

Sec. 11.60. - Use districts and overlays.

Subd. 1. Classification. The following land use districts are hereby established under which all lands in the city shall be classified:

A	Agricultural District
E	Estate District
R-1	Residential Single District
R-1S	Residential Single District - Small Lot
R-2	Residential Double District
R-3	Residential Townhouse District
R-4	Residential Multiple District
R-5	Manufactured Home Park District
LB	Limited Business District
NB	Neighborhood Business District
GB	General Business District
CSC	Community Shopping Center District
I-1	Limited Industrial District
I-2	General Industrial District
RD	Research and Development Park District
BP	Business Park District
PD	Planned Development District
P	Park District
PF	Public Facilities/Institutional District
CGD	Cedar Grove District
T	Transitional District
S	Shoreland Overlay District

Subd. 2. Zoning map. The boundaries of the above districts are hereby established as shown on that certain map entitled "Zoning Map of the City of Eagan, Minnesota," which map is properly approved and filed in the office of the city clerk, hereinafter referred to as the "zoning map." Said map and all of the notations, references and other information shown thereon shall have the same force and effect as if fully set down therein and are hereby made a part of this chapter by reference and incorporated herein as fully as if set forth herein at length. It shall be the responsibility of the city clerk to maintain the zoning map and make same available to the public. Where a dispute arises over the city clerk's determination of the exact location of a district boundary, said dispute shall be heard by the board of appeals and adjustments for recommendation, with final determination to be made by the council.

Subd. 3. "A" Agricultural District.

- A. Purpose. The intent of the agricultural district is for agricultural uses and related activities, and a holding area for future development.
- B. Permitted uses. Within any agricultural district no structure or land shall be used except for one or more of the following uses or uses deemed similar by the council:
 - 1. Agriculture.
 - 2. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 - 3. Public parks, playgrounds and public utility service facilities.
 - 4. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
 - 5. Stands for the sale of agricultural products provided said products are raised on the premises.
 - 6. Single-family detached dwellings.
- C. Conditional uses. Within any agricultural district no structure or land shall be used for the following uses or uses deemed similar by the council except by a conditional use permit:
 - 1. Any conditional use in the R-1 district as regulated therein.
 - 2. Auction facilities.
 - 3. Boarding stables.
 - 4. Commercial feedlots as regulated by state statute.
 - 5. Kennels, subject to the regulations thereof in chapter 6 of the Code.
 - 6. Gun clubs.
 - 7. Riding stables.
 - 8. Sales barns.
 - 9. Wind energy conversion systems subject to regulations thereof elsewhere in this chapter.
 - 10. Farm winery, provided it holds a farm winery license issued by the commissioner of public safety and meets all requirements thereof.
- D. Permitted accessory uses.
 - 1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 - 2. Buildings temporarily located for purposes of construction on the premises for a period of time not to exceed time necessary for such construction.
 - 3. Decorative landscape features.
 - 4. Gardening and other horticultural uses where no sale of products is conducted on the premises.
 - 5. Freestanding towers, subject to the regulations thereof elsewhere in this chapter.
 - 6. Home occupations subject to the regulations thereof elsewhere in this chapter.

7. In-home daycare subject to state day care licensing.
8. Private garages and parking spaces.
9. Private swimming pools and tennis courts.
10. The keeping of domestic animals (household) for noncommercial purposes, for the use of the occupants of the premises.

E. Bulk standards (minimum unless noted).

Lot Area	5 acres
Lot Width	300 feet
Setback From Public Right-of-way	30 feet
Side Yard Setback (principal structure)	30 feet
Side Yard Setback (garage or accessory structure)	30 feet
Rear Yard Setback	30 feet
Principal Structure Height (max.)	35 feet

F. Additional setbacks for heights. In all residential districts, all minimum required building setbacks as stated in subparagraph E of this subdivision 3 shall be increased by three feet for each one foot of height over 35 feet.

G. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

G[1]. Density. In determining the minimum required lot area, no more than ten percent of ponding areas or similar unbuildable areas shall be used for calculating maximum allowable density.

H. Minnesota State Building Code. All homes built shall meet Minnesota State Building Code requirements.

Subd. 4. "E" Estate District.

A. Purpose. The intent of the "E" Estate District is for large lot single family residential development.

- B. Permitted uses. Within any estate district, no structure or land shall be used except for one or more of the following uses or uses deemed similar by the council:
1. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Single-family detached dwellings.
- C. Conditional uses. Within any estate district, no structure or land shall be used for the following use or uses deemed similar by the council except by conditional use permit:
1. Golf courses, country clubs and tennis clubs.
- D. Permitted accessory uses. Within any estate district, no structure or land or use of land shall be permitted except for one or more of the following uses or uses deemed similar by the council:
1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Buildings temporarily located for purposes of construction on the premises for a period of time not to exceed time necessary for such construction.
 3. Decorative landscape features.
 4. Freestanding towers, subject to the regulations thereof elsewhere in this chapter.
 5. Gardening and other horticultural uses where no sale of products is conducted on the premises.
 6. Home occupations, subject to the regulations thereof elsewhere in this chapter.
 7. In-home daycare subject to State day care licensing.
 8. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
 9. Private garages and parking spaces.
 10. Private swimming pools and tennis courts.
 11. The keeping of domestic animals (household) for noncommercial purposes, for the use of the occupants of the premises.
 12. Accessory dwelling unit, subject to the regulations thereof as set forth elsewhere in this chapter.
- E. Bulk standard (minimum unless noted).

Lot Area	16,000 sq. ft.
Lot Width	100 feet
Setback From Public Right-of-way	30 feet
Side Yard Setback (principal structure)	20 feet
Side Yard Setback (garage or accessory structure)	10 feet
Rear Yard Setback (principal structure)	30 feet
Rear Yard Setback (accessory structure)	10 feet
Structure Height (max.)	35 feet
Building Coverage (max.)	20 percent

- F. Additional setbacks for heights. In all residential districts, all minimum required building setbacks as stated in

subparagraph E of this subdivision 4 shall be increased by three feet for each one foot of height over 35 feet.

- G. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

G[1]. Density. In determining the minimum required lot area, no more than ten percent of ponding areas or similar unbuildable areas shall be used for calculating maximum allowable density.

- H. Minnesota State Building Code. All homes built shall meet Minnesota State Building Code requirements.

Subd. 5. "R-1" Residential Single District.

- A. Purpose. The intent of the "R-1" Single District is for single family residential development.
- B. Permitted uses.
1. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Single-family detached dwelling. One dwelling unit per lot.
- C. Conditional uses. Within the R-1 district, no structure or land shall be used for the following use or uses deemed by the council except by conditional use permit:
1. Golf courses, country clubs and tennis clubs.
- D. Permitted accessory uses. Within the R-1 district, no structure or land or use of land shall be permitted except for one or more of the following uses or uses deemed similar by the council:
1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Buildings temporarily located for purposes of construction on the premises for a period of time not to exceed time necessary for such construction.
 3. Decorative landscape features.
 4. Freestanding towers, subject to the regulations thereof elsewhere in this chapter.
 5. Gardening and other horticultural uses where no sale of products is conducted on the premises.
 6. Home occupations, subject to the regulations thereof elsewhere in this chapter.
 7. In-home daycare subject to state day care licensing.
 8. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
 9. Private garages and parking spaces.
 10. Private swimming pools and tennis courts.
 11. The keeping of domestic animals (household) for noncommercial purposes, for the use of the occupants of the premises.
 12. Accessory dwelling unit, subject to the regulations thereof as set forth elsewhere in this chapter.

E. Bulk standards (minimum unless noted).

Lot Area	12,000 sq. ft.
Lot Width	85 feet
Setback From Public Right-of-way	30 feet
Side Yard Setback (principal structure)	10 feet
Side Yard Setback (garage or accessory structure)	5 feet
Rear Yard Setback (principal structure)	15 feet
Rear Yard Setback (accessory structure)	5 feet
Structure Height (max.)	35 feet
Building Coverage (max.)	20 percent

F. Additional setbacks for heights. In all residential districts, all minimum required building setbacks as stated in subparagraph E of this subdivision 5 shall be increased by three feet for each one foot of height over 35 feet.

G. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 120 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

G[1]. Density. In determining the minimum required lot area, no more than ten percent of ponding areas or similar unbuildable areas shall be used for calculating maximum allowable density.

H. Minnesota State Building Code. All homes built shall meet Minnesota State Building Code requirements.

Subd. 6. "R-1S" Residential Single - Small Lot District.

A. Purpose. The purpose of the "R-1S" Residential Single - Small Lot District is for new single family residential developments on smaller lots to allow for varied housing styles and values within the city. Such district is intended

to satisfy issues with existing single-family developments that do not meet standard R-1 requirements, and to allow for cluster-type development for infill developments when appropriate (due to topography, tree and wetland preservation, etc.).

B. Permitted uses.

1. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
2. Single-family detached dwelling. One dwelling unit per lot.

C. Conditional uses. Within the "R-1S" district, no structure or land shall be used for the following use or uses deemed by the council except by conditional use permit:

Golf courses, country clubs and tennis clubs.

Manufactured home parks as defined by Minn. Stat. chapter 327 and regulated elsewhere in this chapter.

