

CITY OF MEDINA
ORDINANCE NO. ###
AN ORDINANCE CREATING REGULATIONS OF THE
COMMERCIAL-NEIGHBORHOOD ZONING DISTRICT;
AMENDING CHAPTER 8 OF THE CITY CODE

The City Council of the City of Medina ordains as follows:

SECTION I. Section 838.4 of the code of ordinances of the City of Medina is amended by deleting the ~~struck through~~ language and adding the underlined language as follows:

SECTION 838.4 – COMMERCIAL-NEIGHBORHOOD (CN) DISTRICT

Section 838.4.01 Commercial-Neighborhood (CN) - Purpose. The purpose of the Commercial-Neighborhood (CN) district is to provide a zoning district for a mix of lower intensity retail and service businesses within proximity of residential zoning districts which provide services primarily for local residents. Development shall include high quality and attractive building materials and architectural design as well as extensive landscaping in order to relate with the residential surroundings and limit impacts on surrounding land uses. Development shall be integrated and coordinated in a way to most efficiently utilize site improvements and to protect the natural environment.

Section 838.4.02. (CN) Permitted Uses. The following shall be permitted uses within the CN district, subject to applicable provisions of the city code:

- (1) Essential services
- (2) Office Uses
- (3) Parks and open space
- (4) Public Services
- (5) Retail Uses, except the following are not permitted uses: pawn shops, pet stores, and adult establishments.
- (6) Service Uses, except for the following: hospitals; veterinarian clinics; adult establishments; services related to automobiles; and services delivered off-site, including but not limited to building/lawn contractors, electrical and other skills trades and pest control.

Section 838.4.03. (CN) Conditional Uses. The following shall be permitted within the CN district, subject to conditional use permit approval, the specific requirements established in Section 838.5.08, and other applicable provisions of the city code:

- ~~(1) Automobile Repair, Oil Lubrication Service Shops, Auto Body Shops~~
- ~~(2)~~(1) Indoor Recreational Uses, including but not limited to bowling alleys, dance halls, movie theaters, and live entertainment.

~~(3)~~(2) Retail and 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.

Section 838.4.04. (CN) Accessory Uses. The following accessory uses shall be permitted within the CN 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) Off-street parking and loading
- (2) Outdoor dining and/or drinking areas, subject to the requirements established in Section 838.5.08.
- (3) 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 838.5.08.
- (4) Outdoor recreational sports courts, subject to a conditional use permit and the requirements established in Section 838.5.08.
- (5) Seasonal Flea Market or Farmers Market, subject to an administrative review of compliance with the requirements established in Section 838.5.08.
- (6) Signs, subject to the requirements of the sign ordinance
- (7) Temporary Outdoor Sales Events, subject to an administrative review of compliance with the requirements established in Section 838.5.08.
- (8) Solar Equipment, if affixed to a structure, and in compliance with Section 828.09 subd. 1 of the City Code.

Section 838.4.05. Interim Uses. Within the CN district, single family detached dwellings existing prior to [the effective date of this ordinance] shall be a permitted interim use. Such use shall be allowed without obtaining an interim use permit until such time as the property is redeveloped.

Subd. 1. The interim use may be continued, including through repair, replacement, restoration, maintenance or improvement until such time as the property is redeveloped.

Subd. 2. An increase in the size of the interim use by 30 percent or less shall not be considered an expansion and shall not require an interim use permit. Expansion of the use or improvement of the property in an amount greater than 30 percent of its current size shall be permitted only by interim use permit.

Subd. 3. If an interim use is damaged or destroyed by fire, storm, or other hazard, it may be reconstructed without obtaining an interim use permit if a building permit is applied for within 720 days of the event causing the damage.

Section 838.4.0506. (CN) Lot Standards. The following standards shall be observed, subject to additional requirements, exceptions and modifications set forth in the city code:

Subd. 1. Minimum Lot Size: One acre. The minimum lot size may be reduced to 0.5 acre if the lot is part of an integrated development utilizing shared improvements such as parking and stormwater management, as approved by the City.

Subd. 2. Minimum Lot Width: 100 feet

Subd. 3. Minimum Lot Depth: 120 feet

Subd. 4. A lot of record, which existed on or before December 31, 1999, and has one or more of the following characteristics shall be considered buildable, without requiring a variance, provided all other relevant provisions of the ordinance are met:

- (a) Less than the required lot size
- (b) Less than the required lot width
- (c) Less than the required lot depth

Subd. 5. Minimum Front Yard Setback: 30 feet

Subd. 6. Minimum Rear Yard Setback: 25 feet

Subd. 7. Minimum Interior Side Yard Setback: 15 feet

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

- (a) Local Roadway: 30 feet
- (b) Minor Collector Roadway: 35 feet
- (c) Major Collector or Arterial Roadway: 50 feet

Subd. 9. Minimum Residential Setback: Any setback adjacent to a residential zoning district shall be increased to 40 feet.

