

CHAPTER 8**LAND AND BUILDING REGULATIONS****831. ZONING – URBAN COMMERCIAL DISTRICT**

Section 831.01. Purpose. The purpose of this district is to provide local residents with a district having a visually pleasing, robust, compact mix of uses consisting primarily of small offices, retail sales and service uses, and some light manufacturing uses, where new, quality buildings blend with existing buildings in an environmentally friendly manner, where pedestrian and vehicular safety is provided, where signage is subdued and effective, and where nearby residential uses are buffered.

Section 831.02. Permitted Uses. Within the Urban Commercial District the following uses shall be permitted uses subject to site plan approval.

- (1) Park and Open Space
- (2) Office
- (3) Secretarial and Word Processing Services
- (4) Banks and Financial Institutions
- (5) Medical Offices
- (6) Interior Decorating Studio
- (7) Dance Studio
- (8) Locksmith
- (9) Sports and Health Clubs but not to exceed 10,000 square feet of floor area and not including outdoor activities or facilities
- (10) Museums and Cultural Centers
- (11) Post Office
- (12) Public Buildings
- (13) Electronic Shopping and Mail-Order Houses, but not to exceed 10,000 square feet
- (14) The Following Retail Stores and Retail Service Shops, but not to exceed 10,000 square feet of floor area and which are open only during the hours between 6AM and 10PM:
 - (a) Motor Vehicle and Parts Dealers
 - (b) Furniture and Home Furnishings Stores
 - (c) Electronics and Appliance Stores
 - (d) Building Material and Garden Equipment and Supplies Dealers
 - (e) Food and Beverage Stores
 - (f) Health and Personal Care Stores
 - (g) Clothing and Clothing Accessories Stores
 - (h) Barber Shop and Beauty Shop
 - (i) Hair, Nail, and Skin Care Services
 - (j) Footwear and Leather Goods Repair
 - (k) Dry Cleaning and Laundry Services
 - (l) Other Personal and Household Goods Repair and Maintenance (Tailor Shop)

- (m) Sporting Goods, Hobby, Book, and Music Stores
- (n) General Merchandise Stores
- (o) Department Stores
- (p) Warehouse Clubs and Superstores
- (q) Other General Merchandise Stores
- (r) Florists
- (s) Office Supplies, Stationery, and Gift Stores
- (t) Used Merchandise Stores
- (u) Pet and Pet Supplies Stores
- (v) Art Dealers
- (w) Tobacco Stores
- (x) Funeral Home and Funeral Services

Section 831.03. Conditional Uses. Within the Urban Commercial District, no structure or land shall be used for the following uses except by conditional use permit.

- (1) Retail Stores and Retail Service Shops listed as permitted uses, but which are over 10,000 square feet of floor area and/or which are open beyond 10PM or before 6AM
- (2) Sports and Health Clubs over 10,000 square feet of floor area
- (3) Animal Hospital (Veterinary Clinic)
- (4) Auto Body or Repair Shop
- (5) Tire and Battery Shops
- (6) Clubs and Lodges
- (7) Parcel Delivery
- (8) Transit Station
- (9) Automotive Service Station (motor fuel stations)
- (10) Restaurants
- (11) Drive-In and Drive-Thru (other)
- (12) Oil and Lubrication Service Shops
- (13) Day Nursery and Day Care
- (14) Entertainment Center – (Facilities which include two or more of the following uses located on the same lot and contained in a coordinated site plan: restaurant, bar, dance hall, and/or bowling alley)
- (15) Hotel/Motel
- (16) Auto and Marine Sales (indoors only)
- (17) Printing and Publishing
- (18) Electronic Shopping and Mail-Order Houses over 10,000 square feet
- (19) Wholesale business- not exceeding 20,000 square feet
- (20) Warehousing – not exceeding 20,000 square feet
- (21) Television and Radio Station
- (22) Telecommunications tower as defined in the section titled Zoning – Performance Standards and Enforcement of the Medina City Code
- (23) Essential Service
- (24) Building contractors or subcontractors
- (25) Lawn and snow contractor
- (26) Rental centers

- (27) Towing
- (28) Extermination and pest control
- (29) Distributor
- (30) Manufacturing and assembly of the following light industrial products excluding: metal plating; teflon coating or similar plating or coatings requiring high temperatures; the use of heavy or other drop forges or heavy or other hydraulic surges or devices capable of detection (vibration) at the property line.¹

Manufacturing of the following are included:

- (a) Cut and sew apparel
- (b) Apparel accessories and other apparel
- (c) Footwear
- (d) Other leather and allied products (but not including tanning)
- (e) Computer and electronic products
- (f) Printing and other related support activities
- (g) Communications equipment
- (h) Audio and video equipment
- (i) Semiconductor and other electronic components
- (j) Navigational, measuring, electromedical, and control instruments
- (k) Manufacturing and reproducing magnetic and optical media
- (l) Household appliances
- (m) Jewelry, silverware, and hollowware
- (n) Jewelers' material and lapidary work
- (o) Doll, toy, and games
- (p) Office supplies (except paper manufacturing)
- (q) Meat and poultry products, but not slaughtering or rendering
- (r) Metal stamping
- (s) Paint and coatings
- (t) Mattresses
- (u) Metal valves
- (v) Architectural and structural metals
- (w) Soaps and cleaners
- (x) Hot stamping plastic packaging
- (y) Machining
- (z) Hydraulic hose
- (aa) Medical equipment
- (bb) Museum displays

¹ Uses listed in this subsection are selectively taken from the North American Industry Classification System (NAICS). Uses not included or worded differently were intentionally done so because they are not consistent with the purpose of this district, were deemed not to be appropriate for inclusion, or needed to be worded differently to meet the City's needs.

Section 831.04. Accessory Uses. Within the Urban Commercial District the following accessory uses shall be allowed.

- (1) Off-Street Parking and Loading
- (2) Food Service for Employees
- (3) Transit Stop / Station
- (4) Seasonal Flea Market
- (5) Car Wash, provided approved by a conditional use
- (6) Drive in Bank, provided approved by a conditional use

Section 831.05. Lot, Setbacks and Building Size Requirements. The following minimum requirements shall be observed, subject to additional requirements, exceptions and modifications set forth in other sections of this ordinance. (When setback provisions overlap, the most restrictive provisions of both setbacks shall apply. See Figure 1.)

Subd. 1. Lot of Record: A lot of record, which existed on or before December 31, 1999 and has one or more of the following shall be considered buildable without requiring a variance provided all other provisions of the ordinance are met.

