

CHAPTER 8

LAND AND BUILDING REGULATIONS

834. ZONING – UPTOWN HAMEL DISTRICT

Section 834.01. Purpose. To create a distinctive Uptown Hamel district that is an attractive, pedestrian-friendly, mixed use town center, by using building facades, porches, walkways, landscaped plazas, lighting, signage, landscaping and parking to blend retail, office, housing, specialty shops, and gathering spots into a unified and viable community.

Section 834.02. Permitted Uses. Within the Uptown Hamel Zoning District the following shall be permitted uses subject to site plan approval and other provisions of this district. A combination of the following uses is allowed.

Public Uses.

1. Park and Open Space
2. Library
3. Post Office
4. Fire Station
5. Other Public Buildings

Residential Uses and Related Uses.

6. Detached Single-Family Dwellings
7. Two-Family Dwellings
8. Apartment Units
9. Multiple Family Dwellings/Condominiums
10. Bed and Breakfast Inns
11. Hotel – Motel
12. Day Care and Day Nursery

Office, Retail, Services Uses.

13. Antique or Gift Shop
14. Appliance Store
15. Art and School Supply
16. Art Dealers
17. Artists' Studios
18. Auto and Marine Sales (indoor only)
19. Bakery or Pastry Shop
20. Banks and Financial Institutions
21. Bicycle Sales and Repair Shop
22. Bowling Alley
23. Building Material and Garden Equipment and Supply Dealers
24. Business, Commercial, or Trade Schools
25. Camera, or Photographic Supply Store

26. Candy, Ice Cream, Soft Drinks, or Confectionery Stores, Excluding Drive-In Type of Service
27. Canvas and Canvas Products
28. Carpet and Rug Stores
29. Clothing and Clothing Accessories Stores
30. Clubs and Lodges
31. Coin Store
32. Computer Stores
33. Costume Rental
34. Craft Shop, including products made on-site
35. Dance Studio and Dance School
36. Delicatessen
37. Dairy Store
38. Discount Store
39. Drug Store
40. Dry Cleaning and Laundry Services
41. Electrical Appliance Store
42. Electronic Shopping and Mail-Order Establishment
43. Electronics Stores
44. Florists
45. Food and Beverage Stores
46. Furniture and Home Furnishings Stores
47. Game Store
48. Gift Shop
49. General Merchandise Stores
50. Grocery Store
51. Hair, Nail and Skin Care Services
52. Hardware Store

- | | |
|---|---|
| 53. Health and Personal Care Stores | 77. Photography Studio |
| 54. Hobby Store | 78. Picture Framing Shop |
| 55. Ice Cream-Frozen Dessert Sales | 79. Plumbing |
| 56. Interior Decorating Studio | 80. Pottery and China Sales |
| 57. Jewelry Store | 81. Print Shop |
| 58. Laundrettes or Self-Service Laundries | 82. Printing and Publishing |
| 59. Leather Goods and Leather Shop, but not Tanning | 83. Repair of Household Goods |
| 60. Liquor Store, On and Off Sale | 84. Restaurants, but not Drive-In Type |
| 61. Loan and Finance Companies (but not a Pawn Shop) | 85. Sauna Sales |
| 62. Locksmith | 86. Secretarial and Word Processing Services. |
| 63. Meat Market, for Retail Sales on Premises Only | 87. Sewing Machine Sales and Service Shop |
| 64. Medical Offices | 88. Shoe Store |
| 65. Medical Supply Store | 89. Shoe and Leather Goods Repair Shop |
| 66. Motor Vehicle and Parts Dealers | 90. Sporting Goods Store |
| 67. Museums and Cultural Centers | 91. Sports and Health Clubs |
| 68. Music Store | 92. Taxidermy Shop |
| 69. Music Studios | 93. Telephone Booth (Outside) |
| 70. Newsstand | 94. Television and Radio Store and Repair Store |
| 71. Office | 95. Theater, Excluding Drive-In Type of Service |
| 72. Office Supplies, Stationery | 96. Tobacco Stores |
| 73. Optical Laboratory | 97. Toy Store |
| 74. Other Personal and Household Goods Repair and Maintenance (Tailor Shop) | 98. Transit Station |
| 75. Pet Supplies Stores | 99. Travel Services |
| 76. Philatelic Store | 100. Upholstery Shop |
| | 101. Used Merchandise Stores |
| | 102. Variety Store |
| | 103. Video Store |

Section 834.03. Conditional Uses. Within the Uptown Hamel Zoning District, no structure or land shall be allowed for the following uses except by conditional use permit and subject to other provisions of this district.

