project is located will exceed 75 percent, the proposed stormwater treatment plans shall be submitted to the state department of natural resources division of waters for review at the same time they are presented to the city engineer and the soil and water conservation district for review.

4. When constructed facilities are used for stormwater management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation districts.

5. New constructed stormwater outfalls to public waters must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.

(Code 1978, § 23.17(F); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

**Cross reference—** Utilities, ch. 70.



## Legislation Details (With Text)

**File #:** 12-0262      **Version:** 1      **Name:** Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Sh

**Type:** Agenda Item      **Status:** General Business

**File created:** 4/27/2012      **In control:** Planning Commission

**On agenda:** 5/3/2012      **Final action:**

**Title:** Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [PC Staff Report- Rezoning Industrial Park Add. 5-3-2012](#)

Date	Ver.	Action By	Action	Result
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### Title

Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.

body

### **Background Information:**

*See attached Staff Report and background information.*

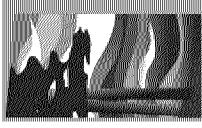


# Planning Commission Staff Report

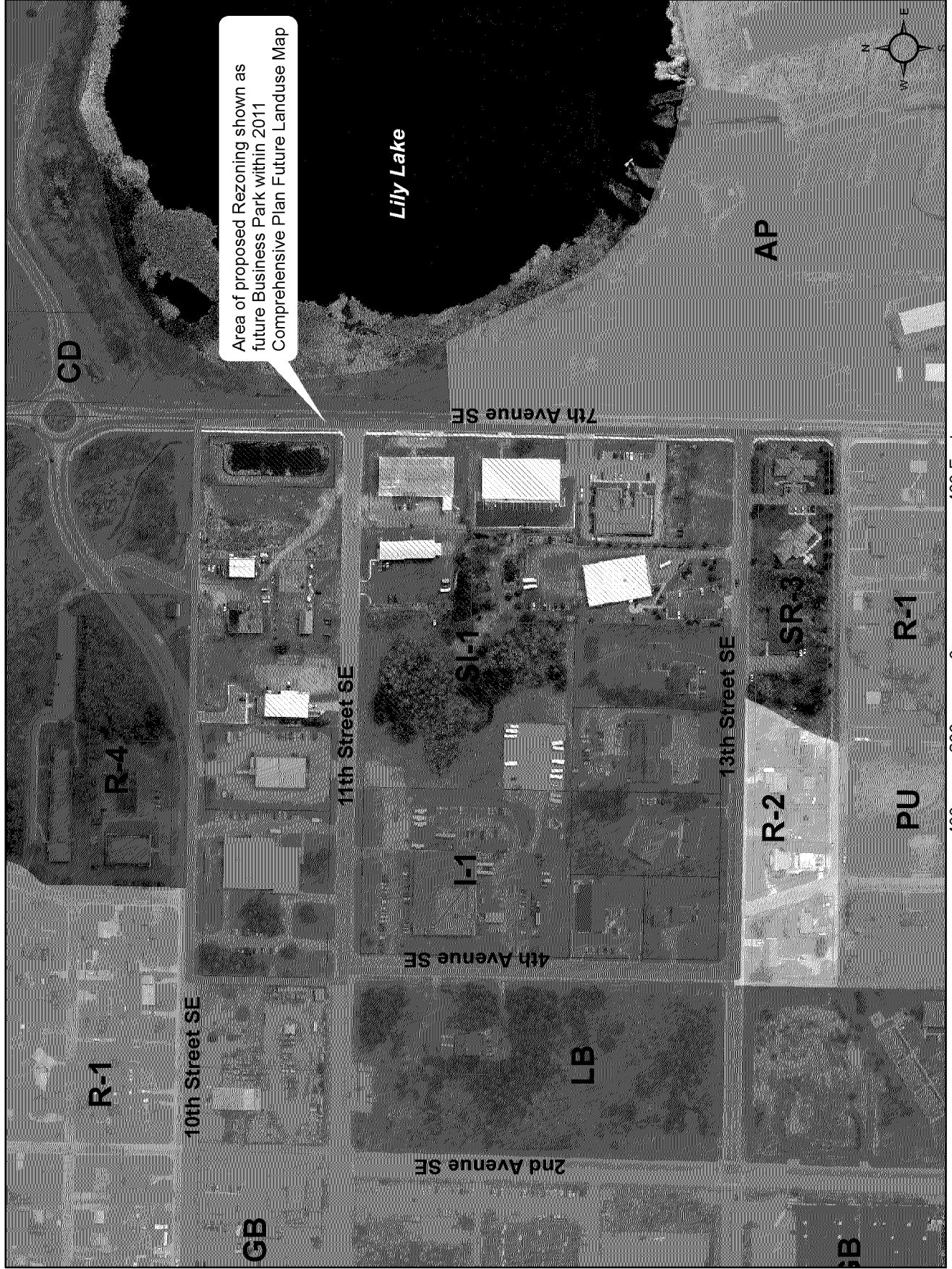
Agenda Item #	Community Development Department	Date: 5/3/12
<b>Statement of Issue:</b>	Consider a recommendation to the City Council regarding a zoning map amendment over the area platted as Industrial Park Addition to Grand Rapids from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district.	
