

**CHAPTER 8****LAND AND BUILDING REGULATIONS****832.1. ZONING - BUSINESS PARK DISTRICT**

**Section 832.1.01. Business Park (BP) Purpose.** The purpose of the Business Park (BP) district is to provide an attractive, high quality business park primarily for office, high quality manufacturing and assembly, and non-retail uses in developments which provide a harmonious transition to residential development and neighborhoods by: 1) conducting all business activities and essentially all storage inside buildings, 2) consisting of low profile, high quality and attractive buildings which blend in with the environment, 3) providing open space, quality landscaping and berming which achieve a park-like setting; 4) including berming and buffering of parking, loading docks and other similar functions; and 5) protecting and enhancing the natural environment.

**Section 832.1.02. (BP) Permitted Uses.** Within the Business Park District the following uses shall be permitted uses and are subject to site plan approval and development plan approval processes.

- (1) Park and Open Space
- (2) Office
- (3) Bank and Financial Institutions
- (4) Medical Offices, except the following are not permitted uses: those which offer inpatient services or that otherwise commonly operate between the hours of 9:00 p.m. and 7:00 a.m.
- (5) Post Office
- (6) Contractor services typically delivered off-site such as, building contractors, lawn care, electrical, plumbing, locksmiths, and extermination or pest control.
- (7) Public building of a non-industrial nature
- (8) Religious institutions
- (9) Showrooms
- (10) Transit station or stop
- (11) Publishing firm
- (12) Nursing homes, assisted living facilities, and independent living facilities associated with such uses
- (13) Licensed residential facilities
- (14) Day care facilities

**Section 832.1.03. (BP) Conditional Uses.** Within the Business Park District, no structure or land shall be used for the following uses except by conditional use permit, the specific requirements established in Section 832.3.09, and other applicable provisions of the city code:

- (1) Hospital
- (2) Medical offices which offer inpatient services or that otherwise commonly operate

between the hours of 9:00 p.m. and 7:00 a.m.

- (3) Physical Fitness Clubs
- (4) Animal Hospital (veterinary)
- (5) Laboratories
- (6) Essential Public Utility and Service Structures
- (7) Educational facilities, including business and technical schools which are post secondary
- (8) Telecommunications Tower as defined in the section titled Zoning – Performance Standards and Enforcement of the Medina City Code.
- (9) Warehousing, wholesaling, and distributors
- (10) Manufacturing and assembly of the following light industrial products and 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.<sup>1</sup>

Manufacturing of the following are included:

- (a) Printing and related support activities
- (b) Computer and electronic products
- (c) Communications equipment
- (d) Audio and video equipment
- (e) Electronic components, except semiconductors
- (f) Navigational, measuring, electromedical, and control instruments
- (g) Manufacturing and reproducing magnetic and optical media
- (h) Household appliances
- (i) Jewelry, silverware, and hollowware
- (j) Jewelers' material and lapidary work
- (k) Doll, toy, and games
- (l) Office supplies (except paper manufacturing)
- (m) Medical equipment and supplies
- (n) Pharmaceuticals
- (o) Apparel
- (p) Brooms, brushes, and mops
- (q) Electrical lighting equipment
- (r) Musical instruments
- (s) Signs
- (t) Sporting and athletic goods

**Section 832.1.04. (BP) Accessory Uses.** Within the Business Park District the following accessory uses shall be allowed, except that the combined floor area of industrial repair/processing, warehousing, and retail space shall not exceed 50 percent of the gross floor area of the building.

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<sup>1</sup> 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.

- (1) Recreational and Open Space for those employed on site and their guests
- (2) Off-Street Parking and Loading
- (3) Food Service for Employees and their guests, provided such facility is integrated into and within the principal use and building
- (4) Railroad Spur
- (5) Transit Stop / Station
- (6) Day Nurseries and day care
- (7) Any industrial repair or processing provided it does not occupy more than 20 percent of the floor area
- (8) Warehouse, provided it does not occupy more than 30 percent of the floor area. (As used in this section, warehouse means a place in which goods or merchandise is stored, not including raw material or other goods used in the manufacturing or assembly of products on the site and not including the temporary storage of goods and merchandise produced on this site)
- (9) Wholesale offices and showrooms
- (10) Computer manufacturing and assembly
- (11) Essential Public Utility and Service Structures including telecommunications towers under the requirements of a conditional use permit
- (12) Retail sale of products provided the floor area for retail sales does not exceed 15 percent of the gross floor area in the building.
- (13) Drive-through services, subject to a conditional use permit and the requirements established in Section 832.3.09.
- (14) Signs, subject to the requirements of the sign ordinance
- (15) Parking structures, subject to a conditional use permit and the requirements established in Section 832.3.09.
- (16) Residential uses, provided dwelling units do not occupy a floor area greater than 25 percent of the floor area of the principal use to which it is accessory.
- (17) Solar Equipment, if affixed to a structure, and in compliance with Section 828.09 subd. 1 of the City Code.

**Section 832.1.06. (BP) Lot, Setback 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.).

**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 the required lot size, but more than 1 acre
- (b) less than the required lot width
- (c) less than the required lot depth

**Subd. 2. Minimum Lot Area:** Three acres. The minimum lot size may be reduced to two acres if the lot is part of an integrated development utilizing shared improvements such as parking and stormwater management, as approved by the City.

**Subd. 3. Minimum Lot Width:** 200 feet.

**Subd. 4. Minimum Lot Depth:** 200 feet.

**Subd. 5. Minimum Front Yard Setback:** 50 feet.

**Subd. 6. Minimum Interior Side Yard Setback:** 30 feet. If the lot is part of an integrated development, the interior side yard setback may be reduced to 15 feet in order to accommodate shared use of loading dock circulation, fire lanes or other site improvements, or to configure buildings in a way to screen loading docks.

**Subd. 7. Minimum Rear Yard Setback:** 30 feet. If the lot is part of an integrated development, the rear yard setback may be reduced to 15 feet in order to accommodate shared use of loading dock circulation, fire lanes or other site improvements, or to configure buildings in a way to screen loading docks.

**Subd. 8. Street Setback:** A required yard setback shall be increased to 50 feet adjacent to a public street and increased to 35 feet adjacent to a private street.

**Subd. 9. Setback from Residential:** 100 feet, except as described in (b) below.

- (a) A required yard setback adjacent to or across a street from a residential zoning district shall be increased to 100 feet and a landscape buffer which is 50 percent opaque shall be required within the setback.
- (b) This required yard setback may be reduced to 75 feet if a landscape buffer which is 70 percent opaque is planted within the setback.