- (a) less than 1 acre
- (b) less than the required lot width
- (c) less than the required lot depth

Subd. 2 Minimum Lot Area: 1 acre.

Subd. 3. Minimum Lot Width: 100 feet.

Subd. 4. Minimum Lot Depth: 120 feet.

Subd. 5. Minimum Front Yard Setback: 50 feet, but at least 75 feet from any residential district.

Subd. 6. Minimum Side Yard Setback: 10 feet, but at least 75 feet from any residential district.

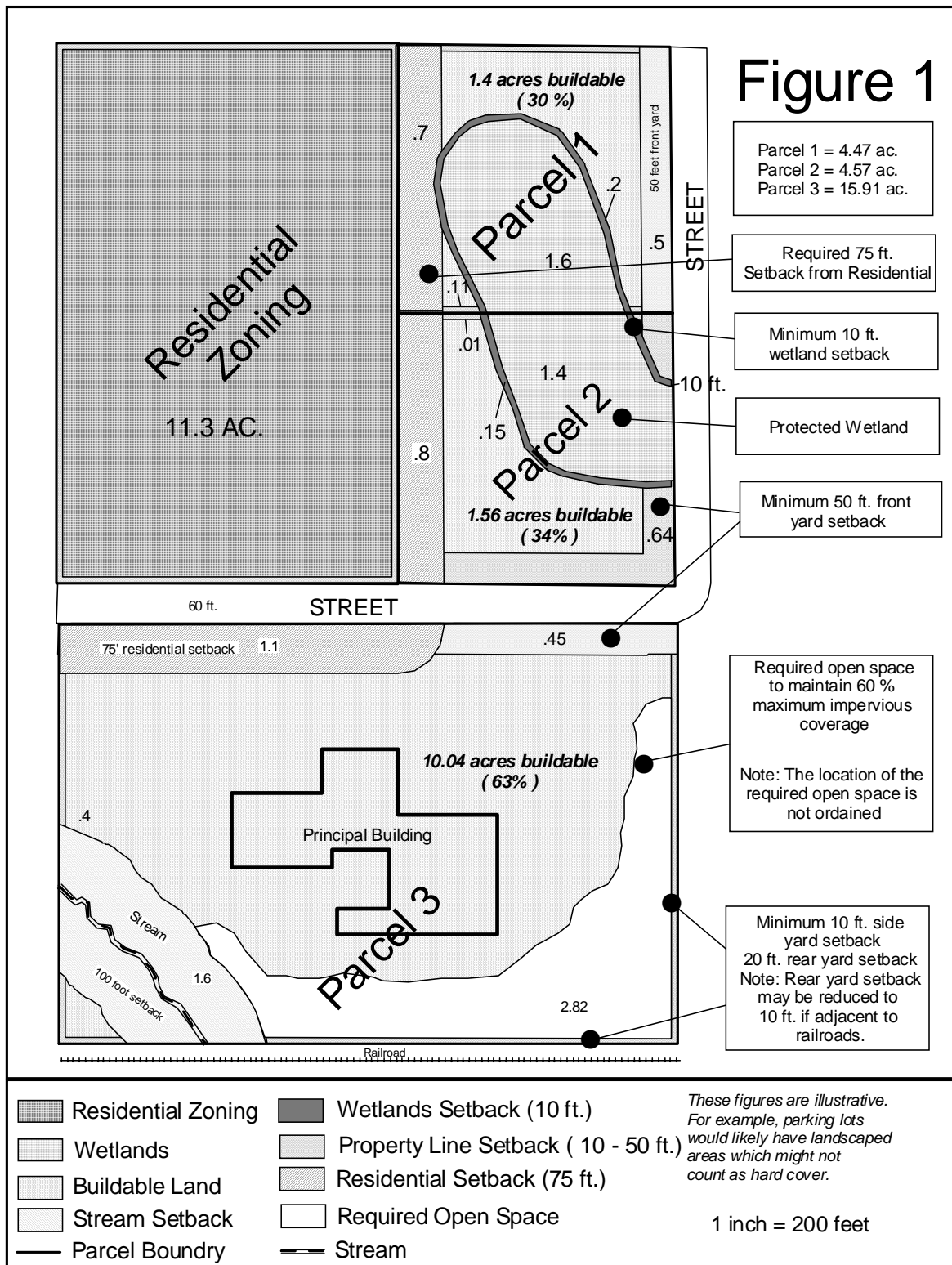
Subd. 7. Minimum Rear Yard Setback: 20 feet, but at least 75 feet from any residential district.

Subd. 8 Corner Lots: Corner Lots shall have a front yard setback adjacent to all abutting streets.

Subd. 9. Reserved.

Subd. 10. Railroad Setback: In those instances where the lot abuts a railroad right of way, the setback adjacent to a railroad right of way may be reduced to 10 feet.

Subd. 11. Elm Creek Setback: Setback from Elm Creek shall conform to the provision specified in the shoreland overlay district.



Subd. 12. Commercial to Commercial Parking Lot Setback:

- (a) Front Yard: Parking is allowed to encroach the front yard setback except for the 25 feet adjacent to the front lot line.
- (b) Side and Rear Yards: Parking is allowed to encroach into the side and rear yard setbacks except for the first five feet adjacent to the lot line.
- (c) To accommodate shared or joint use of a parking lot which straddles a common lot line between adjoining properties, the owners of such lots may submit a parking plan to construct a shared parking area. In such instance, the adjoining yard setback requirements may be waived if the parking lot otherwise meets the requirements of the ordinance.

Subd. 13 Commercial to Residential Parking Lot Setback: The parking lot is allowed to encroach into the front, side, and rear yard setbacks except for the 25 feet adjacent to the lot line if the parking is buffered from the adjoining residential zone such that there is no line of sight between the vehicles in the encroachment zone and the main floor of the residences.

Subd. 14 Limitations on Setbacks: No required front yard, side yard, rear yard and wetland setback or other required setbacks shall be used for building, or other use. No impervious surface shall be located in any required setback except for approved driveways, parking lot, walks, and trails approved by the City. When setback provisions overlap, the most restrictive provision of both setbacks applies.

Subd. 15. Building Height: No building shall exceed 30 feet in height, unless the building has a sprinkler system in which case the height shall not exceed 35 feet.

Section 831.06. Sanitary Sewer. Within the Urban Commercial District, the maximum allowed wastewater flow is 750 gallons per day, per net acre (for purposes of this section, net acres equals the total area of the lot, minus wetlands and open water).