- (1) Drive-In Service Businesses
- (2) Mortuary or Funeral Home
- (3) Pet Shop
- (4) Auto Repair, Minor
- (5) Tire, Battery, and Muffler Stores
- (6) Electronic and Computer Manufacturing
- (7) Essential Public Utility and Service Structures
- (8) Religious Institutions - Including an Existing Cemetery
- (9) Wholesale Showroom
- (10) Sauna Manufacturing and Assembly
- (11) Outdoor Dining - Drinking Containing More than 200 Square Feet

- (12) Small Scale Light Manufacturing of Products for On-Site Retail Sales
- (13) Electrical and Other Skill Trades Provided there is no Outside Storage
- (14) Off-Street Parking Lot or Ramp

Section 834.04. Accessory Uses. Within the Uptown Hamel Planned Unit Development District the following accessory uses shall be allowed subject to site plan approval and other provisions of this district.

- (1) Off-Street Parking and Loading
- (2) Signs
- (3) Home Occupation
- (4) Temporary outdoor display of goods used in conjunction with and on the same site as the permitted use or conditional use, provided that the goods are not outdoors overnight and the storage or display area does not exceed 100 square feet.
- (5) Outdoor Eating and Refreshments, Provided the Area Contains 200 Square Feet or Less.
- (6) Outdoor Recreational Sport Courts.

Section 834.05. Lot, Setback and Building Size Requirements. The following requirements shall be observed, subject to additional requirements, exceptions and modifications set forth in other sections of this ordinance.

Subd. 1. Minimum Lot Area: No Minimum.

Subd. 2. Minimum Lot Width: No Minimum.

Subd. 3. Minimum Front Yard Setback: None, unless an easement or other similar dedication/area is needed for pedestrians, utilities, street, or similar purpose which may be shown on the Uptown Hamel Concept Plan for the area or for the block in which the property is located.

Subd. 4. Maximum Front Yard Setback: All principal buildings shall be located within 10 feet of the front lot line, unless the parcel has more than two acres and more than one principal building.

Subd. 5. Minimum Side Yard Setback: None, if the outside wall has no openings. An eight foot setback is required, if there are openings, windows and doors, in the side wall and where appropriate to provide pedestrian – plaza space to link buildings, sidewalks, plazas, parking, and similar functions.

Subd. 6. Minimum Rear Yard Setback: Twelve feet or a lesser or greater amount to provide access and loading for people and goods, fire access/control or to meet other ordinance requirements.

Subd. 7. Building Size: No business building or business use shall have a ground floor area greater than 20,000 square feet.

Subd. 8. Minimum Lot Size per Dwelling: The minimum lot area per dwelling unit shall meet the following requirements:

Land Use/Density Designated on Uptown Hamel Guide Plan	Minimum Lot Area per Dwelling Unit
Single-Family	5,000 square feet
Multi-Family	1,000 square feet

Subd. 9. Impervious Cover. Impervious cover must be consistent with the following table, provided that parcels larger than two acres may be required to provide on-site ponding to accommodate run-off from proposed development on the site.

Land Use Designation in Uptown Hamel Concept Plan	Maximum Percentage of Impervious Cover Allowed
Single Family	40
Multi-Family Residential	90
Retail/Business	90
Railroad	20
Institutional	20

Section 834.06. Uptown Hamel Concept Plan. In general, the regulations governing the Uptown Hamel Zoning District consist of all the provisions in this ordinance and the Uptown Hamel Concept Plan, which is hereby made a part of this ordinance to provide guidance in preparing, evaluating, reviewing and approving plans in this district.

