

CITY OF MEDINA
ORDINANCE NO. ###

**AN ORDINANCE AMENDING REGULATIONS PERTAINING TO HEIGHT OF ROOFTOP
ELEMENTS; AMENDING CHAPTER 8 OF THE CITY CODE**

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

SECTION I. New Section 825.22 is hereby added to the code of ordinances of the City of Medina as follows:

Section 825.22. Height Limitations for Rooftop Elements. The building height limitation established in each zoning district shall not apply to the objects and features described in this section. The height of such objects and features shall be regulated as described herein.

Subd. 1. Rooftop Architectural Elements

- (a) The following architectural elements and similar elements located on a structure shall be subject to the regulations described in Subd. 1(b):
 - (i) Belfries
 - (ii) Spires or steeples
 - (iii) Weathervanes
 - (iv) Flags and flagpoles, if attached to a structure
 - (v) Cupolas and domes which set upon the roof and do not contain useable space
 - (vi) Parapet walls
 - (vii) Other architectural elements
- (b) No rooftop architectural element, as described in Subd. 1(a), shall extend above the greater of the following:
 - (i) ten feet above the highest point of the roof on which it is located; or
 - (ii) a horizontal distance of five feet greater than the maximum building height allowed in the respective zoning district in which it is located, as measured to the average grade.

Subd. 2. Rooftop Equipment

- (a) The following rooftop equipment and similar equipment, when located on a structure, shall be subject to the regulations described in Subd. 2(b):
 - (i) Chimneys or flues
 - (ii) Smokestacks
 - (iii) Cooling towers
 - (iv) Elevator penthouses
 - (v) Necessary mechanical and electrical appurtenances and related screening apparatus
 - (vi) Poles, towers, and other structures for essential services
 - (vii) Television, radio, or telecommunication antennas, excluding antennae regulated by Section 828.75 et. seq.
- (b) No rooftop equipment, as described in Subd. 2(a), shall extend greater than twelve feet above the highest point of the roof on which it is located, except by conditional use permit, subject to the following conditions:

- (i) The applicant shall establish, to the satisfaction of the City Council, that the equipment is necessary for the function of the building and utilizing shorter equipment is impractical or less advantageous.
- (ii) The equipment shall not limit solar access to abutting and/or neighboring properties.
- (iii) The city may require additional landscaping, screening and architectural elements to minimize the impact of the taller mechanical elements.
- (iv) The provisions of section 825.39 are considered and satisfactorily met.

Subd. 3. Rooftop Solar Equipment shall be subject to the limitations described in Section 828.09.

SECTION II. Clause (f) of Section 815.05 of the code of ordinances of the City of Medina is amended by deleting the ~~stricken~~ language and adding the underlined language as follows:

- (f) Flags. No flag on a flagpole shall exceed 40 square feet in area. No single property shall fly more than three flags at one time. Flagpoles shall not ~~exceed~~ extend more than 40 feet ~~in height above grade, except if attached to a structure as regulated in Section 825.22.~~ If the total area of the flags exceeds 72 square feet, the excess area shall be included in any Sign Area calculations for the property. Wall-mounted flags shall be limited to one flag per property and shall not exceed 20 square feet in area;

SECTION III. Subd. 2 of Section 825.19 of the code of ordinances of the City of Medina is amended by deleting the ~~stricken~~ language as follows:

Subd. 2. No accessory building shall exceed 30 feet in height, with the exception of buildings where agricultural use or farming is at the discretion of the City the primary use of the property. ~~Building projections or features, such as chimneys, cupolas, and similar decorations that do not exceed 35 feet in height are permitted in residential districts. Accessory building height shall be measured as set forth in section 825.07, subdivision 12 of the city code.~~

SECTION IV. Subd. 1(f) and (i) Section 834.07 of the code of ordinances of the City of Medina is amended by deleting the ~~stricken~~ language as follows:

Section 834. Zoning – Uptown Hamel (UH) District

Section 834.07. Design and Development Standards

Subd. 1. Building – Architectural Standards:

- (f) Height. New building heights shall not exceed three stories, except as described herein. 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.~~ In the case that the distance from grade to the eave (or top corner of a flat roof) of a structure exceeds 30

feet, additional fire suppression apparatuses may be required by the city. A fourth story may be allowed if ten percent of residential units are dedicated affordable housing units.

(i) Equipment. ~~Equipment shall not be mounted on the roof unless it can be demonstrated that there is no other reasonable alternative. If allowed, r~~Rooftop equipment shall be screened using the architectural elements and material from the building, provided they are consistent with these design standards.

SECTION V. Subd. 1(s)(iv) of Section 831.07 of the code of ordinances of the City of Medina is amended by deleting the ~~stricken~~ language as follows:

Section 831. Zoning – Urban Commercial

Section 831.07. Design and Development Standards

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

(s) Building Materials and Building Appearance –

(iv) Screening of Rooftop Equipment – All rooftop equipment shall be designed to minimize undesirable views and forms when viewing rooftops from higher elevations and abutting property. Equipment shall be screened through the use of architectural elements and materials, which are consistent with the design and architecture of the building. Wooden boards or similar material constructed or assembled in a fence-type method or design shall not be used to screen rooftop equipment. ~~Screening elements should not exceed 8 feet in height.~~

SECTION VI. Subd. 1(u) part (v) Section 833.07 of the code of ordinances of the City of Medina is amended by deleting the ~~stricken~~ language as follows:

Section 833. Zoning – Industrial Park District

Section 833.07. Design and Development Standards

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

(u) Architectural Standards –

(v) Screening of Rooftop Equipment – All rooftop equipment shall be designed to minimize undesirable views and forms when viewing rooftops from higher elevations or abutting property. Equipment shall be screened through the use of architectural elements and materials, which are consistent with the design and architecture of the building. Wooden boards or similar material constructed or assembled in a fence-type method or design shall not be used to screen rooftop equipment. ~~Rooftop equipment and screening elements shall not exceed 8 feet in height.~~

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

Adopted by the Medina city council this ____ day of _____, 2022.

Kathleen Martin, Mayor

Attest:

Scott T. Johnson, City Administrator-Deputy Clerk

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