Section 831.07. Design and Development Standards. Design and development standards are established for this district to achieve a high standard of development by providing assurance that land uses, buildings, and functions are compatible within the district and with adjacent districts. The plans and the proposed use of a property shall conform to the design and development standards prior to approval of any permit. The applicant or owner shall supply data necessary to demonstrate such conformance.

Subd. 1. Design and development standards – all uses: The following design and development standards are identified for all uses. Additional standards may be identified during the review and approval process, due to the particular characteristics of each site, the proposed development of the site, and the uses on adjacent property.

- (a) **Site Analysis** – A complete analysis of the site shall be made and a site analysis map shall be prepared as defined by this ordinance. The analysis map shall then be used to determine how the site shall be used and to identify the appropriate

arrangement of the various components to the development. A site plan shall then be prepared as defined by this ordinance.

- (b) **Landscape Plan** – A landscape plan shall be prepared. The landscape plan must include existing trees and landscaping to be retained. The plan must show new landscaping including ground cover, shrubs, and trees by type, size, and spacing. The plan must also include planting methods, walls and fences, if any, (which must be decorative), plazas, fountains, sculptures, all outdoor lights, and other relevant features.
- (c) **Building Plan** - A building plan shall be prepared and include at least the following : a generalized floor plan for each floor, uses, elevation plans for each side of the building showing proposed color and type of materials, fenestration, any rooftop equipment and proposed screening materials, size and square footage, number of parking stalls in the building or in the ramp or deck, if any, building size, building height, exterior lighting, signage if any, and any other relevant features.
- (d) **Utilities** – All utilities shall be placed underground. Transformers and similar equipment, if any, should be located inside a building or shall be fully screened from view.
- (e) **Signage** – A coordinated signage system for the building and access may have to be provided.
- (f) **Natural Features and Drainage** – Retaining existing land forms on the site is encouraged especially when it involves natural amenities such as mature trees and natural drainage. Protection of Elm Creek is required by the shoreland ordinance. Natural vegetation enhancement along the creek is encouraged. Plans which restore natural vegetation along the creek may be given up to a 25 percent reduction in one or two of the yard setbacks.
- (g) **Reserved.**
- (h) **Building Setting** – At least 10 feet of landscaping shall be provided adjacent to the building except for walks, plazas, and approved loading docks.
- (i) **Internal Drives** – Adequate internal streets/drives not less than 22 feet wide exclusive of required parking shall be provided.
- (j) **Street Trees** – Streets trees must be planted to meet the following requirements:
 - (i) **Number and Spacing** – the minimum number or ratio shall not be less than one tree per 50 feet, or fraction thereof, of street frontage including public and private roads.
 - (ii) **Size** – the minimum size shall not be less than 2.5 caliper inches measured 1

foot off the ground at the time of planting for deciduous trees and for coniferous trees the minimum size shall not be less than 6 feet high.

- (iii) **Type** – shall be native species suitable for the site and consistent with others in the area. Other species hardy to the soil and circumstances may be allowed.
- (iv) **Location** – the location shall be shown on the site plan and be found acceptable by the City prior to planting.
- (v) **Landscaping** – Street trees shall count as landscaping.
- (k) **Open Space Trees** – Shall consist of native species, be consistent with the landscape plan, and complement the form and function of the open space.
- (l) **Tree Preservation** – Trees are a major component of the natural environment and their ecosystems. For this reason and for compliance with the purposes of this district, significant trees (trees measuring 8 or more caliper inches in diameter measured 4 feet off the ground) are protected. No significant tree shall be removed unless required to implement the development plan approved by the city and accompanied by a tree replacement plan consistent with this ordinance including replacement of 1 caliper inch for each caliper inch removed. Every 2 feet in height of a coniferous tree equals 1 caliper inch. A coniferous tree must measure at least 6 feet high at the time of planting to qualify as a replacement tree. In those instances where it is not practical to plant replacement trees on the site, the City may accept a payment (as determined by the City) in lieu of planting some or all of the replacement trees. Street trees can not be used to calculate replacement. A significant tree will be considered removed or lost as a result of:
1) clearing or cutting which result in removal or killing of the tree; 2) grade change, including grading or filling, whether temporary or permanent, affecting 45 percent or more of the tree's critical root zone (the area around the tree trunk having a radius of 1.5 feet for every caliper inch of the tree's diameter); 3) utility, roads or other construction resulting in the cutting of 45 percent or more of the tree's roots within the critical root zone; 4) mechanical injury to the trunk causing loss of more than 40 percent of the circumference of any portion of the trunk bark; 5) compaction to a depth of 6 inches or more of 45 percent or more of the surface of the soil within the critical root zone.
- (m) **Impervious Coverage** – The maximum impervious coverage shall not exceed 60 percent. An approved soft trail (one comprised of wood chips, ag lime, or crushed rocks) will not be counted as impervious. See Figure 1.
- (n) **Curb Cuts** – Curb cuts shall not exceed 24 feet in width.

- (o) **Outdoor Lighting** – Outdoor lighting must meet the requirements as specified in the City’s Outdoor Lighting Ordinance. No more than 0.0 FC of light where residential zoning abuts and 0.5 FC of light where other zoning abuts shall be allowed at the property line, when measured at eye level and aimed at the light source.
- (i) **Landscape and architectural lighting** – Provide lighting aimed directly at the area of focus. Minimize spill light by use of narrow distribution luminaires and control devices such as internal and external louvers, refractors, barn doors and glare shields.
- (ii) **Parking and Walkways** – Provide full cutoff type luminaries for parking areas and walkways with no more than 10 percent of light output above the horizontal plane through the light source.
- (p) **Buffers** –
- (i) **Purpose and Definition** – Buffers are used to screen views, reduce noise, reduce dust, reduce impacts from lights, help separate uses, and to enhance the appearance of property in and near this district. Buffers consist of one or more of the following: landscaping, berms, decorative walls and/or, decorative fencing.
- (ii) **Where Required** – A buffer shall be constructed when deemed appropriate based on the evaluation of the site plan and existing and proposed uses and functions on and nearby the property.
- (iii) **Location** – The buffer may be located adjacent to the building or areas to be screened, along the property line or a combination of the two, whichever best meets the purposes of the section.
- (iv) **Design** – The design must be based on the function and purpose of the buffer and the uses and circumstances of the specific properties involved. These factors will set the framework for the width, height, shape and selection of materials (landscaping and man-made.)
Berms should be undulating, creating a natural looking configuration. The design, plant selection and the planting plan must be coordinated taking into account the symbiotic relationship between the plants and the micro-climate including: moisture, runoff, slope, sun and sun angle, temperature, wind, evaporation, plant relationships, hardiness, maintainability, and other factors. The City does not expect the berms to have an irrigation system but the plan must include provisions for watering after initial planting and during drought or severe dry spells. The berm design can be used to effect drainage positively and favorably.
- (v) **Landscape Materials** – Landscape materials shall consist of coniferous plants and deciduous plants. Native species shall be used. In certain

instances, other species hardy to the soil and circumstances may be allowed. A variety of species is encouraged. The City will provide a list of plants considered acceptable for most areas in the district.