The following maps and illustrations are included

Uptown Hamel Concept Plan Map

Uptown Hamel Concept Plan Illustrative Map

Uptown Hamel Concept Plan Illustrations

Section 834.07. Design and Development Standards. Design and developments standards are established for this district to achieve an attractive, liveable and viable town center consistent with the purpose of this district and to assure that land uses, buildings and functions are compatible within the district. 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. The plans and proposed use of a property shall conform to the design and development standards prior to approval of a construction or land use permit. The applicant or owner shall supply plans and data necessary to demonstrate such conformance.

Subd. 1. Public Places:

- (a) **Plazas.** Plazas or small extensions of the sidewalk into or on private property are encouraged especially at key focal points and selected locations as shown in the Uptown Hamel Concept Plan. Plazas will serve as a unifying link between businesses and sidewalks. The design and form of the plazas shall accommodate social and business interaction, provide a setting for buildings, sidewalks and other plazas, and should accommodate sitting, watching and in some instances outdoor food services. Plazas shall include special pavements (for example, concrete brick pavers or exposed aggregate), decorative lights (the same as or compatible with the lights in the Uptown Hamel Concept Plan), and decorative trees, shrubs and flowers with emphasis on providing a variety of color, texture, and form throughout the year. Electrical services and other utilities within the plaza shall be underground. Outlets for decorative/festive lighting and for other social and business activities shall be provided, and rain gardens (any slight depression containing deep-rooted perennial plants that captures and holds runoff) are encouraged. Decorative fences and walls will be used to delineate spaces and to accommodate grade changes. Plaza furniture is encouraged including benches, drinking fountains, bike racks, waste containers, kiosks, and decorative signs and plaques. Monuments and sculpture will be encouraged e.g. clock tower, gazebo, water fountain, etc. Water spigots for cleaning and watering trees and plants should be conveniently and discretely provided.
- (b) **Hamel Legion Park.** This park has an important complementary role. The park brings in many people for active and passive recreation who might not otherwise be exposed to Uptown Hamel. Joint use of Uptown Hamel parking lots during festivals and park events is encouraged. Trail facilities in the park will link to the pedestrian system in Uptown Hamel. Community buildings or other principal buildings in the park shall conform with the Building – Architectural Standards for this district.
- (c) **Monuments.** Monuments, sculpture and similar art works are encouraged in public and private plazas to enhance the setting and to contribute to the pedestrian-friendly, livability of the town center.

Subd. 2. Buildings - Architectural Standards:

- (a) General. All new buildings, structures, expansions, remodeling, and development plans shall conform to these design standards and be compatible and complementary to the buildings proposed to be retained downtown as shown on the Uptown Hamel Concept Plan and in the Uptown Hamel Illustrations. Elements of compatibility include, but are not limited to, building height; form; mass and bulk; fenestration; exterior materials including appearance, color, durability, character and detailing; setback; landscaping; exterior lighting and site improvements.
- (b) Building - Street. Building design shall make the street visually more interesting, functionally more enjoyable and useful, and economically more viable. Buildings, porches, and plaza spaces shall be designed to bring the building and its activity more in contact with the street.
- (c) New Building and Major Expansions. New buildings and major expansions of existing buildings should be compatible with adjacent and nearby buildings. Buildings shall be designed and oriented consistent with the Uptown Hamel Ordinance, proposed use of the property, uses on adjacent properties and nearby amenities. Buildings shall be designed and oriented so as not to detract from one another or vistas. Views from the residential areas should be protected. Where these views exist, partial loss of the view may be an unintended but justified result when development takes place consistent with other provisions of the Uptown Hamel Zoning Ordinance. Entrances shall be placed for easy access from the street. Utilities shall be placed underground and meters and transformers shall be hidden from view.
- (d) Integrate – Coordinate. New buildings, structures, remodeling and expansion shall be consistent with the Uptown Hamel Concept Plan and be integrated and coordinated with development on abutting property. Elements for integration and coordination include, but are not limited to, sidewalk and pedestrian ways and their continuity; site lighting; site access; building orientation; building entrances; and utilitarian functions which are to be totally screened from view or which are contained within the building and which include loading, trash, and mechanical and electrical equipment.
- (e) Porches (Overhangs – Canopies – Arcades). Porches, which overhang into walks, are one of Uptown Hamel’s trademarks. These features should be preserved, enhanced, and improved. New commercial structures on Hamel Road and Sioux Drive are expected to be designed and constructed with these features. New porches, arcades or similar structures which overhang or extend into the right-of-way may be allowed by the City through approval of the plan. The property owner may be required to obtain a license from the City or to execute an agreement with the City governing its use, maintenance and other factors.