**Subd. 10. Minimum Railroad Setback:** A required yard setback adjacent to a railroad right-of-way may be reduced to zero, except as necessary for safety, fire access, or utility purposes.

**Subd. 11. Minimum Parking Setbacks:** Parking stalls, parking aisles, and fire lanes may encroach within the required yard setbacks but shall be located the following distances from property lines:

- (a) Front Yard: 35 feet
- (b) Rear and Interior Side Yard: 20 feet, except no setback is required to accommodate shared/joint parking, loading dock circulation, or fire lanes across a common lot line within an integrated development.
- (c) Side Yard, if adjacent to public street: 35 feet
- (d) Side Yard, if adjacent to private street: 25 feet
- (e) Residential Zoning District: 100 feet, except as follows:
  - (1) This required yard setback may be reduced to 60 feet if a landscape buffer which is 70 percent opaque is planted within the setback.
  - (2) Fire lanes which are not utilized for traffic circulation on the parcel may encroach within this yard setback.

**Subd. 12. Maximum Impervious Surface Coverage:** 70 percent of the total lot area, except as follows:

- a. Maximum impervious surface coverage may be increased to 75 percent if the lot is part of an integrated development utilizing shared improvements such as parking and stormwater management, as approved by the City.
- b. Impervious surface coverage may exceed these amounts if stormwater management practices are implemented which, according to the City Engineer, exceed stormwater retention and treatment regulations. However, in no case shall impervious surface coverage exceed 80 percent of the lot area remaining after wetlands and stormwater ponds have been excluded.

**Section 832.1.07. (BP) Design and Development Standards.** The following standards shall be observed, subject to additional requirements, exceptions and modifications set forth in the city code:

**Subd. 1.** The design and development standards, as required in Section 832.3, shall be observed.

**Subd. 2. Maximum Building Height:** No building shall exceed 30 feet, unless the building has a sprinkler system, in which case the height shall not exceed 35 feet.

**Subd. 3. Outside Storage Prohibited.** No outside storage shall be allowed, with the exception of vehicles used in the daily operation of the use permitted on the site as regulated by Section 832.3.07.

**SECTION 832.2 – BUSINESS DISTRICT**

**Section 832.2.01. Business (B) Purpose.** The purpose of the Business (B) district is to provide for a zoning district for a mix of office, high quality light industrial, and larger-scale retail and service uses with proximity to arterial roadways. Development shall include high quality and attractive building materials and architectural design as well as extensive landscaping in order to limit impacts on surrounding land uses, and shall be integrated and coordinated in a way to most efficiently utilize site improvements and to protect the natural environment.

**Section 832.2.02. (B) Permitted Uses.** The following shall be permitted uses within the B district, subject to applicable provisions of the city code:

- (1) Banks and financial institutions
- (2) Contractor services typically delivered off-site such as, building contractors, lawn care, electrical, plumbing, locksmiths, and extermination or pest control.
- (3) Day care facilities
- (4) Essential Services
- (5) Nursing homes, assisted living facilities, and independent living facilities associated with such uses
- (6) Professional and medical office uses, except the following are not permitted uses: medical offices which offer inpatient services or that otherwise commonly operate between the hours of 9:00 p.m. and 7:00 a.m.
- (7) Park and Open Space
- (8) Physical fitness clubs, dance studios, and similar uses, except the following are not permitted uses: those over 5,000 square feet in floor area, and those which include outdoor activity areas such as pools and playing fields
- (9) Places of assembly, conference halls, lodges, and similar uses
- (10) Public services such as government buildings, post offices, and similar uses
- (11) Publishing firms
- (12) Religious institutions
- (13) Residential facilities, licensed
- (14) Retail uses, provided the use is located within a structure with a floor area of 15,000 square feet or greater and that the following are not permitted uses: pet stores, pawn shops, and adult establishments.
- (15) Service uses, provided the use is located within a structure with a floor area of 15,000 square feet or greater and that the following are not permitted uses: hospitals; veterinarian clinics; adult establishments; and services related to automobiles.
- (16) Showrooms
- (17) Transit station or stop
- (18) Warehousing, wholesaling, and distributors

**Section 832.2.03. (B) Conditional Uses.** The following shall be permitted uses within the B district, subject to conditional use permit approval, the specific requirements established in

Section 832.3.09, and other applicable provisions of the city code:

- (1) Adult Establishments
- (2) Automobile, marine, or trailer sales or rental
- (3) Automobile repair, Oil lubrication service shops, auto body shops
- (4) Automobile towing
- (5) Car washes or auto detailing
- (6) Educational facilities, including post secondary
- (7) Hospital
- (8) Hotels and motels
- (9) Indoor recreational uses, including but not limited to bowling alleys, dance halls, movie theaters, and live entertainment.
- (10) Laboratories
- (11) Manufacturing or assembly of the light industrial products described below. The list is based on the North American Industrial Classification System (NAICS). Notwithstanding anything herein to the contrary, any use which utilizes the following processes shall not be permitted: metal plating; Teflon coating or similar coatings requiring high temperatures; the use of heavy or other drop forges; the use of heavy or other hydraulic surges; or the use of any devices capable of detection at the property line.
  - (a) Food, except meat slaughtering and rendering is not a conditional use
  - (b) Beverage and Tobacco
  - (c) Textile mills and textile product mills
  - (d) Apparel
  - (e) Leather and allied products, except leather tanning is not a conditional use
  - (f) Wood products
  - (g) Converted paper products, except the following are not conditional uses: pulp, paper and paperboard mills
  - (h) Printing and related support activities
  - (i) Chemical manufacturing, except the following are not conditional uses: explosives, petroleum or coal products
  - (j) Plastics and rubber products
  - (k) Nonmetallic mineral products
  - (l) Primary metal manufacturing as follows: Aluminum sheet, plate, and foil manufacturing and aluminum extruded product manufacturing shall be permitted conditional uses. Other primary metal manufacturing shall not be a permitted conditional use.
  - (m) Fabricated metal products, except the following are not conditional uses: ammunition and small arms ammunition.
  - (n) Machinery
  - (o) Computer and electronic products
  - (p) Electrical equipment, appliance, and components
  - (q) Transportation equipment manufacturing as follows: Motor vehicle parts manufacturing and motorcycle, bicycle, and parts manufacturing shall be permitted conditional uses. Other transportation equipment manufacturing shall not be a permitted conditional use.