<b>Background:</b>	<p>On April 5, 2012 the Planning Commission formally initiated the process to rezone the following described land from its current I-1/SI-1 (Industrial Park/Shoreland Industrial Park) status to BP/SBP (Business Park/Shoreland Business Park):</p> <p style="text-align: center;"><i>INDUSTRIAL PARK ADDITION TO GRAND RAPIDS, ITASCA COUNTY, MINNESOTA</i></p> <p>As guided by the Comprehensive Plan, the subject industrial park area was one of three areas, recommended for a future Business Park zoning district, because of its mature, fully developed state, and its central location. As a result of these characteristics, the area has seen significant market pressure to transition away from the uses strictly permitted in an industrial zone toward a mixture of uses that are lighter on the industrial side and include low impact/low volume retail uses.</p> <p>At this time, the Industrial Park Addition is the only area, shown as Business Park on the Comprehensive Plan's Future Land Use Map, which is being proposed for change at this time. The other two, primarily undeveloped areas, are generally located north of the former Ainsworth site on Co. Road 63, and east of SE 2<sup>nd</sup> Avenue between 21<sup>st</sup> St. &amp; 29<sup>th</sup> St. SE.</p> <p>Proposed Next Steps:</p> <ol style="list-style-type: none"> <li>1. May 3<sup>rd</sup> (<i>under separate agenda items</i>) Planning Commission forwards a recommendation to the City Council regarding the adoption of ordinances adopting the Business Park text amendments and amending the Zoning Map establishing a Business Park zoning district over Industrial Park Addition to Grand Rapids.</li> <li>2. (mid-May) City conducts a neighborhood meeting with property owners located within Industrial Park Addition to Grand Rapids discussing Business Park district.</li> <li>3. June 11<sup>th</sup> (<i>under separate agenda items</i>) City Council considers Planning Commission's recommendation, conducts public hearings, adopt ordinances pertaining to Business Park text amendments and amending the Zoning Map establishing a Business Park zoning district over Industrial Park Addition to Grand Rapids.</li> </ol>	