Design criteria/guidelines include:

Height: If it projects into the public right of way, a pedestrian clearance of at least 7.5 feet and a height consistent with the architecture of the building shall be provided.

Width: At least 6 feet.

Columns: Shall be traditional in design and made from durable materials such as finished anodize metal, wrought iron or wood in a color compatible with the building. Wood columns must be cedar or redwood lumber, at least 6 inches by 6 inches, which may be stained or painted.

Roof: Shall be durable and meet the wind and snow loads required by code. Slopes should be to the street and away from the pedestrian.

- (f) **Height.** New Building height shall not exceed three stories, except on some sites, a fourth story may be allowed. Along all street frontages and park property lines, building heights exceeding two stories shall have the third story set back at least six feet from the front line of the building, and the fourth story shall be set back 12 feet from the front line of the building. Basement levels shall not be considered a story, so long as more than 50 percent of the basement structure is below grade at the average of all areas around the building. Total building height shall not exceed 50 feet, except structures such as belfries, chimneys, flues, monuments, cupolas and domes which do not contain living space, are permitted, provided they are not higher than 10 feet above the height of the building.
- (g) **Materials.** Exterior materials shall consist of one or more of the following: natural brick, stucco, stone, wood and glass. Treated or anodized metal may be used for trim.
- (h) **Roofs.** Roofs may be pitched, mansard, or flat. Flat roofs shall have an architectural treatment (a “cap”) of an acceptable design. On pitched roofs, materials and colors must be compatible with the district. All roof run-off must drain onto the property that creates the run-off. Rain gardens (any slight depression containing deep-rooted perennial plants that captures and holds runoff) are encouraged.
- (i) **Equipment.** Equipment shall not be mounted on the roof unless it can be demonstrated that there is no other reasonable alternative. If allowed, rooftop equipment shall be screened using the architectural elements and material from the building provided they are consistent with these design standards.
- (j) **Fenestration – Modulation.** Windows and openings shall be generous especially on the street side and their placement and design shall express pedestrian-friendly, livability of the town center. To this end, third stories or higher will be tiered

back from the street a minimum of six feet per story. Building faces and layout shall be modulated to avoid long building walls without breaks and monotony. At the street level, at least 30 percent of the façade should be glass in windows (including glass in doors.)

- (k) Landscaping and Setbacks. At least 5 percent of the site shall be plaza or landscaped. Landscaping shall consist of a combination of: decorative deciduous and coniferous trees, shrubs, flowers, ground covers and rain gardens (any slight depression containing deep-rooted perennial plants that captures and holds runoff). Landscaped areas and pockets shall be delineated and separated by any of the following: curbing, decorative fencing, decorative walls, planter boxes, containers, “cut outs” in a plaza, or by similar means. An approved plaza in which at least 20% of the plaza is open to the ground allowing full penetration of water into the ground can be counted to meet this requirement. All that part of the site not taken up by buildings, walks, or plazas or approved parking and loading shall be landscaped. Grades and drainage must meet City requirements.
- (l) Fences and Walls. Fences and walls shall be decorative using a traditional design and may be used to delineate and separate spaces and to protect topographic change. Fence material shall be wrought iron, anodized steel or aluminum, or wood. Walls shall be made of brick, concrete brick, decorative block, cedar or redwood or stucco on concrete. Fences and walls shall not be located to prevent desirable access through areas and shall be located consistent with the Uptown Hamel Concept Plan.
- (m) (Reserved – Deleted by Ordinance 410)
- (n) Utilities. All utilities serving the buildings and facilities shall be underground.
- (o) Recycling and Trash Facilities. All materials and facilities for recycling and trash shall be kept inside the principal buildings or within a completely screened area. If a completely screened area is used it must 1) be architecturally compatible with and made of the same or better material used on the principal building, and 2) meet the architectural and development standards of the district.
- (p) Hazardous Material. Provisions for storage of hazardous materials must be included in the building and be identified on the plans.
- (q) Other Materials. All storage of other materials shall be stored inside the building in a suitable area in accordance with the approved plan.
- (r) Off – Street Parking. Flexibility in the number of required off-street parking spaces and loading facilities is allowed in Uptown Hamel because: 1) Many parcels were developed prior to enactment of parking and loading requirements. 2) Some parcels are small. 3) Some parcels have little open space. 4) A need to retain

continuity of buildings fronting on Hamel Road and in the future on Sioux Drive and a preference for “infill” on Hamel Road to be buildings, not parking.