D. Permitted accessory uses. Within the "R-1S" district, no structure or land or use of land shall be permitted except for one or more of the following uses or uses deemed similar by the council:

1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
2. Buildings temporarily located for purposes of construction on the premises for a period of not to exceed time necessary for such construction.
3. Decorative landscape features.
4. Freestanding towers, subject to the regulations thereof elsewhere in this chapter.
5. Gardening and other horticultural uses where no sale of products is conducted on the premises.
6. Home occupations, subject to the regulations thereof elsewhere in this chapter.
7. In-home daycare subject to state day care licensing.
8. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
9. Private garages and parking spaces.
10. Private swimming pools and tennis courts.
11. The keeping of domestic animals (household) for noncommercial purposes, for the use of the occupants of the premises.

E. Bulk standards (minimum unless noted).

Lot Area	8,000 sq. ft.
Lot Width	65 feet
Setback From Public Right-of-way	30 feet
Side Yard Setback (principal structure)	6 feet
Side Yard Setback (garage or accessory structure)	5 feet
Rear Yard Setback (principal structure)	15 feet
Rear Yard Setback (accessory structure)	5 feet
Structure Height (max.)	35 feet
Building Coverage (max.)	25 percent

- F. Additional setbacks for heights. In all residential districts, all minimum required building setbacks as stated in subparagraph E of this subdivision 6 shall be increased by three feet for each one foot of height over 35 feet.
- G. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

G[1]. Density. In determining the minimum required lot area, no more than ten percent of ponding areas or similar unbuildable areas shall be used for calculating maximum allowable density.

- H. Minnesota State Building Code. All homes built shall meet Minnesota State Building Code requirements.

Subd. 7. "R-2" Residential Double District.

- A. Purpose. The intent of the R-2 Residential Double District is for two-family residential development.
- B. Permitted uses.
1. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Two-family dwelling.
- C. Conditional uses. Within the R-2 district, no structure or land shall be used for the following use or uses deemed similar by the council except by conditional use permit:
1. Golf courses, country clubs and tennis clubs.
- D. Permitted accessory uses. Within the R-2 district, no structure or land or use of land shall be permitted except for one or more of the following uses or uses deemed similar by the council:
1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Buildings temporarily located for purposes of construction on the premises for a period of not to exceed time necessary for such construction.
 3. Decorative landscape features.
 4. Freestanding towers, subject to the regulations thereof elsewhere in this chapter.
 5. Gardening and other horticultural uses where no sale of products is conducted on the premises.
 6. Home occupations, subject to the regulations thereof elsewhere in this chapter.
 7. In-home daycare subject to state day care licensing.
 8. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
 9. Private garages and parking spaces.
 10. Private swimming pools, tennis courts, recreational buildings, or tot lots.

11. The keeping of domestic animals (household) for noncommercial purposes, for the use of the occupants of the p
- E. Bulk standards (minimum unless noted).

Lot Area	
Double	15,000 sq. ft.
Twinhome	7,500 sq. ft. per unit
Lot Width	
Double	100 feet
Twinhome	50 feet per unit
Setback From Public Right-of-way	30 feet
Side Yard Setback (principal building)	
Double	10 feet
Twinhome	0 feet and 10 feet
Side Yard Setback (garage or accessory structure)	5 feet
Rear Yard Setback (principal building)	15 feet
Rear Yard Setback (accessory structure)	5 feet
Structure Height (max.)	35 feet
Building Cover (max.)	20 percent

- F. Additional setbacks for heights. In all residential districts, all minimum required building setbacks as stated in subparagraph E of this subdivision 7 shall be increased by three feet for each one foot of height over 35 feet.
- G. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater

Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater
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G[1]. Density. In determining the minimum required lot area, no more than ten percent of ponding areas or similar unbuildable areas shall be used for calculating maximum allowable density.

H. Minnesota State Building Code. All homes built shall meet Minnesota State Building Code requirements.

Subd. 8. "R-3" Residential Townhouse District.

A. Purpose. The intent of the "R-3" Residential Townhouse District is for multi-family residential townhouse developments.

B. Permitted uses.

1. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
2. Townhouse dwelling.

C. Conditional uses. Within the R-3 district, no structure or land shall be used for the following use or uses deemed by the council except by conditional use permit:

1. Golf courses, country clubs and tennis clubs.

D. Permitted accessory uses. Within the R-3 district, no structure or land or use of land shall be permitted except for one or more of the following uses or uses deemed similar by the council:

1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
2. Buildings temporarily located for purposes of construction on the premises for a period of time not to exceed time necessary for such construction.
3. Decorative landscape features.
4. Freestanding towers, subject to the regulations thereof elsewhere in this chapter.
5. Gardening and other horticultural uses where no sale of products is conducted on the premises.
6. Home occupations, subject to the regulations thereof elsewhere in this chapter.
7. In-home daycare subject to state day care licensing.
8. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
9. Private garages and parking spaces.
10. Private swimming pools, tennis courts, recreation buildings or tot lots.
11. The keeping of domestic animals (household) for noncommercial purposes, for the use of the occupants of the premises.

E. Bulk standards (minimum unless noted).

Lot Area (per unit)	6,000 sq. ft.
Lot Width	None
Setback From Public Right-of-way	30 feet
Setback (from perimeter of site)	30 feet
Setback (between buildings within the development)	20 feet

Structure Height (max.)	35 feet
Building Coverage (max.)	20 percent

- F. Additional setbacks for heights. In all residential districts, all minimum required building setbacks as stated in subparagraph E of this subdivision 8 shall be increased by three feet for each one foot of height over 35 feet.
- G. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

G[1]. Density. In determining the minimum required lot area, no more than ten percent of ponding areas or similar unbuildable areas shall be used for calculating maximum allowable density.

H. Minnesota State Building Code. All homes built shall meet Minnesota State Building Code requirements.

Subd. 9. "R-4" Residential Multiple District.

- A. Purpose. The intent of the "R-4" Residential Multiple District is for residential apartment buildings with four or more dwelling units.
- B. Permitted uses.
1. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Apartment buildings with four or more units.
- C. Conditional uses. Within the R-4 district, no structure or land shall be used for the following use or uses deemed by the council except by conditional use permit:
1. Golf courses, country clubs and tennis clubs.
 2. Off-site, off-street parking, subject to the regulations thereof elsewhere in this chapter, except those portions thereof regarding outdoor storage.
- D. Permitted accessory uses. Within the R-4 district, no structure or land or use of land shall be permitted except for one or more of the following uses or uses deemed similar by the council:
1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Buildings temporarily located for purposes of construction on the premises for a period not to exceeding the time necessary for such construction.
 3. Decorative landscape features.

4. Freestanding towers, subject to the regulations thereof elsewhere in this chapter.
5. Gardening and other horticultural uses where no sale of products is conducted on the premises.
6. Home occupations, subject to the regulations thereof elsewhere in this chapter.
7. In-home daycare subject to state day care licensing.
8. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
9. Private garages and parking spaces.
10. Private swimming pools, tennis courts, recreational buildings, or tot lots.
11. The keeping of domestic animals (household) for noncommercial purposes, for the use of the occupants of the premises.

E. Bulk standards (minimum unless noted).

Lot Area	
<u>4</u> —6 unit buildings	5,000 sq. ft. per unit
<u>6</u> + unit buildings	2,750 sq. ft. per unit
Lot Width	None
Front Yard Setback	50 feet
Side Yard Setback	30 feet
Rear Yard Setback	30 feet
Structure Height (max.)	60 feet
Building Cover (max.)	20 percent

F. Additional setbacks for heights. In all residential districts, all minimum required building setbacks as stated in subparagraph E of this subdivision 9 shall be increased by three feet for each one foot of height over 35 feet.

G. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

- G[1]. Density. In determining the minimum required lot area, no more than ten percent of ponding areas or similar unbuildable areas shall be used for calculating maximum allowable density.
- H. Minnesota State Building Code. All homes built shall meet Minnesota State Building Code requirements.
- I. Special density credits. The minimum lot area requirements as stated in this subsection E shall be decreased where garages are below grade to the extent that the site area normally covered by garages can be occupied by other uses. The minimum required lot area be reduced by 300 square feet for each dwelling unit served by an underground garage.

Subd. 10. LB Limited Business District.

- A. Purpose. Limited Business Districts are areas that are particularly exposed to residential neighborhoods and are thus suitable to those businesses compatible with nearby residential use (offices, clinics and the like).
- B. Permitted uses.
1. Clinics for human care.
 2. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 3. Funeral homes and mortuaries.
 4. Institutional uses: library, swimming pools, churches, public schools, religious centers, health centers, and community buildings.
 5. [Reserved].
 6. Municipal buildings where the use conducted is customarily considered to be an office use.
 7. Offices of a general nature where the operations do not include retail sales or warehousing from the site.
 8. Professional offices, banks and savings and loan.
 9. Public utility tower mounted antennae, subject to the regulations of in this Code.
- C. Conditional uses.
1. Nursing homes, rest homes, retirement homes or hospitals for human care, day care centers, private schools.
 2. Art, interior decorating, photographic or music studio, provided no retail sales are made of products not manufactured on the site.
 3. Radio and television studios.
 4. Private clubs and lodges.
 5. Museums, art institutions, galleries and playhouses.
 6. Off-site off-street parking when the principal site of the off-site off-street parking is within an R-4 zoning district subject to the regulations thereof in this Code.
 7. Off-site off-street parking, subject to the regulations thereof in this Code, except those portions regarding outdoor storage.
 8. On-sale liquor in conjunction with a restaurant facility.
 9. Restaurants—Full service and casual only those granted a permit according to applicable City Code provisions to serve 3.2 beer or wine and an outdoor dining area in conjunction therewith, subject to the regulations thereof elsewhere in this chapter.
 10. Reserved.
 11. Seasonal outdoor sales, subject to the regulations thereof elsewhere in this chapter.
 12. Coffee kiosks subject to the following conditions:
 - (a) The activity shall be conducted within a free-standing building, no larger than 100 square feet in size.
 - (b) The use shall not result in the elimination of the minimum number of off-street parking spaces required for all uses on the parcel.