<b>Considerations:</b>	When reviewing a Zoning Map Amendment, the Planning Commission must make findings based on the attached list of considerations.
<b>Recommendation:</b>	<p>Staff recommends that the Planning Commissioners visit the site and look at the situation.</p> <p>Prior to making a motion to recommend to the City Council approval or denial of the request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the rezone.</p>
<b>Required Action:</b>	<p>Pass a motion forwarding a recommendation to the City Council for approval or denial of the City initiated rezoning.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward to the City Council a recommendation to <b>(approve)(deny)</b> amending the Official Zoning Map over the area platted as <u>Industrial Park Addition to Grand Rapids</u> from the established I-1/SI-1 (Industrial Park/Shoreland Industrial Park) district to BP/SBP (Business Park/Shoreland Business Park) district, as guided by the 2011 <i>Comprehensive Plan</i>.</p>
<b>Attachments:</b>	<ul style="list-style-type: none"> <li>• Site Maps</li> <li>• List of the Planning Commissions Rezoning Considerations.</li> </ul>

# Industrial Park Addition to Grand Rapids (Proposed Rezoning to BP (Business Park))



CITY OF  
**GRAND RAPIDS**  
IT'S IN MINNESOTA'S NATURE



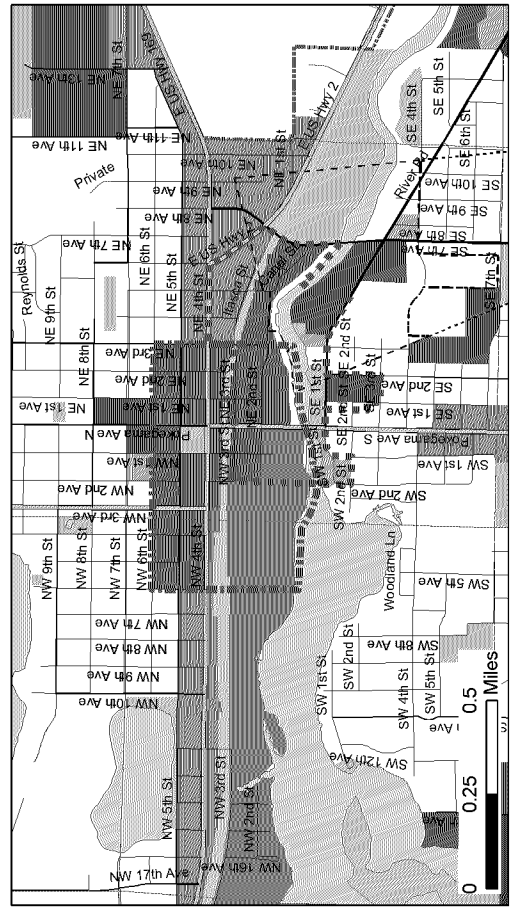
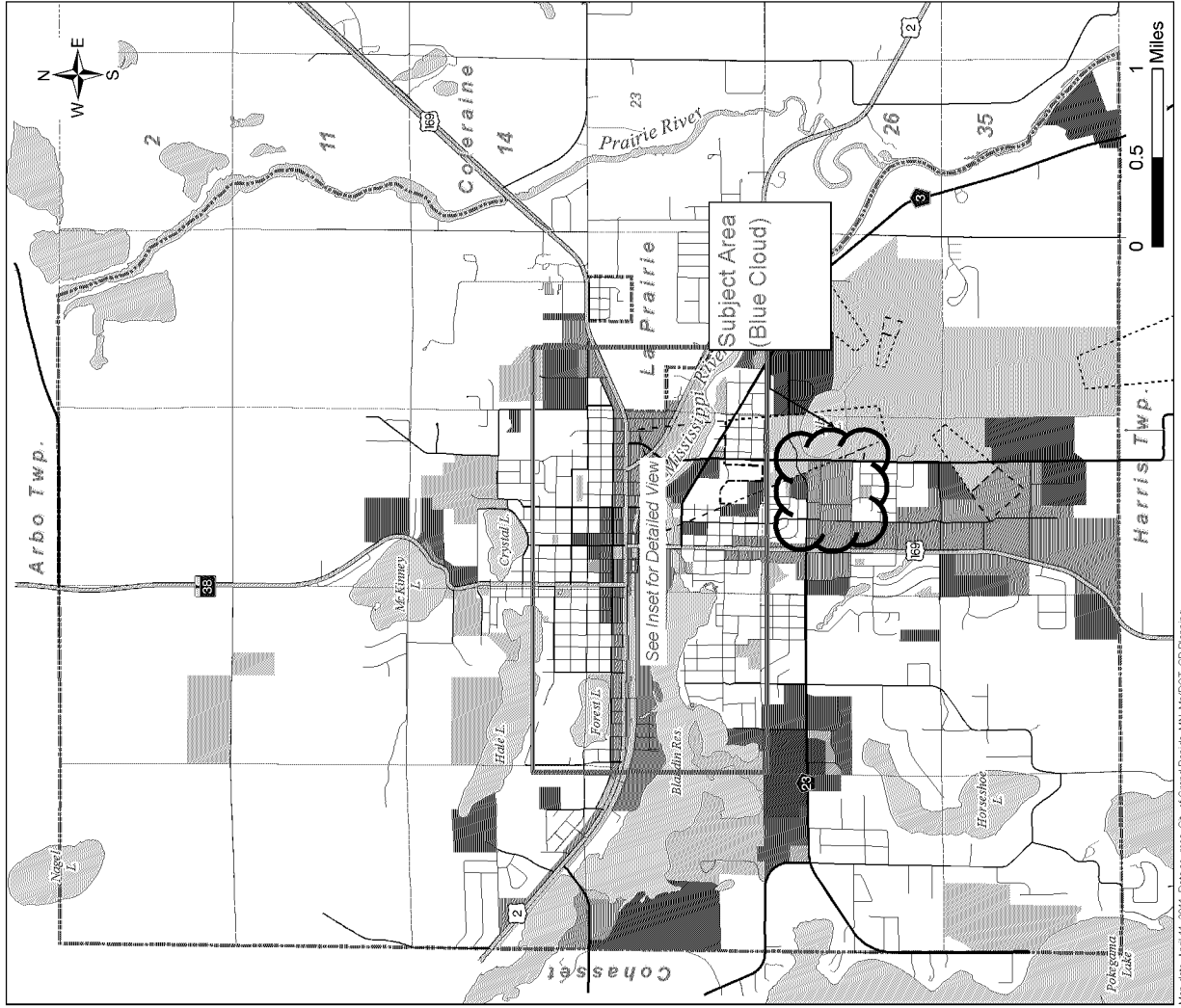
**Legend**