In providing this flexibility, the City will consider the use and need for parking, amount of off-street parking provided, the amount of nearby on-street parking, public parking lots, if any, peak parking demands for the use, joint use of parking, and other relevant factors. In granting a parking reduction, concern for the overall benefits to Uptown Hamel will be considered as well as use and enjoyment of adjacent properties and economic impacts.

- (s) Parking Lots in Front of Buildings are Prohibited. Except for parcels containing two or more acres and having more than one principal building, there shall be no parking between the principal building and 1) the front property line and 2) the side lot line abutting a street.
- (t) Loading Docks. Due to the age, scale of development, and the limitation on building bulk, providing a loading dock is optional. However, access to adequately handle goods and materials must be provided on the site. A rear entrance for loading is favored over loading from the side or front. Loading docks shall have a 9-ton capacity, dustless, all-weather surface.
- (u) Outdoor Storage of Commercial Vehicles. Outside storage of one commercial vehicle not to exceed 12,000 lb. of gross vehicle weight and not more than 24 feet in length shall be permitted for each 5,000 square feet of gross floor area in the principal structure provided such vehicle has a current and valid license, is in operable condition, is for use on the public streets, is actively used for the approved use on the site and is moved on a daily basis when the use is open for business.
- (v) There shall be no outdoor storage of trash, trash containers, or debris of any kind.

Subd. 3. Townhouses, Apartments, and Condominium Units.

- (a) Preservation. Natural features and site amenities such as the wooded area called The Preserve in the Uptown Hamel Concept plan shall be encouraged to be preserved.
- (b) Building Placement. To the extent possible, buildings shall be located consistent with the results of a site analysis and the existing grades of the land and the location of trees and other environmental features.
- (c) Grades. The grade of a private roadway, driveways and parking lots shall that exceed 5 percent, must be approved by the city engineer.
- (d) Fire Lanes. Lanes for fire access shall be provided as determined necessary by the City Fire Code.

- (e) Underground Parking. For efficiency, benefit of the residents, and to conserve land, buildings shall provide for inside parking at a ratio of at least one space per dwelling unit.
- (f) Parking. Parking lots shall have landscaping including berming where appropriate along the outside edge. Parking bays shall, where appropriate, have landscaped islands and decorative lighting. Small-scale parking lots are preferred over large lots. Parking of more than 20 passenger vehicles in a row shall be broken up by a landscaped island or a landscape feature.
 - (i) Screening – Screening shall be required where:
 - (1) Any off-street parking area contains more than six parking places and is within 30 feet of an adjoining residential zone.
 - (2) Where the driveway to a parking area of more than six parking spaces is within 15 feet of an adjoining residential zone or a single-family development.
 - (ii) Sidewalks shall be provided from parking areas, loading zones and recreation areas to the building entrances.
- (g) Outside Storage of Trash, Boats or Special Vehicles. There shall be no outside storage of trash or debris except when stored in trash containers and fully screened from view. If a completely screened area is used it must 1) be architecturally compatible with and made of the same or better material used on the principal building, and 2) meet the architectural and development standards of the district. All special vehicles including, but not limited to, unlicensed vehicles, recreational vehicles, motor homes, camping trailers, other trailers, boats, jet skis, snowmobiles, lawn tractors, and all terrain vehicles shall be stored in a building.
- (h) Sidewalks and Trails. Complete plans shall be provided for proposed sidewalks and trails to serve parking, recreation and to serve areas within the proposed development and to link the City’s system.