- (vi) **Decorative Fences and Walls** – Only decorative fences and walls to provide screening and delineation of selected spaces shall be allowed. The height allowed shall be determined through evaluation of the materials proposed to be used, and landscaping use in conjunction with the fence or wall, and through evaluation of the site plan.
 - (a) **Decorative Fences** – In some instances a solid fence may be useful to add height, screen or reduce noise, but in such instances the fence shall be decorative and landscaping shall be used to soften the impact.
 - (b) **Decorative Walls** – Decorative walls constructed of brick, decorative stucco, boulders, or similar natural materials may be used to achieve objectives consistent with this section.
- (vii) **Buffer Plan** – A detailed plan must be submitted with the site plan. The plan shall include the location, width, height, configuration, topography at 1 foot intervals, soils, listing of all plant materials by species and size, method of planting, maintenance plan, any walls, fences, rock or other features.
- (viii) **Maintenance** – The owner shall have responsibility for maintaining the buffer and its landscaping according to the plan throughout the term of the use as approved by the City.
- (ix) **Joint Development and Maintenance** – Property owners in the district, residential owners and associations can, if they agree, jointly develop and or maintain the buffer required by this district.
- (q) **Loading Docks** –
 - (i) **Definition** – For purposes of this section a loading dock is defined as an area measuring at least 12 feet wide which provides a portal for a truck through the outside wall of a building. The portal could be through a door, which allows the truck to either enter into the building or which allows the truck to the edge of the building or to a dock at the building with a portal into the building.
 - (ii) **Screened From Residential** – No loading dock shall be visible, to the fullest extent practicable, from any residential district. Screening the loading docks can be accomplished by one or more of the following: using the building to screen, berming, landscaping, (using coniferous material having sufficient depth and height), decorative walls, or decorative

fences. The means (method) used to screen the loading dock must result in blockage of the view from all residential districts.

- (r) **Landscaping** – The entire lot shall be landscaped, except for those portions occupied by a building, walk or trail, parking lot, decorative plaza, wetland, waterway buffer, and woodland, and are subject to landscape requirements as specified in the section titled Zoning – Performance Standards and Enforcement. Natural vegetation consisting of properly maintained native species with any invasive species removed may be considered as part of the landscaping.
- (s) **Building Materials and Building Appearance** –
- (i) **Purpose** – This section is to achieve the purposes of the Urban Commercial District, protect and preserve property values, to protect nearby uses, provide for the general welfare of the City, and establish reasonable development standards for functional and aesthetic aspects of buildings and structures.
- (ii) **Building Materials** – All exterior building materials shall be durable and non-combustible (except for wood used as an allowed accent material), consisting of one or more of the following: At least 30 percent shall be brick, natural stone, granite, stucco (but not - Exterior Insulation and Finish System (EIFS)), copper or glass. Up to 20 percent may be wood, anodized aluminum or similar metals may be used as an accent material if appropriately integrated into the overall building design and in the case of wood, not subject to damage caused by heavy use or exposure. When requested, samples of the external materials shall be submitted to the City. Decorative concrete and pre-cast concrete panels may be allowed provided the total of such material does not make up more than 70 percent of the exterior material. Decorative concrete means concrete which: 1) is burnished creating a terrazzo appearance, 2) professionally colored and patterned to create a high quality earth tone brick appearance, 3) professionally colored and patterned to create a high quality white or earth tone stucco appearance (but not EIFS), 4) professionally colored and patterned to create a high quality travertine appearance.
- (iii) **Building Appearance** – All buildings and structures and remodeling of either existing or new buildings shall take into account compatibility related to architectural quality and mass of the structure to be constructed. Elements of compatibility include, but are not limited to: building form, mass, height and bulk; fenestration, exterior materials and their appearance, color (compatible and harmonious with the building, other nearby buildings and the natural setting in the area) durability, setback, landscaping, exterior lighting, and site improvements.

- (iv) **Screening of Rooftop Equipment** – All rooftop equipment shall be designed to minimize undesirable views and forms when viewing rooftops from higher elevations and abutting property. Equipment shall be screened through the use of architectural elements and materials, which are consistent with the design and architecture of the building. Wooden boards or similar material constructed or assembled in a fence-type method or design shall not be used to screen rooftop equipment. Screening elements should not exceed 8 feet in height.
- (t) (Reserved – deleted by Ordinance 410)
- (u) **Surfacing** – All driveways, required parking and loading berths shall have a 9 ton capacity, dustless, all-weather surface. Parking areas for infrequent parking such as for special events or for fewer than 20 times per year may use grasscrete or similar materials or techniques and be in conformance with this provision. Such materials shall not be considered to be impervious if at least 50 percent is exposed grass or similar landscaping.
- (v) **Access and Driveways** – No vehicle access shall be located closer than 75 feet from street corner, nor shall the access be more than 24 feet wide, not including the radius which may be up to 35 feet. Driveways shall not be located in setback areas except to provide essentially direct access from the street to a parking lot at approximately 90 degrees. To the extent possible, driveways into large parking areas with more than 100 spaces and into loading docks shall be curved to reduce direct exposure of the areas from off the site.
- (w) **Area identity – coordinate signs, lights, image, etc.** – The City desires to promote an identity and favorable image for the Urban Commercial District by coordinating landscaping, lighting, and signage.
- (x) **Incorporate Natural Environment** – The natural environment of the site shall be incorporated into the site plan and development plan for the property.
- (y) **Outside Storage** – No outdoor storage shall be permitted on lots smaller than 5 acres. On lots 5 acres or larger, storage of materials may be permitted outside provided that the materials are on an improved surface and screened from view. This area may not exceed 20 percent of the footprint of the principal structure must be adjacent to the rear of the building. Height of this area shall not exceed 10 feet. Storage areas must be shown on an approved site plan. Screens shall be constructed of materials designed for low maintenance and long life. Certain uses have additional outdoor storage provisions that can be found in their specific design and development standards.
- (z) **Outside Storage of Vehicles** – Vehicles must have a current and valid license, be in operable condition for use on the public streets, and be actively used for the use approved on the site and moved on a daily basis when the use is opened for

business. For every 5,000 square feet of building space, businesses are permitted to have one vehicle at all buildings, and not more than 24,000 lbs. of gross vehicle weight, less than 24 feet long and up to a maximum of four vehicles. Additional vehicles above 24,000 lbs. gross vehicle weight and/or more than 24 feet long are permitted, provided that they are parked in the loading dock and screened from view.