- (r) Furniture and related products
- (s) Miscellaneous products, as described in NAICS 339
- (12) Medical offices which offer inpatient services or that otherwise commonly operate between the hours of 9:00 p.m. and 7:00 a.m
- (13) Motor fuel stations
- (14) Pawn shops
- (15) Physical fitness clubs, dance studios, and similar uses which exceed 5,000 square feet in floor area, or which include outdoor activity areas (such as pools or playing fields)
- (16) Retail or service uses which include the keeping of animals on-site such as pet stores, veterinarian clinics, animal day cares, animal boarding, commercial kennels and similar uses
- (17) Telecommunications Tower
- (18) Wind Energy Conversion Systems (WECS)
- (19) Solar Equipment with is not affixed to a structure, in compliance with Section 828.09 subd. 2 of the City Code.

**Section 832.2.04. (B) Accessory Uses.** The following accessory uses shall be permitted within the B district, subject to applicable provisions of the city code and provided such use is subordinate to and associated with a permitted or conditional use:

- (1) Computer manufacturing and assembly
- (2) Day nurseries and day care
- (3) Drive-through services subject to a conditional use permit and the requirements established in Section 832.3.09.
- (4) Food service for employees, residents, and their guests, provided such facility is integrated into and within the principal use and building
- (5) Industrial repair or processing provided it does not occupy more than 20 percent of the floor area
- (6) Restaurants and licensed on-sale liquor establishments
- (7) Retail sale of products, as an accessory use
- (8) Off-street parking and loading
- (9) Outdoor dining and/or drinking areas, subject to the requirements established in Section 832.3.09.
- (10) Outdoor display of goods used in conjunction with and on the same site as the permitted use or conditional use, subject to the requirements established in Section 832.3.09.
- (11) Outdoor storage, subject to a conditional use permit and the requirements established in Section 832.3.09.
- (12) Parking structures, subject to a conditional use permit and the requirements established in Section 832.3.09.
- (13) Railroad spur
- (14) Recreational and Open Space for those employed on site and their guests
- (15) Residential uses, provided dwelling units do not occupy a floor area greater than 25 percent of the floor area of the principal use to which it is accessory
- (16) Signs, subject to the requirements of the sign ordinance



- (17) Temporary outdoor sales events, subject to an administrative review of compliance with the requirements established in Section 832.3.09.
- (18) Transit stop / station
- (19) Warehouse space
- (20) Wholesale office and showrooms
- (21) Solar Equipment, if affixed to a structure, and in compliance with Section 828.09 subd. 1 of the City Code.

**Section 832.2.06. (B) Lot, Setback and Building Size Requirements.** The following standards shall be observed, subject to additional requirements, exceptions and modifications set forth in the city code:

**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 the required lot size, but more than 1 acre
- (b) less than the required lot width
- (c) less than the required lot depth

**Subd. 2. Minimum Lot Area:** Three acres. The minimum lot size may be reduced to two acres if the lot is part of an integrated development utilizing shared improvements such as parking and stormwater management, as approved by the City.

**Subd. 3. Minimum Lot Width:** 175 feet.

**Subd. 4. Minimum Lot Depth:** 175 feet.

**Subd. 5. Minimum Front Yard Setback:** 40 feet.

**Subd. 6. Minimum Interior Side Yard Setback:** 25 feet. If the lot is part of an integrated development, the interior side yard setback may be reduced to 15 feet in order to accommodate shared use of loading dock circulation, fire lanes or other site improvements, or to configure buildings in a way to screen loading docks.

**Subd. 7. Minimum Rear Yard Setback:** 25 feet. If the lot is part of an integrated development, the rear yard setback may be reduced to 15 feet in order to accommodate shared use of loading dock circulation, fire lanes or other site improvements, or to configure buildings in a way to screen loading docks.

**Subd. 8. Street Setback:** A required yard setback adjacent to a street shall be increased based on the classification of the street in the Comprehensive Plan as follows:

- (a) Private Street: 30 feet
- (b) Local or Minor Collector Roadway: 40 feet.
- (c) Major Collector or Arterial Roadway: 50 feet.

**Subd. 9. Setback from Residential:** 100 feet, except as described in (b) below.

- (a) A required yard setback adjacent to or across a street from a residential zoning district shall be increased to 100 feet and a landscape buffer which is 50 percent opaque shall be required within the setback.
- (b) This required yard setback may be reduced to 75 feet if a landscape buffer which is 70 percent opaque is planted within the setback.

**Subd. 10. Minimum Railroad Setback:** A required yard setback adjacent to a railroad right-of-way may be reduced to zero, except as necessary for safety, fire access, or utility purposes.

**Subd. 11. Setback Increase for Structures Over 35 feet in Height:** The required yard setbacks for structures exceeding 35 feet in building height shall be increased by a distance equal to the amount the structure exceeds 35 feet in building height.

**Subd. 12. Minimum Parking Setbacks:** Parking stalls, parking aisles, and fire lanes may encroach within the required yard setbacks but shall be located the following distances from property lines:

- (a) Front Yard: 25 feet
- (b) Rear and Interior Side Yard: 15 feet, except no setback is required to accommodate shared/joint parking, loading dock circulation, or fire lanes across a common lot line within an integrated development.
- (c) Side Yard, if adjacent to public street: 25 feet
- (d) Side Yard, if adjacent to private street: 20 feet
- (e) Residential Zoning District: 100 feet, except as follows:
  - (1) This required yard setback may be reduced to 60 feet if a landscape buffer which is 70 percent opaque is planted within the setback.
  - (2) Fire lanes which are not utilized for traffic circulation on the parcel may encroach within this yard setback.

**Subd. 13. Maximum Impervious Surface Coverage:** 70 percent of the total lot area, except as follows:

- (a) Maximum impervious surface coverage may be increased to 80 percent if the lot is part of an integrated development utilizing shared improvements such as parking and stormwater management, as approved by the City.
- (b) Impervious surface coverage may exceed these amounts if stormwater management practices are implemented which, according to the City Engineer, exceed stormwater retention and treatment regulations. However, in no case shall impervious surface coverage exceed 85 percent of the lot area remaining after wetlands and stormwater ponds have been excluded.