- Parcel
  - R-1
  - R-1a
  - SR-1
  - R-2
  - SR-2
  - R-3
  - SR-3
  - R-4
  - RR
  - SRR
  - RC
  - SRC
  - LB
  - SLB
  - CBD
  - GB
  - SGB
  - M
  - SM
  - I-1
  - SI-1
  - I-2
  - SI-2
  - PU
  - SPU
  - CD
  - AG
  - AP
  - MOD
  - UO
  - SBO
  - PUD
- 2009 Aerial Photo**
- RGB
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

# Grand Rapids Comprehensive Plan

## Future Land Use

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Map date: April 11, 2011. Data sources: City of Grand Rapids, MN, MinDOT, CR Planning



### Commercial Land Use Policy

Commercial land uses include an extremely wide variety of small and large businesses, businesses with high intensity uses and businesses with low intensity uses. The Comprehensive Plan vision, values and principles are best served by recognizing these important distinctions and creating separate land use categories for different types of commercial land uses. These differences need to be incorporated into zoning and land use decision making processes. Consequently, the Grand Rapids Future Land Use map includes three distinct categories of commercial land uses: Downtown Mixed Use, Neighborhood Mixed Use, and Highway Commercial. Of these three, two (Downtown and Highway Commercial) are already acknowledged in the City's policies and land use regulation.

Neighborhood Mixed Use is a new commercial land use category that helps create synergy with the City's transportation, neighborhood character, and economic diversity goals.

#### ***Neighborhood Mixed Use (NMU)***

Neighborhood Mixed Use areas are primarily small businesses with relatively low land use intensity that are compatible with and sometimes integrate directly with residential land uses, are designed to be pedestrian-friendly, and fit into small building footprints. NMU areas are located in or adjacent to higher density residential land uses (Traditional Neighborhood or Multi Family Residential), but typically away from other commercial areas. Floor to Area Ratios (FARs) are between 0.8 and 1.5, and building heights are consistent with the surrounding residential neighborhood. NMU businesses are distinct in intensity from downtown or highway commercial businesses that have a higher potential nuisance impact on nearby residential land uses.





### Industrial Land Use Policy

In the past, Grand Rapids has grouped all industrial uses into a single land use or zoning category. As business uses and the local economy have evolved, however, a single category no longer supports the City's economic development needs nor the desired mix of uses in and around industrial areas. The Grand Rapids Comprehensive Plan uses three categories of industrial land uses to meet the City's long term vision, values, and principles: Industrial - Traditional Workplace; Industrial Park; and Business Park/Limited Industrial. Of these three, the new land use category is Business Park/Limited Industrial. The Traditional Workplace category includes traditional industrial uses but specifically recognizes the unique characteristics of the Blandin UPM site, located at the nexus of heavy rail access, highway access, water, the downtown, a separation from most residential uses, and land available for industrial redevelopment.

#### ***Business Park/Limited Industrial***

Business Park/Limited Industrial areas are primarily small and lower intensity industrial uses, commercial land uses that are similar to wholesale businesses, and businesses that have a mix of uses including office and back office operations, storage, assembly, and limited retail. BP areas include businesses that are inappropriate for industrial parks, but create few synergies by being located with retail establishments, including small wholesale businesses, back-office operations, mail-order operations, materials suppliers, and professional offices.



Category / Description	Primary Land Use	Potential Secondary Land Uses	Other aspects, zoning considerations
<p><b>Medical Campus</b> – areas with institutional (large scale) medical uses and aggregations of smaller medical businesses.</p> 	<p>Hospital, medical offices and related services</p>	<p>Related commercial, lodging, parks and recreation, assisted living facilities.</p>	<p>Clear regulatory connection needs to be created for integrating secondary uses.</p>
<p><b>Industrial – Traditional Workplace</b> - Paper and other industries in city center – part of greater Downtown and integrated with rail and highway infrastructure.</p> 	<p>Industrial, office, services. Facilities needing access to rail infrastructure.</p>	<p>N/A (In proximity to downtown retail and services).</p>	
<p><b>Industrial Park</b> – Traditional industrial park uses, primarily heavy/intensive uses such as manufacturing and warehousing.</p> 	<p>Production/manufacturing, warehouse, large-scale wholesale with trucking, transfer facilities</p>	<p>Office/administrative associated with primary uses. Retail outlets associated with and secondary to primary uses.</p>	<p>Clear regulatory standards defining appropriate mix of uses and relationship between primary and secondary uses.</p>
<p><b>Business Park / Limited Industrial</b> – Industrial and non-retail uses that are less intense than heavy manufacturing.</p> 	<p>Offices, limited production, small wholesale uses</p>	<p>Low visibility/limited retail, services such as child care, education, training facilities.</p>	<p>Will require zoning district modification or new district. Clear definition of preferred mix of land uses needed.</p>