- (aa) **Fences and Walls** – See Buffers.
- (bb) **Building Services, Utilities** – To the extent possible, all mechanical equipment, meters and transformers shall be placed inside the building or in a mechanical court formed by walls which completely enclose and screen the equipment. Utilities serving the site shall be placed underground.
- (cc) **Grades** – Private roads, driveways, parking lots, and loading docks exposed to the elements shall have grades of not less than 0.5 percent nor more than 4 percent in order to provide adequate drainage and maneuverability of vehicles unless reviewed for acceptance or unacceptance based on: the amount by which the grade exceeds 4 percent, number of slopes, length of slopes, starting and stopping areas and their grades, angles and curvatures, traffic volumes, parking turn-over, turning and intersection factors, roadway width, lineal feet and/or number of spaces with grades over 4 percent, sight distance and obstructions and alternative routes.
- (dd) **Odor** – Odors that are associated with air pollution are regulated by the Minnesota Pollution Control Agency (MPCA). Other odors are subject to the nuisance provisions of the city's code.
- (ee) **Noise** – The source sound level requirements of this section shall apply at the property line. Measurements may be made at any location for evaluation purposes. The source sound levels as set by the Minnesota Pollution Control Agency shall be the highest source levels permitted, whether or not such sound source is in the zoning district in question.
- (ff) **Parking Structures** – Parking structure shall not contain more than one level above the site grade and the materials shall match those used on the principal building.
- (gg) **Proof of Parking** – When the required off-street parking is 30 or more spaces, the owner may be allowed to pave and stripe 80 percent of the required parking spaces if the following conditions are met:
 - (i) A parking plan drawn to scale for the property is submitted with the site plan and indicates that the site complies with the total parking requirements stated above and with the parking lot design to the standards required by this Ordinance.

- (ii) The proof of parking area is defined as that portion of the site which is not paved, but is suitably landscaped and is capable of containing the amount of parking equal to the difference between the total amount of required parking and the amount of parking required to be paved to meet the requirements of this Ordinance. A concrete curb shall be provided between the proof of parking area and the initially constructed parking lot. For purposes of calculating impervious surface, such area will be considered impervious.
- (iii) The proof of parking area shall be clearly delineated on the parking plan for the site.
- (iv) The paved portion of the parking area shall comply with the pertinent sections of this Ordinance.
- (v) The proof of parking area is not used to satisfy any other landscaping, setback, or other requirement of this Ordinance and is not located in an area occupied by a building.

The property owner is responsible for informing any subsequent owner of the proof of parking area and parking status of the property and shall record said provision with the County recorder.

The City may, at its sole discretion, require that the proof of parking area be paved and striped in such a way that it meets the requirements to provide the total number of required parking spaces on the site or a percentage between 80 percent and 100 percent if so determined by the city.

- (hh) **Parking Reduction** – The required number of parking spaces may be reduced where it can be demonstrated that such reduction is justified due to joint use of facilities for dissimilar uses, provisions for transit, or other factors having impact on parking demand and capacity.
- (ii) **Parking Lots and Structures** – Parking lots and structures shall be designed to provide efficient parking taking into account the utilitarian function of this activity. Parking shall be screened from view and be appropriately landscaped to break up the monotony of such parking. In parking lots designated to more than six parking spaces, at least 5 percent of the interiors of all surface parking areas shall be landscaped with each landscape break occurring approximately every 20 spaces. Such landscaped areas shall not be considered as impervious if essentially the ground is left open. Provisions for pedestrian movement into and through parking lots where required shall be provided. Grades in parking lots shall not exceed 4 percent and perimeters of parking lots shall be screened with landscaped hedges or decorative walls where appropriate. Parking decks should be designed to accommodate landscape planters and or to include cut-out sections exposing landscaping from a lower level and/or by providing added landscaping adjacent to the deck or in an open parking lot so that the equivalent of 5 percent is achieved.

- (jj) **Transit** – The site plan and improvements needs to consider transit provisions including ride sharing and, where it exists, mass transit.
- (kk) **Bicycle Racks / Storage** – Bicycle racks or a similar facility to park/store bicycles shall be provided in a location accessible to employees. At least 1 bicycle space shall be provided for every 50 required off – street parking spaces.
- (ll) **Trash and Recycling Facilities** – All storage of trash or materials to be recycled and their containers shall be stored within the principal building or in an enclosed area, composed of material consistent with the materials and architecture of the principle building and which is screened from view and located adjacent to and abutting the principal building.
- (mm) **Pedestrian Ways and Trails** – Site plans shall be designed for and include provisions for pedestrians to provide access to and between the building, parking lot, open space, street, and transit if any. The plan must include provision for or connections to the City’s trail system consistent with the Comprehensive Plan.

Subd. 2. Design and Development Standards – Permitted Uses: The following design and development standards are identified for the uses listed below. Additional standards may be identified during the review and approval process, due to the particular characteristics of each site, the proposed development of the site, and the uses on adjacent property.

(a) **Park and Open Space –**

- (1) The design and use shall be consistent with the Comprehensive Plan and the purposes of the Urban Commercial District as well as be compatible with enhancement of the wetlands, Elm Creek, and any nearby residential zone.

(b) **Office –**

- (1) No additional standards.

(c) **Secretarial and Word Processing Services –**

- (1) No additional standards.

(d) **Bank and Financial Institutions –**

- (1) If drive-in service is proposed, the number of lanes shall be kept to a minimum and shall not exceed three. The drive-in service shall be completely integrated into the principal building, shall not be an appendage to it, and shall use the same quality materials as on the remainder of the principal building.
- (2) **Access.** Stacking area for the drive-in shall be subordinate to the primary accesses for vehicles and pedestrians.

(e) **Medical Offices –**

- (1) Provision for storage of any hazardous materials and medical waste must be included and such storage must be inside the building.

(f) **Interior Decorating Studio –**

- (1) No additional standards.

(g) **Dance Studio –**

- (1) No additional standards.