Subd. 4. Public and Private Parking Lots and Ramps:

- (a) Surfacing. Surfacing shall be a minimum of 7-ton capacity. Parking areas for infrequent parking such as for special events or for infrequent use, for example fewer than 20 times per year, may use grasscrete or similar materials or techniques and remain in conformance with this provision. Such materials shall not be considered impervious if at least 50 percent is exposed grass or similar landscaping.
- (b) Aisles. Aisles shall be at least 20 feet wide, grades shall not exceed 4 percent.
- (c) Landscaping. At least 3 percent of the lot shall be landscaped.

- (d) Concrete Curbing. For protection and separation, the perimeter of the lot shall have poured in place concrete curbing (or the equivalent) measuring at least 4 inches above grade and 6 inches below grade.
- (e) Striping. Parking lots shall be striped to provide at least 9 feet of width and 18 feet of depth for each vehicle for 90 degree parking.
- (f) Driveways. Driveways shall be designed to match the sidewalk grade.
- (g) Allowable Car Overhang. Cars may overhang into a portion of the landscape area but the design shall not allow for cars to overhang into the public street or sidewalk.
- (h) Landscape Watering. Provisions for watering the landscaped areas shall be considered in the design.
- (i) Pedestrian Movement. Provisions for pedestrian movement into and through parking lots where required shall be included. Patterned pavement, decorative lighting and associated facilities shall be provided as may be appropriate.
- (j) Handicapped parking and ADA requirements shall be met.
- (k) Parking Ramps. Up to two levels of parking above grade may be allowed provided it is consistent with the scale of the development in the area and provided it meets the architecture standards including materials and other design standards of the district.

Subd. 5. Other:

- (a) Buffers. Buffers may be required between different land uses or different functions such as commercial abutting residential or a loading dock/area abutting an office. Buffers are to be achieved by using any of the following: landscaping, decorative walls, decorative fencing, or landscaped berms.
- (b) Outdoor Speakers. All forms of outdoor speakers are prohibited, except for financial institutions.

Subd. 6. Additional Design and Development Standards – Conditional Uses: The following additional design and development standards are identified for the uses listed below. Standards in addition to those listed below 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) Drive-In Service Businesses.
 - (i) No drive-in service shall be provided between the hours of 10:00 p.m. and 6 a.m.
 - (ii) All trash and debris shall be stored inside the building in an appropriately designed area preferably at or near the loading-unloading area.
 - (iii) No new drive-in service shall have a drive way within:
 - (1) 100 feet of an improved intersecting street
 - (2) 300 feet of State Highway 55
 - (3) 100 feet of an active railroad track
 - (4) 100 feet of an area designated as Single-Family Transitional Area.
- (b) Mortuary or Funeral Home.
 - (i) The site plan shall provide for adequate parking and traffic circulation including a plan for formation and movement of a funeral procession.
- (c) Pet Shop.
 - i) No outside space shall be used for showing or keeping animals.
 - ii) The plan for ventilation, location of windows, and doors shall be designed to reduce noise and potential for noise violations.
- (d) Auto Repair, Minor and Tire, Battery, and Muffler Stores.
 - i) The plan for ventilation, location of windows, and doors shall be designed to reduce noise and potential for noise violations.
 - ii) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
- (e) Electronic and Computer Manufacturing.
 - i) Equipment specifications and impact information such as vibration and noise reduction may be required by the City.
 - ii) At least some portion of the ground floor, adjacent or oriented to the street shall be considered for retail sales or service.
- (f) Essential Public Utility and Service Structures.
 - i) Such uses shall not be of an industrial nature unless it can be demonstrated to the City's satisfaction that such uses cannot be located in a more suitable location and the function of the use must be to serve Uptown Hamel.
 - ii) Building placement, designs, materials, and architectural treatments, must be consistent with this ordinance including the Uptown Hamel Concept Plan.

- (g) Religious Institutions – Including an Existing Cemetery.
 - i) Shared parking options shall be considered when a proposed expansion requires more off-street parking.
 - ii) The site plan shall provide for adequate parking and traffic circulation including a plan for formation and movement of a funeral procession.