**Section 832.2.07. (B) Design and Development Standards.** The following standards shall be observed, subject to additional requirements, exceptions and modifications set forth in the city code:

**Subd. 1.** The design and development standards, as required in Section 832.3, shall be observed.

- Subd. 2. Maximum Building Height:** No building shall exceed 30 feet, except as follows:
- (a) Structures equipped with a sprinkler system may be a maximum of 35 feet in height.
  - (b) The maximum building height may be increased to 45 feet, with approval of the city fire marshal. Additional conditions may be required related to fire safety.

**SECTION 832.3 – DESIGN AND DEVELOPMENT STANDARDS FOR  
BUSINESS PARK AND BUSINESS DISTRICTS**

**Section 832.3.01. Generally.** The standards of this Section shall apply to the Business Park and Business districts. These standards are established 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.

**Section 832.3.02. Building Materials and Design.**

**Subd. 1. Building Materials.** All exterior building materials shall be durable and meet the following standards:

- (a) A minimum of 20 percent of the building exterior shall be brick, natural stone, stucco (not Exterior Insulation and Finish System or similar product), copper, or glass.
- (b) A maximum of 80 percent may be decorative concrete, split face (rock face) decorative block, and/or decorative pre-cast concrete panels. Decorative concrete shall be color impregnated in earth tones (rather than painted) and shall be patterned to create a high quality terrazzo, brick, stucco, or travertine appearance.
- (c) A maximum of 20 percent may be wood, metal (excluding copper), fiber cement lap siding or Exterior Insulation and Finish System or similar product, if used as accent materials which are integrated into the overall building design.

**Subd. 2. Building Modulation.** Buildings shall be designed to avoid long, monotonous building walls. Modulation may include varying building height, building setback, or building materials/design. Generally, a particular building elevation shall include a minimum of one element of modulation per 100 feet of horizontal length, or portion thereof. Alternative architectural or site elements and designs may also be approved by the city which achieve the purpose of reducing the visual impact of long building walls.

**Subd. 3. Building Fenestration and Transparency.** Building elevations which face a public street shall include generous window coverage. Alternative architectural elements may be approved by the city when windows are not practical.

**Subd. 4. Multi-sided Architecture.** Any rear or side building elevation which faces a public street or a residential zoning district shall include design and architectural elements of a quality generally associated with a front façade. The elevation(s) shall be compatible with the front building elevation. Additional signage shall be permitted for an elevation facing a public street or interior access drive, as regulated within the sign ordinance. Multi-sided architecture shall not be required in situations where the rear or side building elevation is fully screened from view from the adjacent street or residential property.

**Section 832.3.03. Preservation of Natural Environment and Natural Drainage**

**Subd. 1.** Site improvements shall be designed in a way which most effectively maintains predevelopment topography, drainage patterns and ecological functions.

**Subd. 2. Natural Drainage System.** Drainage and stormwater improvements shall be designed with an emphasis on integrated stormwater management practices such as vegetative swales, filter strips, bioretention, and similar improvements as approved by the city rather than pipes and retention ponds.

**Section 832.3.04. Landscaping Requirements.**

**Subd. 1. Generally.** The entire lot shall be landscaped, except for areas occupied by buildings, walks, trails, parking lots, drives, loading docks, plaza space, wetlands, wetland buffers, and woodlands. Landscaping shall include trees, shrubs, plantings, and ground cover as approved by the city. Properly maintained natural vegetation and water conserving ground cover alternatives are encouraged. Areas may be seeded if determined to be practically necessary by the city. Integrated stormwater management practices, such as vegetative swales, vegetated filter strips, bioretention, and raingardens, shall be considered landscaping and shall not be excluded from the gross acreage of the parcel when calculating impervious surface coverage.

**Subd. 2. Building Setting.** At least 12 feet of landscaped area shall be provided adjacent to all buildings except for walks, plaza space and approved loading docks. Walks within this landscaped area shall be limited to where practically necessary to serve access points of buildings.

**Subd. 3. Overstory Deciduous Shade Trees and Coniferous Trees.** A minimum of one tree per 50 feet, or fraction thereof, of lot perimeter shall be required.

- (a) Size. Deciduous trees shall not be less than 2.5 caliper inches measured four feet off ground, and coniferous trees shall not be less than six feet in height.
- (b) Location. Tree location shall be approved by the city prior to planting.
- (c) Type. Trees shall be suitable for the soil and site conditions and compliment others in the area. Native species, as listed within the tree preservation ordinance are required unless otherwise necessary. No more than 25 percent of trees may be of a single species.
- (d) Credit for Preserved Trees. The city may reduce the required number of overstory trees if an applicant preserves more existing trees than required by the Tree Preservation ordinance, Section 828.41. The city shall determine the amount of credit granted for such existing trees.

**Subd. 4. Ornamental Trees.** A minimum of one tree per 100 feet, or fraction thereof, of lot perimeter shall be required.

- (a) Size. Trees shall not be less than two caliper inches measured four feet off ground.
- (b) Location. Tree location shall be approved by the city prior to planting.

- (c) Type. Trees shall be suitable for the soil and site conditions and compliment others in the area. Native species are required unless otherwise necessary. No more than 25 percent of trees may be of a single species.

**Subd. 5. Understory Shrubs.** In addition to trees, a full compliment of understory shrubs shall be provided to complete a quality landscape treatment of the lot. Shrubs shall be potted and a minimum of 24 inches. In no instances shall the number of shrubs be less than one per 30 feet, or fraction thereof, of lot perimeter.

**Subd. 6. Parking Lot Landscaping.** A minimum of eight percent of the total land area within parking, driveway, and loading dock areas shall be landscaped.

- (a) Landscaping at least 12 feet in width shall separate parking lots into cells of no more than 120 stalls.
- (b) Landscaping shall break up rows of parking approximately every 20 spaces.
- (c) Species selection shall be guided by soils conditions and any trees shall be planted in a way which increases the likelihood of long-term survival.
- (d) Where practical, the landscaping areas shall be designed to receive stormwater runoff from the adjacent parking area.

**Subd. 7. Flexibility for Alternative Landscape Plans.** The city may approve of landscape plans which do not meet the specific planting requirements of this Section. The applicant seeking this flexibility shall demonstrate, to the satisfaction of the city, that the alternative plan will meet or exceed the ecological and buffering benefits of landscaping consistent with the requirements of this Section.

**Subd. 8. Maintenance.** The developer shall be responsible for establishing a long-term maintenance plan to see that landscaping and fencing is maintained in an attractive and well-kept condition and to replace any landscaping that does not survive. Landscape irrigation, where necessary, shall be consistent with water usage regulations.