(h) **Locksmith –**

- (1) No additional standards.

(i) **Sports and Health Clubs but not to exceed 10,000 square feet of floor area and not including outdoor activity, facilities –**

- (1) No additional standards.

(j) **Museums and Cultural Centers –**

- (1) No additional standards.

- (k) **Post Office –**
 - (1) Special provision and additional parking may be required to accommodate postal vehicles.
 - (2) Special traffic flow and access may be needed to accommodate operations especially “mail drop” facilities.

- (l) **Public Buildings –**
 - (1) No additional standards.

- (m) **Electronic Shopping and Mail-Order Houses, but not to exceed 10,000 square feet –**
 - (1) No additional standards.

- (n) **Retail Stores and Service Shops, but not to exceed 10,000 square feet of floor area and which are only open between the hours of 6 AM and 10 PM –**
 - (1) The following may require additional standards:
 - (a) Motor Vehicle and Parts Dealers
 - (b) Furniture and Home Furnishings Stores
 - (c) Electronics and Appliance Stores
 - (d) Building Material and Garden Equipment and Supplies Dealers
 - (e) Food and Beverage Stores
 - (f) Health and Personal Care Stores
 - (g) Clothing and Clothing Accessories Stores
 - (h) Barber Shop and Beauty Shop
 - (i) Hair, Nail and Skin Care Services
 - (j) Footwear and Leather Goods Repair
 - (k) Dry Cleaning and Laundry Services
 - (l) Other Personal and Household Goods Repair and Maintenance (Tailor Shop)
 - (m) Sporting Goods, Hobby, Book, and Music Stores
 - (n) General Merchandise Stores
 - (o) Department Stores
 - (p) Warehouse Clubs and Superstores
 - (q) Other General Merchandise Stores
 - (r) Florists
 - (s) Office Supplies, Stationery, and Gift Stores
 - (t) Used Merchandise Stores
 - (u) Pet and Pet Supplies Stores
 - (v) Art Dealers
 - (w) Tobacco Stores
 - (x) Funeral Home and Funeral Services

Subd. 3. Design and Development Standards – Conditional Uses: The following design and development standards are identified for the uses listed below. Additional standards may be identified during the review and approval process, due to the particular characteristics of each site, the proposed development of the site, and the uses on adjacent property.

- (a) **Retail Stores and Retail Service Shops listed as permitted uses, but which are over 10,000 square feet of floor area and/or which are open beyond 10PM or before 6AM –**
 - (1) Same standards as listed for the use under permitted uses.
 - (2) Special design consideration which may be necessary to provide night-time use and safety, and to reduce noise and light impacts.

- (b) **Sports and Health Clubs over 10,000 square feet of floor area –**
 - (1) Special design consideration which may be necessary to provide night-time use and safety, and to reduce noise and light impacts.

- (c) **Animal Hospital (Veterinary Clinic) –**
 - (1) Shall not be located within 100 feet of a residential district.
 - (2) No outside space shall be used for kenneling animals; however, up to 5,000 square feet of the outdoor area may be used by the animals provided it is designated on the site plan and found to be acceptable by the City.
 - (3) The plan for ventilation, location of windows, doors, and loading docks shall be designed to reduce noise and potential for noise violations.
 - (4) There shall be no outdoor storage of trash, trash container, or debris of any kind.
 - (5) Provision for storage of hazardous materials and medical waste must be included in the building and be identified on the plans.

- (d) **Auto Body and Repair Shop –**
 - (1) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (2) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.

- (e) **Tire and Battery Shops –**
 - (1) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (2) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.

- (f) **Clubs and Lodges –**
 - (1) If restaurant functions are included, then the design and development standards for restaurants also apply.

(g) **Parcel Delivery** –

- (1) Special provisions and design consideration to accommodate delivery vehicles, nighttime operations, and other functions peculiar to this use.

(h) **Transit Station or Stop** –

- (1) Stations shall be located within 500 feet of State Highway 55. Special consideration shall be given to locating access to provide convenience without causing congestion, especially due to turning movements. Special channelization for cars and busses will likely be required. Transit station shall provide bike racks at the equivalent of one space for every 50 off – street parking spaces.

(i) **Automotive Service Stations** –

- (1) No ingress or egress for the site shall be provided within 60 feet from the projected curb lines of the intersecting streets.
- (2) All pump islands shall be installed at least 12 feet from the required setback line, and no display or servicing of vehicles shall take place within the required yard setback.
- (3) All parking and paved areas shall meet the grading, design, and landscaping requirements.
- (4) Curbs – A concrete box curb extending not less than 6 inches above and below grade shall be located along all lot lines abutting a street and along the setback lines, except at approved ingress and egress points, and along the outside edge of all driveways.
- (5) The entire setback area, which is delineated by the box curb as described above, shall be landscaped and adequately maintained. (The box curb may have drainage cut holes to facilitate drainage in a natural drainage area if consistent with the drainage plan.)
- (6) Drainage. There shall be adequate drainage of the surface of the parking or paved area to a public storm sewer or to other approved storm water facilities. Plans for surfacing and drainage of all parking lots for 20 spaces or more or paved areas of 6,000 square feet or more shall be approved by the city.
- (7) Pedestrian Circulation – Sidewalks or other designated pedestrian ways shall be clearly indicated and provided for the safety of pedestrians passing by the station.
- (8) Buffer – An approved buffer shall be constructed along the property line when it abuts property zoned residential; all buffers shall be adequately maintained.
- (9) All on site utility installations shall be placed underground.
- (10) No products shall be sold or displayed in any required yard setback, nor shall the total display area occupy more than 150 square feet in area or be more than 5 feet in height. The automotive service station site shall not be used for the storage and sale or rental of automobiles, trucks, campers, boats, trailers, unlicensed or partially dismantled vehicles, or similar vehicles and products.

- (11) Any canopy and canopy support system shall be constructed using architectural design and materials which are compatible with the principal structure.
- (12) No public address system shall be audible beyond the property line.
- (13) No trash or junk materials shall be stored outside unless completely screened from view and stored in a closed metal container; however, such storage shall not take place within the required setback area.
- (14) Additional conditions may be included when such are necessary to serve the general welfare, safety, and protection of the neighborhood and the public.
- (15) All automotive service stations in existence as of the effective date of this Ordinance shall conform to the provisions as listed above on or before July 30, 2005.
- (16) Modification of the requirement of this section may be made for service stations in existence on the effective date of this Ordinance if the city council finds that, because of the shape of the lot, size of the lot, the location of the principal building on the lot, or similar circumstances, it would be impossible to satisfy the strict terms of this section or that they could be satisfied only by imposing exceptional undue hardship upon the owner of the lot.