- (h) Wholesale Showroom.
 - i) No additional standards

- (i) Sauna Manufacturing and Assembly.
 - i) No additional standards

- (j) Outdoor Dining/Drinking Areas Containing More than 200 Square Feet.
 - i) Shall be allowed only in connection with a restaurant or bar which has inside seating for at least 20 people.
 - ii) The outdoor dining/drinking areas shall not be larger than one-third of the inside seating area.
 - iii) The outdoor dining/drinking areas shall be delineated by decorative fencing, landscaping, building walls or some combination of these or similar features.
 - iv) If the sale of intoxicating liquor is inside, the outside area may be required to have all access to the space from only inside the principal building.

- (k) Small Scale Light Manufacturing of Products for On-Site Retail Sales.
 - i) No additional standards

- (l) Electrical and Other Skill Trades Provided there is no Outside Storage.
 - i) There shall be no outdoor storage of supplies, equipment, salvage, reusable or recycling material or trash.

Section 834.08. Review and Approval Process.

Subd. 1. Concept Plan: Although submittal of a concept plan is not required, the City will accept a concept plan for development, expansion, remodeling, or redevelopment of property in Uptown Hamel. The purpose of such plans and review thereof is to provide the applicant with preliminary review and comment regarding the proposal. Concept plans should include property data, existing and proposed structures, the location and nature of the proposed change, nearby conditions, and other information appropriate for this level of review. The concept plan will be submitted to the planning commission for its informal review. Review by the planning commission shall be non-binding and shall not be a substitution in whole or part for any other review or action required by this Ordinance.

Subd. 2. Minor Changes to Permitted Uses and Accessory Uses: The following changes can be approved by City staff upon a written finding and filing the report in 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, except to convert a use to a residential use or a residential related use.
- (2) Expansion of an existing building by less than 500 square feet of floor area in a single year.
- (3) Changes of less than 500 square feet to the exterior walls or surface of the building.
- (4) Expansion of the parking lot by less than 4 spaces or less than 2,000 square feet, whichever is less.
- (5) Outdoor lighting changes involving 2 or fewer light poles or wall mounted fixtures without changing the type of lighting.
- (6) Changes to the topography involving less than 1 foot in elevation or less than 5,000 square feet of lot area.
- (7) An addition to an exposed piece of rooftop equipment if the addition is less than 64 cubic feet.
- (8) Signs containing 24 square feet of sign area or less.

The decision and action taken by the City staff may be appealed by the applicant seeking approval under this section. The City Council shall consider appeals filed under this section. Action taken by the City Council shall be considered final.

Subd. 3. Changes Which are not Minor to a Permitted or Accessory Use – Site Plan

Review Procedure: Site Plan. A site plan shall be prepared for development, expansion or change in use of the property. Buildings shall be designed and oriented consistent with the Uptown Hamel Zoning Ordinance. All changes shall be reviewed pursuant to the site plan review procedures specified in Section 825.55 of the Zoning Ordinance.

Subd. 4. Conditional Uses: Conditional uses and any changes to conditional uses shall follow the conditional use permit procedure specified in Section 825.39 of the Zoning Ordinance.

Section 834.09. Implementation. Implementation shall be accomplished by adhering to the provision of this ordinance and the Comprehensive Plan. In addition, the City intends to encourage and foster implementation through pursuing one or more of the following:

- (1) Promotion of the Uptown Hamel Concept Plan to the public.
- (2) Through design and scheduling of capital improvements which help achieve the spirit and intent of this ordinance.
- (3) Through encouragement of changes along Trunk Highway 55 and the railroad right-of-way consistent with the Uptown Hamel Concept Plan.
- (4) By considering a wide range of funding methods, options, and alternatives to assist the City and property owners in implementing the Uptown Hamel Concept Plan.
- (5) Providing design assistance to owners proposing or contemplating new construction on their property.
- (6) Providing assistance to owners and tenants in changing, using, expanding, remodeling, and undertaking new construction of their property in a manner which meets or exceeds the spirit and intent of this ordinance.

Amendment History of this Section

Adopted May 15, 2001 (Ord. 334).

Amended June 15, 2004 (Ord. 368) – Large-scale revision of Section 834 occurred and most subsections were amended.

Amended August 2, 2006 (Ord. 410) – Deleted clause (m) of subd. 2 of subsection 834.07 and also amended clause (e) of subd. 2 of subsection 834.07 regarding signs.