- (c) Vehicular stacking lanes shall comply with the following:
 - (1) A minimum length of 150 feet shall be provided for a single stacking lane or 80 feet per lane when multiple lanes are provided.
 - (2) Stacking lanes shall be designed such that they do not interfere with existing parking and vehicular circulation.
 - (3) Stacking lanes shall be clearly identified through striping, landscaping, and/or signage.
- (d) No alcoholic beverages shall be sold.
- (e) Evidence of issuance of a permit from the Minnesota Department of Health shall be provided to the city.
- (f) If the use of the building ceases for a period of six months, the conditional use permit shall lapse and the property owner shall remove the building and clean up the site.
- (g) No on-site preparation of food shall be allowed.

D. Permitted accessory uses.

- 1. Private garages, off-street parking and loading spaces, as regulated by this chapter.
- 2. Building temporarily located for purposes of construction on the premises for a period of not to exceed time necessary to complete said construction.
- 3. Public telephone booths provided all yard requirements are met.
- 4. Temporary outdoor event, subject to the regulations thereof elsewhere in this chapter.
- 5. Building mounted antenna or satellite dish, subject to the regulations thereof in this Code.

E. Bulk standards (minimum unless noted).

Lot Area	
Lot Width	
Setback From Public Right-of-way	30 feet
Side Yard Setback	10 feet
Rear Yard Setback	20 feet
Adjacent to property guided* for residential use	30 feet
Structure Height (max.)	30 feet
Green Space	30 percent
Building Cover (max.)	20 percent

* Land use guide designation per city's Comprehensive Guide Plan.

- F. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
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Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 11. NB Neighborhood Business District.

- A. Purpose. Neighborhood Business Districts are small business areas generally located adjacent to or in close proximity to residential neighborhoods that are intended to provide daily retail goods and services.
- B. Permitted uses.
 1. Bakeries.
 2. Barbershops.
 3. Beauty salons.
 4. Clinics.
 5. Clubs and lodges.
 6. Copy centers.
 7. Drug stores.
 8. Financial institutions without drive-through facilities.
 9. Florists.
 10. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 11. Funeral homes and mortuaries.
 12. Gift shops.
 13. Hardware stores.
 14. Hobby shops.
 15. Laundry and dry cleaners.
 16. Laundromats.
 17. Off-sale liquor stores.
 18. Photography studios.
 19. Offices.
 20. Restaurants—Full service (on-sale liquor subject to conditional use permit) and casual.
 21. Shoe stores.
 22. Specialty food stores.
 23. Sporting goods stores.
 24. Variety stores.
- C. Conditional uses.
 1. Animal clinics when contained within a building.
 2. Carwashes.
 3. Coffee kiosks, subject to the regulations thereof elsewhere in this chapter.

4. Convenience stores.
5. Daycare facilities subject to State daycare licensing.
6. Drive-through facilities.
7. Motor fuel sales, Class I.
8. Motor vehicle repair, minor.
9. Nursing homes, retirement homes or hospitals for human care, and day care centers.
10. Off-site off-street parking when the principal site of the off-street parking is within an R-4 zoning district subject to the regulations thereof in this Code.
11. Off-site off-street parking, subject to the regulations thereof in this Code, except those portions regarding outdoor storage.
12. On-sale liquor, wine or 3.2 beer.
13. Radio and television studios.
14. Seasonal outdoor sales, subject to the regulations thereof elsewhere in this chapter.
15. Restaurants—Fast food and delivery or take-out and any outdoor dining area in conjunction therewith, subject to the regulations thereof elsewhere in this chapter.
16. A building or structure greater than 25,000 square feet, subject to the regulations thereof elsewhere in this subdivision.

D. Permitted accessory uses.

1. Building mounted antennae and satellite dishes, subject to the regulations thereof elsewhere in this chapter.
2. Buildings temporarily located for purposes of construction on the premises for a period of not to exceed time necessary to complete said construction.
3. Outdoor display, subject to the regulations thereof elsewhere in this chapter.
4. Private garages, off-street parking and loading spaces, as regulated by this chapter.
5. Public telephone booths provided all yard requirements are met.
6. Temporary outdoor events, subject to the regulations thereof elsewhere in this chapter.
7. An outdoor dining area in conjunction with a full service or casual restaurant, except an outdoor dining area that does not meet the special use setback from a residential property or that provides seating for more than 24 persons is subject to a conditional use permit or planned development approval as applicable, and any outdoor dining area shall be subject to the regulations thereof elsewhere in this chapter.

E. Bulk standards (minimum unless noted).

Lot Area	
Lot Width	
Setback From Public Right-of-Way	30 feet
Side Yard Setback	10 feet
Rear Yard Setback	20 feet
Adjacent to property guided* for residential use	30 feet
Structure Height (max.)	30 feet
Green Space	30 percent

Building Cover (max.)	20 percent
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* Land use guide designation per city's Comprehensive Guide Plan

For any building or structure greater than 25,000 square feet, which was approved by a conditional use permit, shall comply with the following requirements:

Structure Height (max.)	25 feet
Building Coverage (max.)	15 percent
Green Space	35 percent

F. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 12. GB General Business District.

- A. Purpose. General business districts areas are intended to accommodate a wide range of retail commercial and office uses that serve the community and are generally located along arterial roadways.
- B. Permitted uses.
 - 1. Animal hospitals or clinics when contained within a building.
 - 2. Armories or conventional halls.
 - 3. Auto accessories sales.
 - 4. Bicycle, boat, motorcycle, snowmobile sales and service (outdoor display or storage subject to conditional use permit).
 - 5. Carwashes.
 - 6. Commercial recreation facilities contained within a building (includes amusement centers).

7. Copy centers.
 8. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 9. Garden stores when conducted within a building (outdoor sales subject to conditional use permit).
 10. Health and fitness clubs.
 11. Home improvement centers with no outdoor storage.
 12. Motor vehicle sales when conducted entirely within a building.
 13. Offices.
 14. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
 15. Private clubs and lodges.
 16. Radio and television studios (towers subject to conditional use permit).
 17. Rental centers.
 18. Restaurants—Full service and casual (without on-sale liquor).
 19. Research testing laboratories conducted within a building.
 20. Small engine or appliance repair conducted entirely within a building.
 21. Stone or monument sales (outdoor display or storage subject to conditional use permit).
 22. Storage facilities contained within a building.
- C. Conditional uses.
1. Coffee kiosks, subject to the regulations thereof elsewhere in this chapter.
 2. Kennels.
 3. Motor fuel sales—Class I and Class II.
 4. Motor vehicle repair—Minor.
 5. Motor vehicle sales with outdoor sales and/or storage.
 6. Off-site off-street parking and off-site outdoor storage, subject to the regulations thereof in this Code.
 7. Outdoor seasonal sales, subject to regulations thereof elsewhere in this chapter.
 8. Outdoor storage when conducted by an occupant of the principal building, subject to regulations thereof elsewhere in this chapter.
 9. Restaurants—Fast food and delivery or take-out and any outdoor dining area in conjunction therewith, subject to the regulations thereof elsewhere in this chapter.
 10. Retail sales of liquor, 3.2 beer or wine as part of any facility.
 11. Truckstops.
- D. Permitted accessory uses.
1. Buildings temporarily located for purposes of construction on the premises for a period of not to exceed time necessary to complete said construction.
 2. Private garages, off-street parking and loading spaces, as regulated by this chapter.
 3. Public telephone booths provided all yard requirements are met.
 4. Outdoor display, subject to the regulations thereof elsewhere in this chapter.
 5. Temporary outdoor events, subject to regulations thereof elsewhere in this chapter.
 6. An outdoor dining area in conjunction with a full service or casual restaurant, except an outdoor dining area that does not meet the special use setback from a residential property or that provides seating for more than 24 persons is subject to a conditional use permit or planned development approval as applicable, and any outdoor dining area shall be subject to the regulations thereof elsewhere in this chapter.
- E. Bulk standards (minimum unless noted).

Lot Area

2 acres

Lot Width	100 feet
Setback From Public Right-of-Way	30 feet
Side Yard Setback	10 feet
Rear Yard Setback	20 feet
Adjacent to property guided* for residential use	50 feet
Structure Height (max.)	35 feet
Green Space	30 percent
Building Cover (max.)	35 percent

* Land use guide designation per city's Comprehensive Guide Plan.

- F. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 13. CSC Community Shopping Center District.

- A. Purpose. Community shopping center districts are intended for large scale retail commercial sales and services.
- B. Permitted uses.
1. Barbershops.
 2. Beauty shops.
 3. Financial institutions without drive-through facilities.
 4. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 5. Offices.
 6. Public utility tower mounted antennae, subject to the regulations thereof in this chapter.
 7. Restaurants—Full service and casual.