(j) **Restaurants –**

- (1) **Trash** – All trash and debris shall be stored within the building in a properly designed trash room with a door, which opens to an outside loading access.

(k) **Drive-in (Other) – Drive-In or Self-Service Business –**

(1) **General.**

- (a) Any drive-in or self-service type business serving food or beverages shall also provide, in addition to vehicular service areas, indoor food and beverage service seating area sufficient to accommodate at least 24 customers at any given time.
- (b) The hours of operation shall be a condition for the granting of any drive-in business use.

(2) **Location.**

- (a) No drive-in business shall be located within 200 feet of a public or parochial school, church, or public recreation area.
- (b) No drive-in shall be located within 400 feet of any residential zoned property.
- (c) No drive-in shall be located on any street other than one designated by the city as an arterial or collector.

(3) **Landscaping.**

- (a) Each drive-in business shall provide adequate landscaped yards.
- (b) The landscaping plan must be approved by the council prior to issuance of a permit and said plan shall include complete specifications for plant materials and other features.
- (c) At least 10 percent of the gross lot area shall be landscaped.

(4) **Site Plan.**

- (a) The site plan shall clearly indicate suitable storage containers for all waste material.
- (b) The parking area shall be paved with material according to specifications approved by the City.
- (c) Adequate area shall be designated for snow storage such that clear visibility shall be maintained from the property to any public street.
- (d) A suitable buffer shall be erected along all property lines abutting residential zoning.
- (e) The design of all structures shall be compatible with other structures in the surrounding area.
- (f) No drive-in business shall be located on a lot having less than 1 acre.
- (g) A plan shall be submitted showing adequate provision for surface water drainage and have the approval of the city.
- (h) Electronic devices such as loudspeakers, automobile service order devices, drive-in speakers and similar instruments shall not be located within 300 feet of any residentially zoned property.
- (i) No service shall be rendered, deliveries made, or sales conducted within the required front yard setback; customers served in vehicles shall be parked to the sides and/or rear of the principal structure.
- (j) No permanent or temporary signs visible from the public street shall be erected without approval of the City. No plan shall be approved which will in any way constitute a hazard to vehicular or pedestrian circulation. No access shall be within 75 feet of intersecting street curb lines.

(l) **Oil Lubrication Service Shops –**

- (1) Oils-grease – The plan must make adequate provision for inside storage of all new and used petroleum products and other products, liquids, or chemicals used in the operation.
- (2) Inoperable Vehicles – No inoperable vehicle shall be kept on the site longer than 45 days.
- (3) Vehicle Sales – The site shall not be used to sell vehicles.
- (4) Buffer – A buffer may be required.
- (5) Landscape Plan – A complete landscape plan for the site must be submitted and, when approved, constructed in accordance with the plan.

(m) **Day Nurseries and Day Care –**

- (1) At least 25 square feet of usable outdoor recreation space shall be provided per person for whom care is provided.
- (2) Vehicle access to or near the main entrance shall be provided in a convenient and functional manner.

- (n) **Entertainment Center** –
 - (1) No building shall be located within 400 feet of a residential zone.
 - (2) Main access points shall be located on a road designated as a collector or arterial on the City’s plan.
 - (3) Restaurant and convention / conference facilities shall be integrated to and within the principal building.

- (o) **Hotel/Motel** –
 - (1) No building or use shall be located within 400 feet of an existing or proposed residential zone.
 - (2) Main access points shall be located on a road designated as a collector or arterial on the City’s plan.
 - (3) No direct lighting and no signage shall be visible from an existing or proposed residential zone.
 - (4) Restaurant and convention / conference facilities shall be integrated to and within the principal hotel or motel building.

- (p) **Auto and Marine Sales (Indoor Only)** –
 - (1) Adequate space shall be provided for inside storage of all inventory, merchandise, waste and hazardous material.
 - (2) A buffer may be required to screen access doors or loading facilities.

- (q) **Printing and Publishing** –
 - (1) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.

- (r) **Electronic Shopping and Mail-Order Houses, but not to exceed 10,000 square feet** –
 - (1) No additional standards.

- (s) **Wholesale business – not exceeding 20,000 square feet**– (See Manufacturing and Assembly of Light Industrial Products)

- (t) **Warehousing – not exceeding 20,000 square feet** – (See Manufacturing and Assembly of Light Industrial Products)

- (u) **Television and Radio Station** – As defined in the section titled Zoning – Performance Standards and Enforcement of the Medina City Code.

- (v) **Telecommunications Towers** – As defined in section titled Zoning – Performance Standards and Enforcement.

- (w) **Essential Service** – As defined in the section titled Zoning – Performance Standards and Enforcement of the Medina City Code.

- (x) **Building contractors or sub-contractors –**
 - (1) Adequate space shall be provided for inside storage of all inventory, merchandise, waste and hazardous material.
 - (2) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.

- (y) **Lawn and snow contractor –**
 - (1) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (2) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.

- (z) **Rental centers –**
 - (1) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (2) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.

- (aa) **Towing –**
 - (1) Adequate space shall be provided for inside storage of all inventory, merchandise, waste, and hazardous material.
 - (2) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.

- (bb) **Extermination and pest control –**
 - (1) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.
 - (2) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.

- (cc) **Distributor –**
 - (1) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (2) Special plans and consideration for traffic flow and access may be required.

- (dd) **Manufacturing and Assembly of Light Industrial Products –**
 - (1) No building shall be located within 200 feet of a residential zone.
 - (2) Building openings such as doors, windows, and loading docks shall include closing devices to reduce the potential for noise violations.
 - (3) Due to the variety and nature of the uses listed under manufacturing and assembly of light industrial products and the potential impacts to other uses and property, additional design, and development standards shall be required at the time a specific application is submitted or during the review of such application.

- (4) The following uses have additional requirements:
- (a) **Cut and sew apparel –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (b) **Apparel accessories and other apparel –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (c) **Footwear (but not including tanning) –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (d) **Other leather and allied products (but not including tanning) –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (e) **Printing and related support activities –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (f) **Computer and electronic products –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (g) **Communications equipment –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (h) **Audio and video equipment –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (i) **Semiconductor and other electronic components –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (j) **Navigational, measuring, electromedical, and control instruments**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (iii) The use shall not cause interference to television or other communication on nearby property.
 - (k) **Manufacturing and reproducing magnetic and optical material–**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (iii) The use shall not cause interference to television or other communication devices on nearby property.