**Subd. 9. Landscaping Guarantee.** The owner shall guarantee the growth and maintenance of all plants for a minimum of two growing seasons following an inspection of all completed plantings. The owner shall submit a financial guarantee, in a form acceptable to the City, prior to issuance of a building permit to ensure the planting and survival of the plantings. Any plant which does not survive or has severely declined (for example, 25% of the crown has died in the case of trees) shall be replaced, and the replacement shall be guaranteed for an additional two growing seasons. The City shall retain financial guarantee in an amount necessary for any replacements.

**Subd. 9. Tree Preservation.** Removal of significant trees and any construction activity within Business Park and Business districts shall be subject to the requirements set forth by the City's Tree Preservation Ordinance Section 828.41.

**Section 832.3.05. Utilities, Mechanical Equipment, and Trash and Recycling Facilities.**

**Subd. 1. Utilities.** All utilities shall be placed underground. To the extent possible, all utility equipment, meters and transformers shall be placed either inside of the building or within an outside mechanical court formed by walls. If not located within the building, these items shall be fully screened from view from adjacent property and streets through the use of opaque landscaping or walls constructed of materials which are compatible with the building.

**Subd. 2. Mechanical Equipment.** All HVAC and other mechanical equipment shall be designed, located, and/or screened so they are not visible from adjacent property or public streets.

(a) Rooftop Equipment. Equipment shall be screened through the use of architectural elements and materials which are compatible with the overall design of the building. Wood fencing or chain link fencing with slats shall not be permitted.

(b) Ground Equipment. Equipment shall be screened with walls which are constructed of materials which are compatible with the building or with landscaping which is opaque during the entire year.

**Subd. 3. Trash and Recycling Facilities.** All trash and material to be recycled shall be stored within the principal building, within an accessory structure, or within an enclosed outdoor area adjacent to the principal structure. The accessory structure or enclosed area shall be constructed of similar materials and have compatible architecture as the principal structure and shall abide by yard setback requirements.

**Section 832.3.06. Screening.**

**Subd. 1.** All structures and parking areas shall be screened from adjacent residential property as described within the yard setback requirements of each district.

**Subd. 2.** In other situations where screening is required by the zoning ordinance or as a term of a conditional use permit, the standards of this Section shall be satisfied through the use of fences, walls, or vegetative screens.

(a) Standards for vegetative screens. Vegetative screens shall consist of fully hardy plant materials, planted in a way to be at least 80 percent opaque year-round. The height of the screen shall be determined by the city, taking into account the characteristics of the object(s) or area being screened, but shall be of adequate size immediately upon planting. The plants within a vegetative screen shall be in addition to the general landscaping requirements of this section.

(b) Standards for screening fences or walls. A screening fence or wall shall be constructed of attractive, finished materials such as masonry, brick or wood. Materials and design shall be compatible with the principal structure. The height of the fence or wall shall be determined by the city taking into account the characteristics of the object(s) or area being screened.

**Subd. 3. Maintenance.** The property owner shall be responsible for ensuring that fences and walls are not in disrepair and that planting screens are maintained in a neat and healthful condition. Failure to do so shall be a violation of this ordinance and may be deemed a nuisance, subject to necessary enforcement procedures.

**Subd. 4. Berming.** If an earth berm is proposed to supplement the screening, the berm shall be undulating in order to give a natural appearance.

**Section 832.3.07. Outdoor Storage of Service Vehicles.**

**Subd. 1. Within off-street parking area.** A limited number of vehicles utilized for the use permitted on a property may be stored within the required off-street parking area.

- a. Vehicles shall be less than 24 feet in length, and not more than 12,000 lbs. of gross vehicle weight.
- b. One vehicle for every 20,000 square feet of building footprint, or portion thereof, shall be allowed.
- c. Vehicles shall be currently licensed and operable, be commonly utilized by the use on the property, and shall not be parked for the purpose of sale.

**Subd. 2. Within a service vehicle storage area.** A limited number of vehicles and trailers utilized for the use permitted on a property may be stored within an outdoor service vehicle storage area.

- (a) One vehicle, trailer, or connected truck and trailer shall be allowed for every 15,000 square feet of building footprint, or portion thereof.
- (b) Vehicles and trailers shall be currently licensed and operable and shall be regularly moved from the storage area and operated.
- (c) The service vehicle storage area shall abide by the setbacks required for loading docks.
- (d) The service vehicle storage area shall be screened from adjacent property and streets. Screening shall not be required from adjacent property which is part of an integrated development when the adjacent area is utilized for loading docks or outdoor service vehicle storage area.
- (e) Outdoor service vehicle storage areas in conformance with this subdivision shall not be considered outside storage.

**Subd. 3.** Additional vehicles shall be parked inside of buildings, within a loading dock, or within an outside storage area as regulated herein.

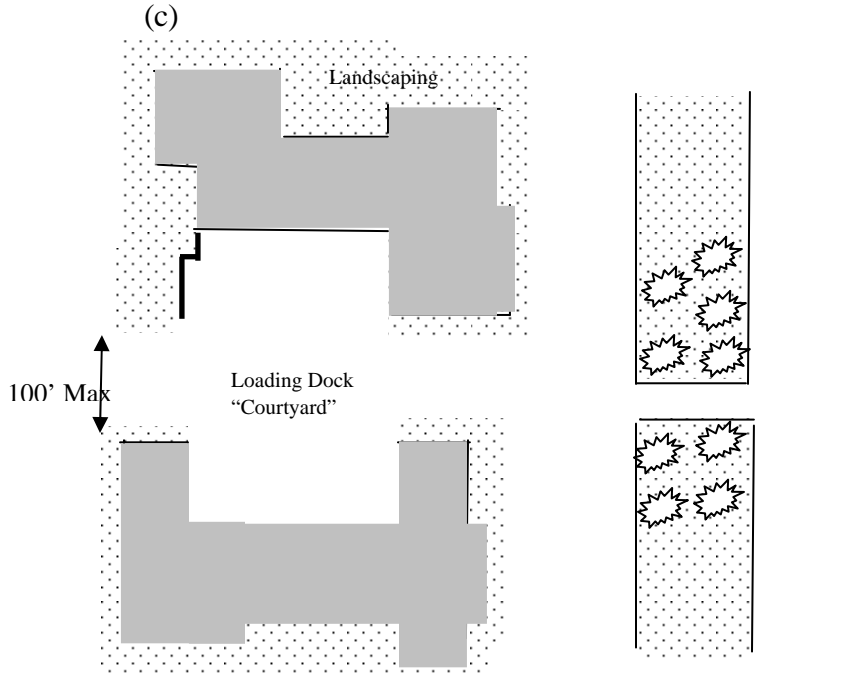
**Section 832.3.08. Loading Docks.**

**Subd. 1. Limitation on loading dock area located outside of courtyards.**

- (a) Loading docks, excepting those located within a courtyard as defined by this Section, shall not occupy greater than 10 percent of the building perimeter. If it deems it practically necessary, the city may allow additional loading dock area outside of courtyards, but not in an amount to exceed 20 percent of the building perimeter.