8. Retail sales.
 9. Pawnshops.
- C. Conditional uses.
1. Carwashes.
 2. Coffee kiosks, subject to the regulations thereof elsewhere in this chapter.
 3. Commercial recreation—Indoor.
 4. Convenience stores.
 5. Currency exchange operations, subject to the regulations thereof as set forth in chapter 6 of this Code.
 6. Drive-through facilities.
 7. Health and fitness clubs.
 8. Motels and hotels.
 9. Motor fuel sales—Class I
 10. Motor vehicle repair—Minor.
 11. Off-site off-street parking and off-site outdoor storage, subject to the regulations hereof in this Code.
 12. On-sale liquor, 3.2 beer or wine.
 13. Outdoor seasonal sales, subject to regulations thereof elsewhere in this chapter.
 14. Outside storage and sales of garden supplies.
 15. Outdoor storage when conducted by an occupant of the principal building, subject to regulations thereof elsewhere in this chapter.
 16. Restaurants—Fast food and delivery or take-out and any outdoor dining area in conjunction therewith, subject to the regulations thereof elsewhere in this chapter.
 17. Transit stations.
- D. Permitted accessory uses.
1. Building mounted antenna or satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 2. Buildings temporarily located for purposes of construction on the premises for a period of not to exceed time necessary to complete said construction.
 3. Outdoor display, subject to the regulations thereof elsewhere in this chapter.
 4. Private garages, off-street parking and loading spaces, as regulated by this chapter.
 5. Public telephone booths provided all yard requirements are met.
 6. Temporary outdoor event, subject to regulations thereof elsewhere in this chapter.
 7. An outdoor dining area in conjunction with a full service or casual restaurant, except an outdoor dining area that does not meet the special use setback from a residential property or that provides seating for more than 24 persons is subject to a conditional use permit or planned development approval as applicable, and any outdoor dining area shall be subject to the regulations thereof elsewhere in this chapter.
- E. Bulk standards (minimum unless noted).

Zoning District Area	5 acres
Lot Width	100 feet
Setback From Public Right-of-way	30 feet
Side Yard Setback	10 feet
Rear Yard Setback	20 feet

Adjacent to property guided* for residential use	50 feet
Structure Height (max.)	35 feet
Green Space	30 percent
Building Cover (max.)	30 percent

* Land use guide designation per city's Comprehensive Guide Plan.

- F. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 14. I-1 Limited Industrial District.

- A. Purpose. The purpose of the I-1 Limited Industrial District is to provide for the establishment of a variety of warehousing, manufacturing and light industrial uses, including large volume truck-oriented uses.
- B. Permitted uses.
- Adult establishments.
 - Commercial recreation—Indoor; an indoor firearms shooting range shall be subject to the regulations thereof elsewhere in this Code.
 - Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 - Ice, cold storage plants, bottling works.
 - Machine and welding shops.
 - Motor vehicle repair—Major.
 - Offices.
 - Processing, fabrication, storage or manufacturing light materials; brewery or microdistillery; or wholesaling operation or service.
 - Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
 - Radio and television facilities.
 - Research laboratories.

12. Restaurants—Full service and casual.
13. Technical and vocational schools.
14. Warehousing and wholesaling and related sales or showrooms.

C. Conditional uses.

1. Amusement centers.
2. Car or truck washes.
3. Coffee kiosks, subject to the regulations thereof elsewhere in this chapter.
4. Contractors' yards.
5. Freestanding tower or wind energy conversion systems, subject to the regulations thereof elsewhere in this chapter.
6. Fuel storage tanks, located above ground, subject to the outdoor storage regulations in this chapter.
7. Kennels with outside runs and subject to the regulations in chapter 6.
8. Motor fuel sales—Class II.
9. Off-site off-street parking and off-site outdoor storage, subject to the regulations thereof in this Code.
10. On-sale liquor, 3.2 beer or wine; on-sale malt liquor in conjunction with a brewer taproom; on-sale distilled spirits in conjunction with a microdistillery cocktail room; off-sale malt liquor from the premises of and in conjunction with a brewery; or off-sale distilled spirits in conjunction with a microdistillery.
11. Outdoor storage when conducted by an occupant of the principal building, subject to regulations thereof elsewhere in this chapter.
12. Rental lots.
13. Sales yards for building materials when conducted by an occupant of the principal building, subject to regulations thereof elsewhere in this chapter.
14. Sales and service for trucks.
15. Seasonal outdoor sales, subject to the regulations thereof elsewhere in this chapter.
16. Truckstops.
17. Truck terminals.
18. Waste facilities, subject to the regulations in chapter 6.
19. Retail sales of any product, goods or material produced at or directly related to the principle use permitted under this subdivision, provided the following conditions are met:
 - a. The retail sales are subordinate to the principle use.
 - b. The gross floor area used for the retail sales is more than 20 percent but not more than 30 percent of the total gross floor area of the principle building if a single user/occupant or of the principle user's occupied space if within a multiple-user structure.
 - c. The retail sales are owned and operated solely by the principle user/occupant of the subject site.
 - d. The site can accommodate the minimum parking requirement for both the retail and principle use components as set forth elsewhere in this chapter.
20. Commercial yard waste recycling and composting facility, provided the following conditions are met:
 - a. The parcel shall not be less than ten acres or no more than 12.5 acres in size.
 - b. Access into the parcel shall be solely from a state or county public right-of-way.
 - c. The yard waste recycling and composting operations shall be conducted by a retail/wholesale garden or greenhouse operator as a component of its retail/wholesale operations.
 - d. The facility shall be open to the public for disposal of yard waste for recycling and composting and any fee charge for the disposal shall be reasonable.
 - e. The facility may recycle and compost only the following materials: grass, leaves, soft plant material, sod, soil, used wood mulch, brush, logs, used concrete, gravel stone and rock; no other waste materials shall

be accepted or stored on the parcel.

- f. The operator of the yard waste recycling and composting facility may sell at retail or wholesale bulk landscape materials and live trees, bushes and plants as a subordinate, not primary or exclusive, use on the parcel, subject to the storage conditions set forth by the permit.
- g. A plan shall be submitted addressing yard waste de-bagging, feed material stockpiling, dry/wet material ratios in windrow construction, windrow turning schedules, and process controls and performance standards. Reasonable environmental performance standards stated as conditions may be imposed that address environmental or land use impacts from the items in the plan. The owner shall incorporate all such conditions into its operations plan for the facility.
- h. The de-bagging area shall be fenced to prevent the spread of litter and other debris.
- i. The operator of the yard waste recycling and composting facility may grind and process received trees and brush waste into wood mulch and may conduct soil blending and processing, subject to the scheduled hours of operation set forth in the permit so as not to cause noise impacts that would constitute a public nuisance.
- j. The site shall be landscaped in order to screen the activities and any storage as permitted under the permit from any public right-of-way.
- k. The site shall be kept free of litter and debris and maintained in a neat and orderly manner. Fencing may be required to prevent the spread of litter.
- l. Storm water management plans shall be submitted and approved by the city's public works director.
- m. Sanitary sewer shall conform to the city's requirements for any sanitary waste facilities on the property.
- n. Noise abatement techniques shall be utilized to meet MPCA noise standards. Said abatement techniques may include, but not be limited to, requiring enclosures of equipment, use of noise absorbing materials, increased setbacks and/or landscaping, and limiting operational hours.
- o. Supplemental watering of outdoor composting shall occur as necessary to prevent particulate emission. Turning of windrows shall be restricted during periods of high winds to prevent particulate emissions.
- p. Odors shall be controlled, as necessary, to prevent objectionable odors at the property line consistent with MPCA standards and regulations.

D. Permitted accessory uses.

- 1. Building mounted antenna or satellite dishes, subject to the regulations thereof elsewhere in this chapter.
- 2. Car or truck wash consisting of a single wash bay, when serving only the principal use and not serving the general public.
- 3. Temporary outdoor event, subject to regulations thereof elsewhere in this chapter.
- 4. An outdoor dining area in conjunction with a full service or casual restaurant or an outdoor patio in conjunction with a brewer taproom or microdistillery cocktail room, except an outdoor dining area or patio that does not meet the special use setback from a residential property or that provides seating for more than 24 persons is subject to a conditional use permit or planned development approval as applicable, and any outdoor dining area or outdoor patio shall be subject to the regulations thereof of outdoor dining area set forth elsewhere in this chapter.
- 5. Retail sales of product, goods or material produced at or directly related to the principle use on site, subject to the following:
 - a. The retail sales are subordinate to the principle use.
 - b. The gross floor area used for the retail sales is not more than 20 percent of the total gross floor area of the principle building if a single user/occupant or of the principle user's occupied space if within a multiple-user structure.
 - c. The retail sales are owned and operated solely by the principle user/occupant of the subject site.

E. Bulk standards (minimum unless noted).

Lot Area	0.5 acre
Lot Width	100 feet
Setback From Public Right-of-way	40 feet
Side Yard Setback	20 feet
Rear Yard Setback	20 feet
Structure Height (max.)	40 feet
Building and outdoor storage setback adjacent to properties guided* for residential use when properties directly abut each other	100 feet
Building and outdoor storage setback adjacent to properties guided* for residential or public use when properties are separated by a street, or when directly abutting property guided P, Park and PF, Public Facilities	50 feet
Building Coverage (max.)	35 percent
Green Space	25 percent

* Land use guide designation per city's Comprehensive Guide Plan.

- F. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 15. I-2 General Industrial District.

- A. Purpose. The purpose of the I-2 General Industrial District is to provide for the establishment of heavier industrial uses that, because of the nature of the product or character of operation, require separation from or special

protections for non-industrial uses.

B. Permitted uses.

1. The manufacturing, compounding, assembly, packaging, treatment or storage of the following products or materials: cement; concrete; stone cutting; brick; glass; batteries (wet cell); ceramic products; mill working; metal polishing and plating; paint (pigment manufacturing); vinegar works; rubber products; plastics; meat packing; flour, feed or grain milling; coal or tar asphalt distillation; rendering works; distillation of bones; sawmill; lime; gypsum; plaster of Paris; glue; size; cloth; and similar products; a brewery or a microdistillery.
2. Crude oil, gasoline or other liquid storage tanks.
3. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
4. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.