- (l) **Household appliances –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
- (m) **Jewelry, silverware, and hollowware –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.
- (n) **Jewelers’ material and lapidary work –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.
- (o) **Doll, toy, and games –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
- (p) **Office supplies (except paper manufacturing) –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
- (q) **Meat and poultry products, but not slaughtering or rendering–**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.
- (r) **Metal Stamping –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
- (s) **Paint and Coatings –**
 - (i) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (ii) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.
- (t) **Mattress –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
- (u) **Metal Valves –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
- (v) **Architectural and Structural Metals –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.

- (w) **Soaps and Cleaners –**
 - (i) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (ii) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.
- (x) **Hot Stamping Plastic Packaging –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (iii) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.
 - (iv) The plan for ventilation, location of windows, doors, and loading docks shall be designed to reduce noise and potential for noise violations.
- (y) **Machining –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
- (z) **Manufacturing Hydraulic Hose –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) The plan for ventilation, location of windows, doors, and loading docks shall be designed to reduce noise and potential for noise violations.
- (aa) **Manufacturing Medical Equipment –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - (ii) Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
 - (iii) The plan for ventilation, location of windows, doors, and loading docks shall be designed to reduce noise and potential for noise violations.
- (bb) **Manufacturing Museum Displays –**
 - (i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.

Subd. 4. Design and Development Standards –Accessory Uses: The following design and development standards are identified for the uses listed below. Additional standards may be identified during the review and approval process, due to the particular characteristics of each site, the proposed development of the site, and the uses on adjacent property.

(a) Off-Street Parking and Loading –

- (1) See off-street parking and loading requirements.

(b) Food Service for Employees and their guests, provided such facility is integrated within the principal use and building –

- (1) No outdoor signage or signage visible from outdoors shall be allowed.
- (2) Exhaust and emissions shall not adversely effect use of adjacent property or tenant space on the property.

(c) Transit Stop / Station –

- (1) Stations shall be located within 500 feet of State Highway 55. Special consideration shall be given to locating access to provide convenience without causing congestion, especially due to turning movements. Special channelization for cars and busses will likely be required. Transit station shall provide bike racks at the equivalent of one space for every 50 off-street parking spaces.

(d) Seasonal Flea Market –

A seasonal flea market operated or sponsored by a non-profit organization as an accessory use, is subject to the following conditions:

- (1) No outside storage is permitted.
- (2) The flea market may operate no more than one day per calendar week and no more than 30 days per calendar year.
- (3) Sales may take place within any required setback area provided the activity does not interfere with traffic, parking or emergency vehicle access and does not occur on a landscaped area.
- (4) There exists adequate on-site parking for the accessory use and the permitted use or conditional use; approved for the property.
- (5) Tents, stands and other temporary structures are permitted provided they do not interfere with parking, traffic or emergency vehicle access.
- (6) A temporary sign no larger than 32 square feet per side with a maximum of 64 square feet is permitted during sale hours.
- (7) Parking areas must be clearly delineated and control thereof is the responsibility of the licensee.
- (8) Permit and Plan–A plan must be submitted and a permit obtained according to the following provisions:
 - (a) A description of the property proposed to be used.
 - (b) A list of the days or dates of use and the hours of operation.

- (c) A site plan showing the sales area in relation to existing buildings, parking areas, points of ingress and egress and other site improvements;
 - (d) Written permission from the property owner.
 - (e) Such other information as the zoning administrator may require.
 - (f) Upon review of the required information and determination that the proposed accessory use will comply with the requirements of this ordinance, the zoning administrator shall issue an administrative permit to the operator of the seasonal flea market. The permit shall be valid for a period not to exceed one calendar year. The zoning administrator may condition the issuance of the permit in any way necessary to ensure compliance with this ordinance or to promote public safety.
 - (g) The applicant may appeal any decision by the zoning administrator to deny a permit or to condition the issuance of such permit. The appeal shall be made to the city council sitting as the board of adjustments and appeals.
- (e) **Car Washes** – An accessory car wash shall meet the following requirements:
- (1) The use must be accessory to a permitted use or to a conditional use approved by the City.
 - (2) Adequate buffer provided and maintained to screen the use and function from adjacent residential zoning and from office use on adjacent property.
 - (3) Stacking Area. An adequate stacking area which does not interfere with other functions must be provided.
- (f) **Drive-in Bank** – provided approved by a conditional use.
- (1) The accessory use must meet all of the applicable provisions listed under drive-in. Other drive-in or self-serve businesses as listed in the Design and Development Standards – Permitted uses in this District. In addition, the accessory use must meet the standards determined through the conditional use permit review and approval process.

Section 831.09. Review and Approval Process.**Subd. 1. Minor changes involving permitted uses:**

The following changes can be approved by City staff upon a written finding and filing with the property file that the proposal meets the requirements of the district.

- (1) Change in the use of the property, if the use is less intense and a more restrictive use.
- (2) Expansion of an existing building by less than 1,000 square feet of floor area in a single year.
- (3) Changes of less than 10,000 square feet to the exterior walls or surface of the building.
- (4) Expansion of the parking lot by less than 10 spaces or less than 2,400 square feet, whichever is less.
- (5) Outdoor lighting changes involving 2 or fewer light poles without changing the type of lighting.
- (6) Changing the topography involving less than 1 foot in elevation or less than 24,000 square feet of lot area.
- (7) An addition to exposed rooftop equipment if the addition is less than 64 cubic feet.

Any person aggrieved by a decision of the staff under this subdivision may appeal to the city council. Appeals must be submitted in writing and must be received by the staff within 30 days of the date the staff's written report is filed. The city council shall decide an appeal within 60 days of the date of receipt of the appeal.

Subd. 2. Site Plan Review Procedure: All changes other than minor changes under subd. 1 shall be reviewed pursuant to the site plan review procedures specified elsewhere in this ordinance.

Subd. 3. Conditional Uses: Conditional uses and any changes to conditional uses shall follow the conditional use permit procedures specific elsewhere in this ordinance.

Amendment History of this Section

Adopted February 20, 2001 (Ord. 327).

Amended August 2, 2006 (Ord. 410). Deleted clause (t) of subd. 1 of subsection 831.07 regarding signage.

*Amended May 20, 2008 (Ord. 441). Deleted subd. 9 of subsection 831.05 regarding Wetland Setback.
Deleted "g" of subd 1 of subsection 831.07 regarding Wetland Setback.*