- (b) For the purposes of this subdivision, a courtyard shall be formed by structural elements such as buildings or wing walls. Wing walls shall be of similar building materials and design with the structure. Access points to the courtyard shall not exceed 100 feet in width. Landscaping shall be utilized to reduce the visibility of the access points into the courtyard.



**Subd. 2. Location.**

- a. Loading docks shall not be located in required yard setbacks and should be located in a way which minimizes visibility from residential zoning districts and public streets.
- b. The loading dock setback adjacent to or across a street from a residential zoning district shall be increased to 100 feet.
- c. Any loading dock within 300 feet of a residential zoning district shall be separated from the residential district by a building or a wing wall. The city may approve of other alternatives for noise abatement and screening.

**Subd. 3. Screening.** Loading docks shall be screened from adjacent property and streets to the fullest extent possible using the following techniques, or others as approved by the city. Screening shall not be required between lots which are part of an integrated development and where buildings are configured in a way to create loading dock courtyards.

- (a) Building design/configuration.
- (b) Wing walls. Walls shall be constructed of similar materials and design with the principal building.
- (c) Below grade docks. This technique shall be supplemented with landscaping.
- (d) Landscaping. Plants shall be selected to provide 80 percent year-round opaqueness.
- (e) Berming. Berms shall be undulating to provide a natural appearance, and shall be supplemented with landscaping.
- (f) Decorative Fencing. Landscaping shall be provided on the exterior of the fence to soften the visual impact of the fence.

**Section 832.3.09. Supplemental Requirements for Specific Uses within the Business Park and Business Districts.**

**Subd. 1. Adult Establishments.** Shall meet the requirements of Section 645 of the Medina City Code.

**Subd. 2. Automobile, Marine, and Trailer Sales or Rental**

- (a) Inventory shall be stored and displayed inside of a building or, if permitted in the district, within an approved outdoor storage area, which shall meet the standards required herein.
- (b) No inoperative vehicles shall be stored on the premises, unless in the process of being repaired and are stored within a building.
- (c) On-site repair or maintenance of vehicles shall be subject to the conditions established for Automobile Repair, Oil Lubrication Service Shops, Auto Body Shops below.
- (d) No test driving of vehicles shall be permitted on local residential streets.
- (e) All vehicle dealers shall be licensed by the state.

**Subd. 3. Automobile Repair, Oil Lubrication Service Shops, Auto Body Shops**

- (a) The structure containing the use shall be no less than 200 feet from residential districts.
- (b) Vehicles parked outside awaiting service or pick-up shall be located in an area which is fully screened from neighboring properties and from the right-of-way.
- (c) No inoperative vehicles shall be stored on the premises, unless in the process of being repaired and are stored within a building.
- (d) All repair functions shall occur within an enclosed building.
- (e) No sales, storage, or display of automobiles shall be permitted unless a conditional use permit is granted for such a use.
- (f) Equipment specifications shall be submitted. Vibration and noise reduction measures may be required by the city.
- (g) Additional screening may be required to limit sight and noise impacts of service bays.
- (h) Adequate provision shall be made for proper inside storage of all new and used petroleum, chemical, liquid, and other products.
- (i) Towing operations shall be permitted as an accessory use, but only if allowed as part of the conditional use permit and if clearly subordinate to the principal use. The city may apply necessary conditions and limitation on this use.

**Subd. 4. Automobile Towing**

- (a) Towed vehicles shall be stored inside of a building or within an approved outdoor storage area, as regulated herein.
- (b) No inoperative vehicles shall be stored on the premises, unless stored within a building.
- (c) No salvaging, crushing or recycling of vehicles shall be permitted.
- (d) Additional screening may be required adjacent to the area where vehicles are loaded into the building and/or approved outdoor storage area.

**Subd. 5. Car Washes or Auto Detailing**

- (a) The structure containing the use shall be no less than 200 feet from residential districts.
- (b) Additional screening may be required to limit sight and noise impacts of service bays.
- (c) Equipment specifications shall be submitted. Noise reduction measures may be required by the city.
- (d) Adequate provisions shall be made for circulation and stacking. Stacking requirements shall be based on the specifications of the car wash and the amount of time required to wash a car.

**Subd. 6. Drive-through Services**

- (a) All parts of the drive-through lane(s) shall be no less than 200 feet from residential zoning districts.
- (b) Drive-through lanes shall not be permitted within required yard setback areas.
- (c) The site plan shall allow adequate pedestrian circulation, vehicle circulation, and vehicle stacking which does not interfere with on-site parking and loading.
- (d) The drive-through shall allow adequate stacking and circulation so as to avoid impacts on adjacent property or public right-of-way.
- (e) The City may require additional necessary conditions to limit the impact of drive-through lanes on surrounding property, including but not limited to: limiting hours of operation, restricting drive-through lane orientation, limiting the volume of loudspeakers and ordering devices, and/or requiring additional landscaping, berming, or other means of screening.

**Subd. 7. Educational Facilities, including post secondary**

- (a) Parking areas shall be no less than 200 feet from residential zoning districts.
- (b) Playgrounds and outdoor recreational areas shall be set back a minimum of 200 feet from residential property with adequate screening to protect neighboring properties from noise and adverse visual impacts. Additional conditions shall be required to minimize the impact of noise and lighting from outdoor recreational areas, and also to minimize the likelihood of the recreational activity spilling over onto adjacent property or right-of-ways. These conditions may include, but are not limited to: limiting hours of use, restricting the location of the court, and requiring fencing, berming or vegetative screening.