C. Conditional uses.

1. Acid manufacturing facilities.
2. Coffee kiosks, subject to the regulations thereof elsewhere in this chapter.
3. Commercial stockyards, auction sales or slaughtering of animals.
4. Creosote plants.
5. Freestanding towers and wind energy conversion systems, subject to the regulations thereof elsewhere in this chapter.
6. Off-site off-street parking and off-site outdoor storage, subject to the regulations thereof elsewhere in this chapter.
7. Outdoor storage when conducted by an occupant of the principal building, subject to regulations thereof elsewhere in this chapter.
8. Refining of crude oil.
9. Storage, utilization or manufacture of materials or products which could decompose by detonation.
10. On-sale malt liquor in conjunction with a brewer taproom, or off-sale malt liquor from the premises of and in conjunction with a brewery.
11. On-sale distilled spirits in conjunction with a microdistillery cocktail room, or off-sale distilled spirits from the premises of and in conjunction with a microdistillery.

D. Permitted accessory uses.

1. Building mounted antenna or satellite dishes, subject to the regulations thereof elsewhere in this chapter.
2. Car or truck wash consisting of a single wash bay, when serving only the principal use.
3. An outdoor patio in conjunction with a brewer taproom or microdistillery cocktail room, except an outdoor patio that does not meet the special use setback from a residential property or that provides seating for more than 24 persons is subject to a conditional use permit or planned development approval as applicable, and any outdoor patio shall be subject to the regulations of outdoor dining area as set forth elsewhere in this chapter.

D[1]. Bulk standards (minimum unless noted).

Lot Area	1 acre
Lot Width	200 feet
Setback From Public Right-of-way	40 feet
Side Yard Setback	20 feet
Rear Yard Setback	20 feet

Structure Height (max.)	40 feet
Building and outdoor storage setback adjacent to properties guided* for residential use when properties directly abut each other	100 feet
Building and outdoor storage setback adjacent to properties guided* for residential or public use when properties are separated by a street, or when directly abutting property guided P, Park and PF, Public Facilities	50 feet
Building Coverage (max.)	35 percent
Green Space	25 percent

* Land use guide designation per city's Comprehensive Guide Plan.

- E. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 16. RD Research and Development District.

- A. Purpose. The purpose of this subdivision is to create a use district which will permit, subject to the following regulations, restrictions and controls, professional research and development and limited industrial structures and operations which will be compatible with the predominantly residential character of surrounding areas so as to preserve for the residents of the city the full use, benefit, and enjoyment of their homes and property. It is not the purpose of this subdivision to permit ordinary and usual types of industrial structures and operations which more appropriately qualify only under the foregoing industrial classifications.
- B. Permitted uses.
1. Adult establishments.
 2. Agricultural activities associated with research and development.
 3. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 4. Light manufacturing and processing of a type producing negligible smoke, dust, odor, fumes or noise when

conducted in conjunction with items 2. or 7. herein and compatible with subparagraph A. above.

5. Offices, general.
6. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
7. Research and development laboratories.

C. Conditional uses.

1. Coffee kiosks, subject to the regulations thereof elsewhere in this chapter.
2. Off-site off-street parking and off-site storage, subject to the regulations thereof in this Code.

D. Permitted accessory uses.

1. Building mounted antennae or satellite dishes, subject to the regulations thereof elsewhere in this chapter.
2. Guest houses owned and maintained in conjunction with permitted uses listed herein.
3. Recreational areas and similar uses for the primary benefit of employees.

E. Bulk standards.

Lot Area ¹	40 acres
Lot Width	300 feet
Setback From Public Right-of-way	40 feet
Side Yard Setback	20 feet
Rear Yard Setback	20 feet
Structure Height (max.)	45 feet
Setback adjacent to properties guided ² for residential use when properties directly abut each other	50 feet
Setback adjacent to properties guided ² for residential or public use when properties are separated by a street, or when directly abutting property guided P, Park and PF, Public Facilities	50 feet
Building Coverage (max.)	20 percent
Green Space	25 percent

¹ The minimum required 40-acre lot shall only pertain to the initial planning and rezoning and shall not preclude the subsequent subdivision of an area in to small lots for development in accordance with plans for the overall area initially rezoned.

² Land use guide designation per city's Comprehensive Guide Plan.

- F. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 17. BP Business Park District.

- A. Purpose. The Business Park BP District is intended to accommodate development of low intensity office, light industrial and supporting commercial service uses that may be suitable in relative close proximity to non-industrial development. More intensive industrial uses which require either outdoor storage or high truck traffic or both are excluded. The performance standards for this district are intended to establish and maintain high quality site planning, architecture, signage and landscape design to create an attractive and unified development character.
- B. Permitted uses.
 1. Adult establishments.
 2. Financial institutions and banks (without drive-through facilities).
 3. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 4. Office and office buildings.
 5. Office/warehouses and office/showrooms.
 6. Processing, packaging, cleaning, storage, assembling, servicing, repair or testing of materials, goods or products, when wholly contained within a building and which meet and maintain all applicable standards established by the state.
 7. Public utility tower mounted antennae, subject to the regulations thereof elsewhere in this chapter.
 8. Public utility uses.
 9. Research laboratories, when wholly contained within a building and which meet and maintain all applicable standards established by the state.
 10. Technical, vocational and business schools.
- C. Conditional uses.
 1. Coffee kiosks, subject to the regulations thereof elsewhere in this chapter.
 2. Daycare facilities.
 3. Elementary and middle schools.
 4. Financial institutions and banks with drive-through facilities.
 5. Health care facilities.
 6. Health and fitness clubs.
 7. Hotels and motels.
 8. Restaurants—Full service and casual and any outdoor dining area in conjunction therewith, subject to the regulations thereof elsewhere in this chapter.
 9. On-sale liquor.

10. Retail sales of any product, goods or material produced at or directly related to the principle use on site, provided conditions are met:
 - a. The retail sales are subordinate to the principle use.
 - b. The gross floor area used for the retail sales is more than 15 percent but not more than 30 percent of the total gross floor area of the principle building if a single user/occupant or of the principle user's occupied space if within a multiple-user structure.
 - c. The retail sales are owned and operated solely by the principle user/occupant of the subject site.
 - d. The site can accommodate the minimum parking requirement for both the retail and principle use components as set forth elsewhere in this chapter.

D. Permitted accessory uses.

1. Coffee shops and cafeterias located within the principal structure.
2. Garages or similar structures used to store vehicles and equipment.
3. Parking and loading as regulated herein.
4. Retail sales of any service or any product, goods or material produced at or directly related to the principle use on site, subject to the following:
 - a. The retail sales are subordinate to the principle use.
 - b. The gross floor area used for the retail sales is not more than 15 percent of the total gross floor area or 3,000 square feet, whichever is less, of the principle building if a single user/occupant or of the principle user's occupied space if within a multiple-user structure.
 - c. The retail sales are owned and operated solely by the principle user/occupant of the subject site.

E. Bulk standards.

Lot Area	1.5 acres
Lot Width	100 feet
Setback From Public Right-of-Way	40 feet
Side Yard Setback	20 feet
Rear Yard Setback	20 feet
Setback adjacent to properties guided ¹ for residential use when properties directly abut each other	50 feet
Setback adjacent to properties guided ¹ for residential or public use when properties are separated by a street, or when directly abutting property guided P, Park and PF, Public Facilities	50 feet
Structure Height ² (max.)	45 feet
Building Coverage (max.)	40 percent
Green Space	25 percent

¹ Land use guide designation per city's Comprehensive Guide Plan.

² Building heights up to 80 feet may be permitted subject to air traffic corridor regulations and a one-foot increase in setback for each additional foot of building height over the maximum allowed up to a maximum setback of 60 feet on the front and 40 feet on the side and rear yards.

F. Additional setbacks. The following shall be the minimum required building setback along any interstate or state highway, major thoroughfare or minor thoroughfare, either existing or proposed as shown on the current Functional Classification Plan:

THOROUGHFARE	RIGHT-OF-WAY WIDTH	MINIMUM SETBACK
Major Thoroughfare (Principal and A Minor Arterials)	150 feet	50 feet or 125 feet from right-of-way centerline, whichever is greater
Major Thoroughfare (B Minor Arterials)	100 feet	50 feet or 100 feet from right-of-way centerline, whichever is greater
Minor Thoroughfare (Major and Minor Collectors)	80 feet	40 feet or 80 feet from right-of-way centerline, whichever is greater

Subd. 18. PD Planned Development District.

A. Intent.

1. Providing greater flexibility in environmental design and relaxation of strict application of the zoning ordinance in exchange for greater creativity and environmental sensitivity.
2. Recognizing the economic and cultural advantages that will accrue to the residents of a planned community.
3. Encouraging a more creative and efficient approach to the use of the land.
4. Encouraging the preservation and enhancement of desirable site characteristics, natural features, and open space.
5. Encouraging a development pattern that is consistent with land use density, transportation facilities and community facilities objectives of the Comprehensive Plan.

B. Standards. The provisions of this Code shall be interpreted in accordance with the following:

1. Rules of interpretation:
 - a. Where inconsistent therewith, the requirements set by this section shall be followed for planned developments. This section shall have no affect upon other developments or district requirements.
 - b. Planned developments may be excluded from certain requirements of the zoning code when specifically approved as a part of the planned development. Such exclusions shall only be granted for the purpose of creating better overall design and an improved living environment and not solely for the economic advantage of the developer. All provisions of the zoning codes not specifically excluded in the preliminary and/or final plan shall apply to the planned development.
 - c. Building permits shall not be issued that are not in conformity with the approved planned development.
 - d. Whenever a dispute arises concerning the interpretation and/or application of any section of this Code, the matter may be referred to the board of adjustments and appeals for hearing as governed elsewhere in this chapter.
2. Relation of planned development site to adjacent areas. The design of a planned development shall take into

account the relationship of the site to the surrounding areas. The perimeter of the planned development shall be so designed to minimize undesirable impact of the development on adjacent properties and conversely, to minimize undesirable impact of adjacent land use and development characteristics on the planned development.