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 yard setbacks required by this section, but shall be located the following distances from property lines:

- (a) Front Yard: 25 feet
- (b) Rear and Interior Side Yard: 5 feet, except to accommodate shared/joint parking across a common lot line.
- (c) Side Yard, if adjacent to street: 25 feet
- (d) Residential Zoning District: 40 feet

Subd. 12. Maximum Impervious Surface: Impervious surface coverage shall not exceed 70 percent of the entire lot. Additionally, excluding wetlands and stormwater ponds, no more than 80 percent of the remaining lot shall be covered with impervious surfaces.

Section 838.4.0607. (CN) 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. Maximum Building Size: No structure shall exceed 20,000 square feet of floor area.

Subd. 2. Maximum Building Height: Building height shall not exceed 35 feet. In the case that a structure is not equipped with a compliant fire sprinkler system, the maximum building height shall be 30 feet.

Subd. 3. Outdoor Lighting: Unless otherwise specified herein, outdoor lighting shall abide by the requirements specified in the Outdoor Lighting Ordinance.

(a) Lighting levels at property lines shall be limited to 0.0 foot-candle.

(b) Parking and Walkway lighting fixtures shall utilize full cut-off luminaries with no more than 10 percent of light output above the horizontal plane through the light source.

(c) Landscape and architectural lighting shall be aimed directly at the area of focus. Spill light shall be minimized through the use of narrow distribution luminaries and control devices such as louvers, refractors, barn doors, and glare shields.

Subd. 3. Outdoor Storage Prohibited. Outdoor Storage shall be prohibited within the Commercial-Neighborhood zoning district.

Subd. 4. Buffer Yard. A buffer yard as described in Section 828.31 shall be required.

Subd. 5. The commercial district standards, as required in Section 838.5, shall be observed.

SECTION II. Section 828.31 of the code of ordinances of the City of Medina is amended by adding the underlined language as follows:

Section 828.31. Buffer Yard Requirements.

Subd. 1. Generally. A buffer yard is a combination of distance, plantings, berms, and fencing.

The purpose of a buffer yard is to reduce the negative impacts that may result when land uses of different intensities abut each other or when residential uses abut primary roadways.

Subd. 2. Buffer yards required. A buffer yard shall be required in the following situations:

(a) Adjacent to less intensive zoning district. A buffer yard shall be required when a developing property is adjacent to or across a street from property of a less intensive zoning district, as summarized by the following table.

(b) Adjacent to Collector or Arterial Roadways. A buffer yard shall be required along collector and arterial roadways if the property on the opposite side of the roadway is of the same or a more intensive zoning district, as summarized by the following table.

Required Bufferyard Opacity

		Zoning District of Proposed Development					<u>CN</u>
		R-1	R-2	R-3 or MXR	R-4	R-5	
Zoning District of Property Adjacent to Proposed Development**	Rural	0.3	0.3	0.4	0.4	0.4	<u>0.5</u>
	PUD-1	0.2	0.3	0.4	0.4	0.4	<u>0.5</u>
	SR	0.2	0.3	0.3	0.4	0.4	<u>0.5</u>
	R-1	0.1*	0.2	0.3	0.3	0.4	<u>0.3</u>
	UR	0.1*	0.2	0.2	0.3	0.3	<u>0.1*</u>
	R-2	0.1*	0.1*	0.2	0.3	0.3	<u>0.1*</u>
	R-3	0.1*	0.1*	0.1*	0.2	0.3	<u>0.1*</u>
	Mixed Use Districts	0.1*	0.1*	0.1*	0.2	0.3	<u>0.1*</u>
	R-4	0.1*	0.1*	0.1*	0.1*	0.2	<u>0.1*</u>
	R-5	0.1*	0.1*	0.1*	0.1*	0.1*	<u>0.1*</u>
	Commercial, Uptown Hamel, General Business, and Industrial Districts	0.1*	0.1*	0.1*	0.1*	0.1*	<u>None</u>

SECTION III. This ordinance shall become effective upon its adoption and publication.

Adopted by the Medina city council this _____ day of _____, 2019.

Kathleen Martin, Mayor

Attest:

Jodi M. Gallup, City Clerk

Published in the Crow River News on the _____ day of _____, 2019.

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