**Subd. 8. Hospital**

- (a) Shall be located on property which abuts an arterial roadway or abuts a collector roadway no more than 1,000 feet from an intersection with an arterial roadway.
- (b) Special traffic flow provisions must be developed for emergency vehicles.
- (c) All hazardous materials and medical waste must be stored inside the buildings and provisions for storage and disposal must be included in the plan.
- (d) A detailed rational plan must be developed for parking and access including access parking provisions for doctors, staff, short and long term public parking, pedestrian ways, decorative security lighting, informational signage, and metering or pay facilities if included.

- (e) No heliport shall be located within 1500 feet of a residential zoning district.

**Subd. 9. Hotel/Motel**

- (a) The structure containing the use shall be no less than 200 feet from residential districts.
- (b) Shall be located on property which abuts an arterial roadway or abuts a collector roadway no more than 1,000 feet from an intersection with an arterial roadway;
- (c) Restaurant and convention / conference facilities shall be allowed as an accessory use, but shall be integrated to and within the principal hotel or motel building and shall occupy no more than 50 percent of the floor area of the building.

**Subd. 10. Indoor Recreational Uses**

- (a) Entrances for public access, as well as other outdoor areas where patrons may congregate, shall be no less than 200 feet from residential districts.
- (b) Provisions for noise reduction shall be identified based on the type of use proposed.

**Subd. 11. Laboratories**

- (a) The structure containing the use shall be no less than 200 feet from residential districts.
- (b) Equipment specifications shall be submitted. Vibration and noise reduction measures, and conditions related to building layout may be required by the city. Measures may be required regarding ventilation systems in order to prevent adverse effects of exhaust or emissions on adjoining property or tenant spaces.
- (c) Specific provisions shall be identified for property storage and disposal of fuels, chemicals, and any other hazardous materials.

**Subd. 12. Manufacturing or Assembly of light industrial products**

- (a) The structure containing the use shall be no less than 200 feet from residential districts.
- (b) Equipment specifications shall be submitted. Vibration and noise reduction measures, and conditions related to building layout may be required by the city. Measures may be required regarding ventilation systems in order to prevent adverse effects of exhaust or emissions on adjoining property or tenant spaces.
- (c) Specific provisions shall be identified for property storage and disposal of fuels, chemicals, and any other hazardous materials.

**Subd. 13. Medical Offices, with inpatient services or operating from 9 p.m. to 7 a.m.**

- (a) The structure containing the use, parking and loading areas shall be no less than 200 feet from residential districts.
- (b) All hazardous materials and medical waste must be stored inside the buildings and provisions for such storage and disposal must be included in the plan.

**Subd. 14. Motor Fuel Stations**

- (a) Shall be located on property which abuts an arterial roadway or abuts a collector roadway no more than 1,000 feet from an intersection with an arterial roadway.
- (b) Fuel pumps and structures shall be no less than 200 feet from residential zoning districts.

- (c) No ingress or egress to the site shall be provided within 60 feet of the projected curb lines of intersecting streets.
- (d) Fuel pumps shall be installed at least 12 feet from required yard setbacks.
- (e) Stacking shall be provided at each fuel pump island which does not interfere with vehicle or pedestrian circulation.
- (f) Site drainage and stormwater facilities shall be designed to limit the potential impact of fuel spills and other hazardous materials.
- (g) Any protective canopy shall meet the required yard setbacks of the district, but in no case shall be located closer than 20 feet from a property line. The canopy structure shall be constructed using materials and architectural design which are compatible with the principal structure. Canopy lighting shall be recessed or fully shielded and shall meet the outdoor lighting requirements of this ordinance.
- (h) No sales, rental, repair, or maintenance of motor vehicles or trailers shall be permitted unless these uses are part of the conditional use permit approval and meet the requirements set forth herein for the specific use.
- (i) Additional screening may be required to limit the impact of headlights on adjacent property.

**Subd. 15. Outdoor dining and/or drinking areas**

- (a) The outdoor space shall be at least 200 feet from any residential zoning district.
- (b) The area shall be directly adjacent to the principal structure, and be clearly delineated by fencing or decorative landscaping.
- (c) The area shall not interfere with fire safety access to the building.
- (d) Outdoor speakers and lighting shall be designed to limit impacts on adjacent property or right-of-way.
- (e) Pervious surfacing is encouraged, and if utilized, these areas shall not be considered as an impervious surface.

**Subd. 16. Outdoor display of goods used in conjunction with and on the same site as the permitted use or conditional use**

- (a) The display area shall be directly adjacent to a structure or under a permanent canopy.
- (b) The display area shall not exceed two percent of the area of the footprint of the principal building or 400 square feet, whichever is less.
- (c) Goods in the display area shall be organized and neatly stored.
- (d) The display area shall not occupy parking/loading or landscaping areas, and shall not interfere with fire safety access to the building.

**Subd. 17. Outdoor Storage**

- (a) Outside storage shall not be permitted on parcels less than 3 acres in size.
- (b) The area of storage shall not exceed an area equal to 10 percent of the gross area of the lot or 20 percent of the footprint area of the principal structure, whichever is less.
- (c) The area of storage shall not be located within the front yard or a side yard adjacent to a right-of-way.

- (d) The area of outside storage shall be set back a minimum of 50 feet from all property lines, and a minimum of 100 feet from a residential zoning district
- (e) The area of storage shall be surfaced with a material approved by the city, and may not be gravel.
- (f) The area of storage shall be fully screened from neighboring properties and from the right-of-way. If a fence is used for screening, additional landscaping shall be required adjacent to the area of storage, which shall not be counted towards the landscaping requirements of the site. Similarly, if natural screening is utilized, these plantings shall not be counted towards landscaping requirements.

**Subd. 18. Parking Structures**

- (a) The parking structure shall not exceed the height of the principal structure on the parcel.
- (b) The parking structure shall abide by the exterior building material requirements of the district and be consistent with the architectural design of the principal structure.
- (c) The parking structure shall not extend into required yard setbacks in the same way allowed for surface parking.
- (d) Additional landscaping and screening requirements may be required to reduce the visibility of the parking structure.

**Subd. 19. Physical Fitness Clubs and Dance Studios which are greater than 5,000 square feet in floor area or include outdoor activity areas in the Business district, or any Physical Fitness Club or Dance Studio in the Business Park district**

- (a) Shall not be located within 200 feet of a residential zoning district.
- (b) Shall be located on property which abuts an arterial roadway or abuts a collector roadway no more than 1,000 feet from an intersection with an arterial roadway;
- (c) Conditions shall be required related to the outdoor area to minimize the impact of noise and lighting, and also to minimize the likelihood of the activity spilling over onto adjacent property or right-of-ways. These conditions may include, but are not limited to: limiting hours of use, restricting the location of the court, and requiring fencing or screening.
- (d) Outdoor activity areas shall not be located in the front yard or a side yard adjacent to a right-of-way, and shall abide by structure setback requirements.