3. Minimum area for planned development. The minimum total area required for a planned development shall be five acres of contiguous land. Tracts of less than five acres may qualify only if the applicant can show that the minimum lot area requirement should be waived because a planned development is in the public interest and that one or both of the following conditions exist:
 - a. Unusual physical features of the property itself or of the surrounding neighborhood are such that development under the standard zoning would not be appropriate in order to conserve a physical or terrain feature of importance to the neighborhood or community.
 - b. The property is adjacent to or across the street from property that has been developed under the provisions of this section and will contribute to the amenities of the neighborhood.
4. Residential unit densities. A planned development may provide for a variety of housing types in any one of the basic residential zoning districts. The total number of dwelling units allowed in a development shall be determined by either:
 - a. The density specified by the city's Comprehensive Guide Plan. A plan may provide for a greater number of dwelling units per acre than would otherwise be permitted by the zoning regulations otherwise applicable to the site; however, the applicant has the burden to show that such excess will not have an undue and adverse impact on existing public facilities and on the reasonable enjoyment of neighboring property. The council, in determining the reasonableness of the increase in the authorized dwelling units per acre, shall recognize that increased density may be compensated for by additional private amenities and by increased efficiency in public facilities and services to be achieved by:
 1. The location, amount and proposed use of common open-space,
 2. The location, design and type of dwelling units, and
 3. The physical characteristics of the site.
 4. Open space.
 - a[1]. A primary function of this planned development section is to encourage development which will preserve and enhance the worthwhile, natural terrain characteristics and not force intense development to utilize all portions of a given site in order to arrive at the maximum intensity or density allowed. In evaluating each individual proposal, the recognition of this objective will be a basic consideration in granting approval or denial including but not limited to the following:
 1. The amount and location of private common open-space area shall be consistent with the stated purpose of this section and in no case shall be less than 15 percent of the total project area. The residential portion of the project area shall further conform to the mandatory public park, playground and open space area dedication requirements of [the] Code.
 2. All open-space shall be labeled as such and as to its intent or designed functions.
 - b. Operation and maintenance of common facilities. In the event certain land areas or structures are provided within the planned development for recreational use or as service facilities, the owner of such land and buildings shall file a suitable agreement with the city that assures the continued operation and maintenance to a pre-determined reasonable standard. These common areas may be placed under the ownership of one of the following, depending which is more appropriate:
 1. Landlord control.
 2. Homeowner's association, provided all of the following conditions are met:
 - a. The homeowner's association must be established prior to any sale.
 - b. Membership must be mandatory for each owner, and any successive buyer.

- c. The open-space restrictions must be permanent, not for a given period of years.
 - d. The association must be responsible for liability insurance, local taxes and the maintenance of residential and other facilities.
 - e. Landowners must pay their pro rata share of the cost and the assessment levied by the association that can become a lien on the property in accordance with Minnesota Statutes.
 - f. The association must be able to adjust the assessment to meet changed needs.
5. Permitted uses. Uses approved and permitted under a planned development shall only include permitted, conditional and accessory uses allowed in residential districts in the city and those business, industry and institutional uses specifically approved as a part of the planned development and in accordance with standards herein provided. The property to be included in the planned development shall be in single ownership or under the management or supervision of a central authority, or otherwise subject to such supervisory lease or ownership control as may be necessary to carry out the provisions of this Code.

C. Procedure.

- 1. *General.* Planned Developments shall be proposed and approved in accordance with this section.
- 2. *Concept plan.* Prior to filing a petition, any person may request a meeting with the advisory planning commission to present a concept plan to discuss the feasibility of a planned development. Such request shall be made by addressing a letter to the advisory planning commission where upon said request shall be heard at a subsequent meeting.
- 3. *Petition.* The petition for a planned development shall be on a form provided by the city and shall include all of the following information:
 - a. Signature(s) of owner(s) and developer(s).
 - b. All data normally required by the city for a rezoning and preliminary plat petition.
 - c. All information and plans comprising a "preliminary development plan" as defined in herein.
- 4. *Preliminary development plan approval.* The petition for a "preliminary development plan" of a planned development shall be processed by the city in the same manner in which rezoning petitions are processed as described in the Zoning Code.
- 5. *Development agreements.* As a condition to approval of a preliminary development plan, the city shall require the owner and developer of a proposed planned development to execute an agreement which may include, but not be limited to, all information required in the preliminary development plan as provided herein.
- 6. *Fees.* The fee for a planned development shall be the same as the fee charged for a rezoning and preliminary plat when the latter is also included.
- 7. *Performance bond.* The owner and/or developer of a proposed planned development shall furnish a public contractor's performance bond as prescribed by Minnesota Statutes, with corporate surety in a penal sum equal to 125 percent of the city director of public works cost estimate for the required improvements to be furnished or installed by the owner and/or developer, including, but not limited to, street surfacing, curbs, gutters, sanitary sewer and water service and storm sewers. The performance bond shall be approved by the city attorney prior to its acceptance. A certified check shall be submitted by the owner and/or developer for the estimated inspection costs of the required improvements to be furnished or installed by said owner and/or developer. Said check shall be submitted at the time of the submission of the performance bond.
- 8. *Variances.* Variances granted as a part of a planned development shall not be subject to the zoning code. Said variances shall be permitted as a part of the overall approval of the planned development provided said variance from zoning code provisions are so stated in the planned development agreement.
- 9. *Effect of approval of preliminary development plan.* Upon approval of a preliminary development plan, a planned development may not be altered, revised or withdrawn without the approval of the city council.
- 10. *[Public hearing.]* A public hearing shall not be required provided the final development plan is in substantial conformance with the preliminary development plan. Any major change as determined by the city shall

require a public hearing.

11. *Council action.* The approval of a preliminary development plan and a final development plan of a planned development shall require an affirmative vote of the majority of all members of the council except when the proposed rezoning is from an existing residential district to a planned development district with commercial or industrial uses in which case a two-thirds majority vote is required.
12. *Preliminary development plan.* The Preliminary Plan of a Planned Development shall include the following information:
 - a. All information required in the Subdivision Code for a preliminary plat.
 - b. A general development plan indicating:
 1. The proposed site and existing development and adjacent properties.
 2. The proposed use of all areas of the site.
 3. The proposed density, type, size and location of all dwelling units.
 4. The general size, location and use of proposed business, industrial or institutional buildings.
 5. Public and private streets, entrance and exit drives, walkway locations.
 6. Parking areas and stall arrangement.
 7. Landscaping.
 8. Park and open space lands.
 9. Dimensions.
 10. Proposed drainage and utility systems.
 - c. An alternative development site plan depicting each proposed use in the manner that would be required by any and all zoning requirements for the intended use under the equivalent, non-planned development zoning district application (i.e. setbacks, lot coverage, lot size, lot frontage, public streets, density, etc.).
 - d. A summary sheet indicating:
 1. Area of land in each use or each separate intensity of use.
 2. Number of residential dwelling units proposed in each area.
 3. Number of acres of common open space.
 4. Modifications of any provisions of the city Zoning Ordinance.
 - e. A staging plan indicating the geographical sequence and timing of development of the plan or portions thereof, including the date of beginning and completion of each stage. The staging plan shall also include the number of dwelling units, commercial structures, public streets, utilities and recreation areas.
 - f. A detailed plan of first phase development indicating buildings, parking areas, driveways and similar detail on the site plan and including architectural elevation drawings of all buildings.
 - g. A preliminary plat may be required by the city for those areas where development is imminent, and a sketch plan shall be required for the remaining areas.
 - h. A written statement by the applicant stating how the proposed planned development conforms to the stated objectives and purposes of this section.
 - i. A separate written statement by the applicant concisely stating how the planned development proposal would benefit the public interest.
13. *Final development plan.* The final development plan for a planned development shall be accompanied by a legal description of the total property together with the following:
 - a. A final plat adopted in accordance with the requirements of the Code, except as otherwise specifically provided in this section.
 - b. A final site plan showing the locations of all structures, including placement size and type, as well as streets, parking areas, walkways, open space and similar detail areas on a scaled and dimensional

drawing.

- c. A landscape plan showing the location, species and size of all plant materials. Grading information shall be located on the landscape plan.
 - d. A utility plan showing the location and size of all utilities and easements. The utility plan shall include sanitary sewer, water, storm sewer and drainage, electrical and gas.
 - e. Building plans shall be submitted in sufficient detail to warrant issuance of a building permit. Scale architectural drawings of the exterior of all buildings shall be submitted in sufficient detail to allow the city to review said plans for the impact they will have upon adjoining properties and the general area in which the buildings are located.
 - f. Deed restrictions, covenants, agreements, by-laws or proposed homeowner's association or other documents or contracts controlling the use or maintenance of property. Where such information is lacking, the council may require a bond or similar guarantee to insure that areas held common by persons residing in the development will be developed and maintained.
 - g. Proposed zoning changes or variances with legal descriptions of any district boundary changes.
 - h. A final staging plan indicating the geographical sequence and timing of development of the plan or portions thereof, including the date of beginning and completion of each stage.
 - i. Any other information necessary to fully represent the intentions of the preliminary plan.
14. *Standards and criteria for advisory planning commission and council action.* The advisory planning commission may recommend and the council may act to approve, approve with conditions, or deny a preliminary or final plan for a planned development. The advisory planning commission, in making a recommendation, and the council, in acting upon a plan, shall consider the following factors:
- a. The consistency of the proposed planned development with the adopted or proposed Comprehensive Guide Plan of the city.
 - b. The extent to which the proposed planned development is designed to form a desirable and unified environment within its own boundaries in terms of relationship of structures, patterns of circulation, visual character and sufficiency of drainage and utilities.
 - c. The extent to which the proposed uses will be compatible with present and planned uses in the surrounding area.
 - d. That any exceptions to the city Zoning Ordinance are justified by the design or the development.
 - e. The sufficiency of each planned development phase's size, composition, and arrangement in order that its construction and operation is feasible without dependence upon any subsequent phase.
 - f. The burden or impact created by the planned development on parks, schools, streets, and other public facilities and utilities.
 - g. The impact of the planned development on environmental quality and on the reasonable enjoyment of the surrounding property.
15. *Effect of final planned development approval.*
- a. Except as provided in this section, no building permit shall be issued for any building on land for which a plan for a planned development has been approved which does not conform to the approved final plan.
 - b. Except as provided in this section, development of land for which a planned development has been approved which does not conform to the approved final plan shall only be allowed after one of the following:
 - 1. Amendment to the approved final plan of the planned development by the city council in the same manner as required for approval of a planned development.
 - 2. Term of the approved planned development by the city council after notice and public hearing in the same manner as required for approval of the planned development. The council may further condition the vacation of a planned development in order to better protect the public health, safety

and welfare.

16. *Termination.* Upon expiration of the specific time period approved by the city for total development of a planned development, the subject area shall become a permanent planned development district, and the conditions, provisions and restrictions of the final development plan shall continue to govern the use of the land. Provided, nevertheless, that if a planned development is not completed within the required time period, the planned development district classification shall automatically terminate as to that portion of the district that has not been developed. The requirements and provisions of the underlying zoning classification in its entirety shall thereafter apply to the undeveloped area. Any factual disputes arising under this subsection shall be presented to and determined by a majority vote of the city council.
17. *Penalties for violation.* Each provision of this Code is separable, and a judicial declaration of invalidity of any one provision thereof shall not invalidate the remainder. Any person who shall violate any of the provisions of this Code shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding minimums as adopted by Minnesota State Statute.

Subd. 19. P Park District.

- A. Purpose. The Park District is intended for public and private park uses and related facilities.
- B. Permitted uses.
 1. Camping grounds.
 2. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 3. Golf courses.
 4. Parks.
 5. Playgrounds.
 6. Public structures.
 7. Swimming pools.
 8. Tennis courts.
- C. Conditional uses.
 1. Freestanding towers.
 2. On-sale beer associated with golf course clubhouses.
 3. Temporary on-sale beer.
 4. Gun clubs.
 5. Nursery, day.
 6. Nursery, landscape.
 7. Church.
 8. School: public, private, vocational or technical.
 9. Single-family dwelling.
 10. Private recreational facilities and fields.
 11. Conditional uses number 4 through number 10 shall meet the following standards:
 - a. A minimum lot size of four acres;
 - b. Streets are to be public and meet all city design standards;
 - c. Water and sanitary sewer facilities are required to be connected to city water and city sanitary sewer;
 - d. Ponds, water bodies and wetlands are to be preserved on site and mitigated as necessary on site;
 - e. Impervious surface on any lot may not exceed five percent of the area of the lot;
 - f. Parking must be proximate to the use;
 - g. Single-family dwellings shall not be within the 60 DNL area from the Minneapolis/St. Paul International airport.

- h. Structures are to be clustered to minimize impervious surfaces.
 - i. Ponds, water bodies, wetlands and slopes greater than four to one (4:1) shall be preserved and not disturbed.
- D. Permitted accessory uses.
- 1. Temporary outdoor events, subject to regulations thereof elsewhere in this chapter.
 - 2. Banquet or conference facilities, provided the facilities are secondary and incidental to the primary use on the property.

Subd. 20. PF Public Facilities District.

- A. Purpose. The purpose of this district is for city, state, and federal government buildings, public and private schools and hospitals.
- B. Permitted uses.
- 1. Antennae on a city water reservoir tank or tower and public utility tower antennae, subject to regulations thereof elsewhere in this chapter.
 - 2. Building mounted antennae, subject to regulations thereof elsewhere in this chapter.
 - 3. Churches.
 - 4. Freestanding satellite dishes, subject to the regulations thereof elsewhere in this chapter.
 - 5. Governmental buildings.
 - 6. Hospitals.
 - 7. Public utility structures and equipment.
 - 8. Satellite dishes, subject to regulations thereof elsewhere in this chapter.
 - 9. Schools.
- B.[1]. Conditional uses.
- 1. Daycare facilities associated with churches.
 - 2. Electrical substations and other public utility facilities.
 - 3. Freestanding tower and wind energy conversion systems, subject to regulations thereof elsewhere in this chapter.
 - 4. On-sale beer at golf courses with clubhouses, subject to regulations in chapter 5.
 - 5. Seasonal outdoor sales, subject to regulations thereof elsewhere in this chapter.
- C. Permitted accessory uses.
- 1. On-sale beer through temporary licenses with a maximum of four days only in conformity with chapter 5.
 - 2. Temporary outdoor event subject to regulations thereof elsewhere in this chapter.
 - 3. Private garages, off-street parking and loading spaces, as regulated by this chapter.
 - 4. Community service operations when associated with churches, subject to site plan review as required elsewhere in this chapter.
- D. Developments within a public facilities district shall meet the following requirements:
- 1. Prior to construction or alteration of any such facility, a building permit shall be required.
 - 2. Every structure within a public facilities district shall have a minimum setback from its lot or land area boundaries of two feet of setback for each one foot in height of such structure, excluding steeples, ornaments or antennas. This provision shall not allow a minimum structure setback of less than 30 feet nor require a minimum structure setback of more than 50 feet. (Example: 15-foot tall or less structure = minimum 30-foot setback; 20-foot tall structure = minimum 40-foot setback; and 25-foot or taller structure = minimum 50-foot setback.)

Subd. 21. CGD Cedar Grove District.

- A. Intent. The intent of the "CGD" Cedar Grove District is to provide an area for compact, mixed use development made r compatible through a combination of careful planning and urban design and coordinated public and private investme of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail anc The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to pedestrian-friendly environment envisioned for the Cedar Grove District. The standards in this ordinance are intendec and effectuate the principles and relationships established in the City of Eagan Cedar Grove Design Framework, which out through specific standards related to site planning, architecture, building materials, landscaping, signage and othe
- B. Permitted uses. Within the CGD, no structure or land may be used, except for one or more of the following uses, provided such use is equal to or less than 10,000 square feet in floor area:
1. Accessory store, apparel.
 2. Altering, pressing and repair of wearing apparel.
 3. Appliance store.
 4. Art gallery.
 5. Banks and other financial institutions, without drive-through facilities.
 6. Barber shop.
 7. Beauty shop.
 8. Bookstore.
 9. Restaurants—Full service and casual.
 10. Camera store.
 11. Candy, nut or confectionery store.
 12. Club or lodge, private.
 13. Copy service or printing service.
 14. Department store.
 15. Flower shop.
 16. Furniture store.
 17. Gift, novelty, or souvenir store.
 18. Grocery store.
 19. Hardware store.
 20. Instrument store, musical.
 21. Library.
 22. Locksmith.
 23. Luggage store.
 24. Machines, business sales and service.
 25. Magazine or newsstand.
 26. Meat market for retail sale to the public.
 27. Medical offices or clinics (for humans only).
 28. Municipal buildings where the use conducted is customarily considered to be an office use.
 29. Museum.
 30. Musical instrument and musical recordings store.
 31. Notions store.
 32. Offices.
 33. Optician.
 34. Painting, wallpaper and decorating store for retail sales and service.
 35. Pet store.

36. Repair and servicing of items, the sale of which is permitted in this district.
37. Shoe store.
38. Sporting goods store.
39. Stationery store.
40. Tanning salon.
41. Tobacco store.
42. Toy store.
43. Variety store.
44. Video sales and rental.

C. Accessory uses. Within the CGD, the following uses shall be permitted accessory uses:

1. Off-street parking of automobiles for patrons or employees of a permitted use.
2. Off-street loading areas as regulated herein.
3. Signs, fences, and decorative landscape features as regulated herein.
4. Customary uses incidental to the principal use as determined by the city council.
5. An outdoor dining area in conjunction with a full service or casual restaurant, except an outdoor dining area that does not meet the special use setback from a residential property or that provides seating for more than 24 persons is subject to a conditional use permit or planned development approval as applicable, and any outdoor dining area shall be subject to the regulations thereof elsewhere in this chapter.