**Subd. 20. Pawn Shops**

- (a) Shall not be located within 200 feet of a residential zoning district.
- (b) Shall abide by relevant licensing requirements.

**Subd. 21. Retail and Service uses related to animals**

- (a) Shall not be located on a property within 200 feet of a residential zoning district.
- (b) Sufficient space shall be required within the principal structure to accommodate all boarding and exercise activities, if applicable. The size and design of this space shall be appropriate for the planned use according to responsible animal care standards. The space shall be well maintained and animal waste shall be promptly collected, discarded, and the location disinfected.

- (c) Impervious, washable materials shall be required for floor finishes and wall finishes below a height of 24 inches in all areas where animals will commonly be located. Materials may include sealed concrete or masonry, ceramic tile, or others approved by the City.
- (d) The City may permit an outdoor area to be utilized by the animals for exercise and play subject to the following limitations:
  - (i) The outdoor area shall be located a minimum of 500 feet from any residential zoning district.
  - (ii) Sufficient space shall exist within the principal structure to fully accommodate the animals, including exercise activities, regardless of the potential for an outdoor area to be utilized by the animals.
  - (iii) The outdoor area shall be enclosed within an opaque, sturdy fence of a height and design sufficient to keep the animals confined. The fence shall be designed to complement the principal structure and the City may require additional landscaping or other elements in order to avoid the appearance of a long, monotonous wall. The fenced area shall abide by the minimum yard setbacks required for structures.
  - (iv) The City shall adopt limitations on the hours of use of the outdoor area based on the following, as well as other relevant, factors: potential impacts to neighboring properties; proposed use of the space; location and characteristics of the outdoor area.
  - (v) The outdoor area shall be well maintained and animal waste shall be promptly collected and discarded.
  - (vi) A noise mitigation plan shall be required and approved by the City which describes the specific measures which will be implemented to minimize the impact of the outdoor area on neighboring properties. The City may apply necessary conditions including but not limited to: size and location of outdoor area, number of animals permitted outdoors at one time, limitations on hours of use, and other factors.
- (e) The site and building plans shall be designed in a way to reduce noise and odors. This shall include floor plan layout, ventilation plans, and window and door locations. The City may require improvements to be installed to reduce the impact on neighboring properties or tenant spaces.
- (f) The site plan shall identify provisions for proper storage and disposal of hazardous materials, medical waste, deceased animals, and animal waste.

**Subd. 22. Telecommunication Towers.** Shall meet the requirements of Section 828.75 of the Medina City Code.

**Subd. 23. Temporary Outdoor Sales Events**

- (a) Sales events shall not be conducted on a property for more than 60 days in a given calendar year, and shall not be permitted on a vacant lot.
- (b) Sales events shall not be permitted on public sidewalks or streets, or within public right-of-way, except if allowed subject to the City special event ordinance.
- (c) The sales area shall not exceed ten percent of the area of the footprint of the principal building or 3,000 square feet, whichever is less.

- (d) The sales area shall abide by the front, rear, and side yard setback requirements of the relevant zoning district and shall be located at least 200 feet from a residential zoning district.
- (e) The sales area shall not be permitted on an unpaved surface.
- (f) The sales area may be located within a parking lot provided:
  - (1) The City determines that adequate parking will be provided for the needs of both the principal use and sales events. However, in no case shall more than ten percent of the parking spaces on the property be occupied by the sales events.
  - (2) The City determines that adequate vehicular circulation, pedestrian circulation, and emergency vehicle access are maintained.
- (g) Sales shall only be conducted by the owner or a leaseholder of a property, unless a transient merchant license is obtained from the City.
- (h) No outdoor speakers or music shall be allowed.
- (i) Temporary signage for the event shall be regulated by the City sign ordinance.
- (j) Prior to operating a sales event, the applicant shall submit to the zoning administrator a site plan showing sales area, parking area, and emergency access. Additionally, the applicant shall submit a schedule of operation and any additional information required by the zoning administrator in order to review compliance with the requirements of this ordinance. The zoning administrator may require any necessary conditions to the use to ensure compliance with this ordinance and to promote public safety, or may deny an application which does not abide by the conditions or otherwise violates this ordinance. The applicant may appeal a decision of the zoning administrator to the city council. The applicant shall be responsible for costs accrued with review of the application and any appeal, as described by city fee schedule.

**Subd. 24. Warehousing, Wholesaling, and Distributors in the Business Park zoning district**

- (a) The structure containing the use shall be no less than 200 feet from residential districts.
- (b) Shall be located on property which abuts an arterial roadway or abuts a collector roadway no more than 1,000 feet from an intersection with an arterial roadway.
- (c) Conditions may be required by the city to minimize adverse impacts of the noise of truck circulation on nearby residential property, including but not limited to: limitations on loading dock orientation and additional screening/landscaping requirements.

**Subd. 25. Wind Energy Conversion Systems (WECS) – shall meet the requirements set forth in Section 828.09.1 of this code.**



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**Amendment History of this Section**

*Adopted February 20, 2001 (Ord. 325).*

*Amended February 17, 2004 (Ord. 363). Added Subsection 825.04.1 regarding interim use in BPD.*

*Amended August 2, 2006 (Ord. 410). Deleted clause (v) of subd. 1 of subsection 832.07 regarding signs.*

*Amended November 17, 2009 (Ord. 471). Extensive changes to Business Park Zoning District and created new Business Zoning District.*

*Amended March 15, 2011 (Ord. 501). Amended section 832.2.03 and 832.3.09 regarding retail and service uses related to animals.*

*Amended March 20, 2012 (Ord. 525). Amended section 832.2.09, Subd. 23 regarding temporary outdoor sales events.*

*Amended November 7, 2012 (Ord. 539). Amended sections 832.1.03, 832.1.04, 832.2.03, 832.2.04, 832.3.09 regarding regulations of Wind Energy Conversion Systems, Solar Equipment, and Geothermal Systems.*

*Amended February 3, 2015 (Ord. 575). Amended sections 832.1.02 and 832.2.02 changing similar uses to independent living facilities associated with such uses.*

*Amended February 17, 2015 (Ord. 576). Amending Sections 832.1.04, 832.2.03 and 832.2.04 regarding solar equipment.*