D. Conditional uses. Within the CGD, no structure or land may be used for the following uses except by conditional use permit:

1. Animal clinic when contained within a building.
2. Hotel or motel.
3. On-sale and off-sale liquor establishments as regulated by the City Code.
4. Restaurant—Fast food and delivery or take-out and any outdoor dining area in conjunction therewith, subject to the regulations thereof elsewhere in this chapter.
5. Drive-through facilities for a permitted or conditional use, if provisions for vehicle stacking, vehicle maneuvering, outdoor speaker devices, appearance and lighting of outdoor menu boards, and other related issues can be shown to be in keeping with the intent and character of the CGD and compatible with surrounding uses.
6. Residential multi-family dwelling units, if within a structure containing at least four units.
7. Residential dwelling units within the same building as non-residential uses, if provisions for parking, security, noise, odors, and other related issues can be shown to be handled adequately and in keeping with the best interests of the residents.
8. Movie theater, if provisions for parking, lighting, signage, security, and hours of operation can be shown to be handled adequately and in keeping with the intent and character of the CGD.
9. School, public or private.
10. Parking ramp or parking garage.
11. Indoor recreational uses.
12. Buildings in excess of 50 feet in height, if such buildings can be shown to be in keeping with the intent and character of the CGD and compatible with surrounding long-term uses.
13. Any permitted use or any other conditional use, of 10,000 square feet or more in floor area, if such use can be shown to be in keeping with the intent and character of the CGD and compatible with surrounding uses.
14. Other uses determined by the city council to be similar in purpose and character to other permitted and conditional uses in this district.
15. Automobile service/repair.

16. Convenience gas stations.
 17. Automobile car wash, as an accessory use.
 18. Outdoor storage, as an accessory use.
- E. Lot area, lot width, and yard requirements.
1. Setbacks.

Principal Structure:	
Front Yard:	Build-to Line (0—10 feet)
Side Yard/Interior:	0 feet minimum
Side Yard/Corner:	Build-to Line (0—10 feet)
Rear Yard:	20 feet minimum
Accessory Structure:	
Front Yard:	20 feet minimum
Side Yard:	0 feet minimum
Side Yard (Street):	20 feet minimum
Rear Yard:	5 feet minimum
Parking:	
Front Yard:	5 feet minimum
Side Yard:	5 feet minimum
Side Yard (Street):	5 feet minimum
Rear Yard:	5 feet minimum

2. Front yard build-to line established. In the CGD in the front yard, a build-to line is established which provides a minimum and maximum front setback for buildings and other structures, from the right-of-way or property line. The minimum front building setback shall be zero feet and the maximum shall be ten feet from the right-of-way or property line, for all properties on streets within the CGD District (see Figure x).
3. For parking, different minimum setbacks apply, but there is no maximum.
4. For all properties within the CGD the required setbacks to Highway 13 and Cedar Avenue shall follow the rear yard setbacks above.

5. In the CGD, at least 85 percent of the street frontage of any lot shall be occupied by building facades meeting the portions of a building beyond the 85% may be setback farther than required by the build-to line. A maximum of 1 street frontage of any lot shall be occupied by off-street parking.
 6. The length of the building facade shall be measured as the maximum width of the building projected to the front lot line on lines perpendicular to the front lot line.
 7. On lots with more than one street frontage, the build-to line shall apply on each side fronting a street.
 8. The build-to line may be met either with an enclosed building or an arcade constructed with a permanent roof of the same materials as the remainder of the building.
 9. At least the first and second floor must meet the build-to line. Arcades at street level and terracing of building facades above the second floor are encouraged.
 10. At a minimum, the first 50 feet of the lot frontage on either side of a street intersection must be occupied by buildings meeting the build-to line. Parking or other space open to the sky is not allowed within this first 50 feet.
 11. Screening of parking areas. Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements, to a minimum height of two and one-half feet and a maximum height of three and one-half feet above the level of the parking lot, at the build-to line.
 12. Parking structures. New parking structures shall maintain a setback equal to the setbacks required in this section for other structures, except that where such parking structure is adjacent to other parking in a side or rear yard condition, the parking structure may have a zero setback. Where a new parking structure is adjacent to an existing use in a side or rear yard condition, the parking structure must maintain at least a ten foot setback.
 13. Drive-through lanes. Drive-through or drive-in lanes are not allowed within the build-to line or in front of any building; they must be located to the side or rear of a building and provide, at a minimum, stacking for six vehicles.
 14. Building height: Building height is defined as the vertical distance from the average elevation of the adjoining ground level or the established grade, whichever is lower, to the top of the cornice of a flat roof; the top of a mansard roof; a point directly above the highest wall of a shed roof; the uppermost point of a round or other arch-type roof; the mean distance from the eave line to the peak of the highest gable on a pitched or hip roof.
 15. Height limit. The maximum height of buildings in the CGD shall be 50 feet, except as allowed by conditional use permit. The minimum height shall be 24.
- F. Building types. Within the CGD, no building shall be constructed and occupied except for the following types, described below, and depicted on the attached Appendix A, building types:
1. Building type A, mixed use. Type A buildings may include retail, office, or residential uses on the first floor and on upper floors. Parking may be included on a level below ground. Type A buildings may have a flat or pitched roof.
 2. Building type B, apartments or condominiums. Type B buildings may include residential, office, or retail uses on the first floor, and residential apartments or condominiums on upper floors. Parking may be included on a level below ground. Detached garages are prohibited. Type B buildings may have a flat or pitched roof.
 3. Building type C, townhomes. Type C buildings shall be residential townhomes on all floors, except that a portion of the first floor not fronting a street or public open space may include parking. Each residential unit shall be provided two enclosed parking spaces. Type C buildings shall have a pitched roof. Maximum height shall be 35 feet. Maximum depth of buildings perpendicular to a street shall be 50 feet. Minimum width of lots for individual units shall be 25 feet.
 4. Building type (D), office/retail. Type (D) buildings shall include office or retail uses on the first floor, and office uses on upper floors. Parking may be included on two levels below ground. Type (D) buildings may have a flat or pitched roof.

G. Density.

1. Density of residential development within the CGD shall not be specifically defined. The goal is to provide maximum flexibility in attracting a mix of residential uses consistent with the long-term goals of the Cedar Grove District.

H. Streets.

1. All new developments or significant redevelopments in the CGD shall be served by public streets on blocks that are no more than 400 feet on a side between intersecting public streets. New or significantly modified existing streets shall conform to the Street Types established in this chapter and to the master street plan for Cedar Grove.
2. Within the CGD District there are established street types for the purpose of creating various streetscape environments, handling traffic safely and efficiently, and providing pedestrian access. On-street parking shall be provided on all streets within the CGD District except where specifically prohibited by the city when warranted for safety reasons. These street types, described below, and illustrated on the attached Appendix B, future street/road guidelines:
 - a. Type 1 - Parkway: Minimum right-of-way width of 120 feet, two-way street with parallel parking both sides, center landscaped median minimum 20 feet in width, landscaped boulevards both sides minimum ten feet in width, sidewalks both sides minimum eight feet in width.
 - b. Type 2 - Collector: Minimum right-of-way width of 80 feet, two-way street with parallel parking both sides, landscaped boulevard minimum six feet in width, sidewalks both sides minimum six feet in width.
 - c. Type 3 - Local/parallel parking: Minimum right-of-way width of 60 feet, two-way street with parallel parking on both sides, sidewalks on both sides.
 - d. Type 4 - Local/angled parking: Minimum right-of-way width of 60 feet, two-way street with angle parking on one side, sidewalks on both sides.

I. Parking.

1. Parking for residential units in the CGD shall be provided on site, and shall be calculated as required under this title. Such residential parking spaces shall be specifically reserved for the use of residents and visitors only, separate from any commercial, office, or other uses on site or nearby, and shall not be counted as part of any shared parking or joint parking arrangement. Parking in driveways at the rear of townhomes may be counted towards the requirements of this ordinance if it does not interfere with other traffic movement.
2. Parking for non-residential uses shall be as required under this title. If present, on-street parking directly in front of a given building or lot shall count toward fulfilling the total parking requirement.
3. On-grade parking is prohibited in the front yard directly in front of a building. Parking shall be provided to the side or rear of buildings in mid-block areas.
4. In the CGD, where parking fronts a public street the maximum parking lot width shall be 50 percent of the lot width, measured at the lot frontage.
5. Parking shall be prohibited within 50 feet of the intersection of any public streets within the Cedar Grove District.

J. Building and architectural provisions.

1. All buildings shall be designed to accomplish the goals and policies of the Comprehensive Plan and the principles of the Cedar Grove Design Framework. Building materials shall be attractive in appearance, durable with a permanent finish, and of a quality that is consistent with the standards and intent of the Design Framework. Where appropriate, buildings shall use reasonably similar materials and colors of adjacent buildings, with the exception of prohibited materials.
2. All buildings shall include the following elements:
 - a. Accent materials shall be provided and all sides of a building shall be treated as a front side;
 - b. Buildings containing office and retail uses shall maintain 40 percent minimum window coverage on each

- first floor front that faces a street or public open space;
 - c. Complimentary major material colors;
 - d. A combination of vertical and horizontal pattern designs in the building facade.
3. Any exterior building wall adjacent to or visible from a public street, public open space, or abutting property may not exceed 50 feet in length without significant visual relief consisting of one or more of the following:
 - a. The facade shall be divided architecturally by means of significantly different materials or textures, or
 - b. Horizontal offsets of at least four feet in depth, or
 - c. Vertical offsets in the roof line of at least four feet, or
 - d. Fenestration at the first floor level that is recessed horizontally at least one foot into the facade.
 4. Building facades shall be divided into similar bays of roughly equal width between 20 and 40 feet in width.
 5. Exterior building materials shall be classified primary, secondary, or accent materials. Primary materials shall cover at least 60 percent of the facade of a building. Secondary materials may cover no more than 30 percent of the facade. Accent materials may include door and window frames, lintels, cornices, and other minor elements, and may cover no more than ten percent of the facade. Allowable materials are as follows:
 - a. Primary exterior building materials may be brick, stone, or glass. Painted brick or bronze-tinted or mirror glass are prohibited as exterior materials.
 - b. Secondary exterior building materials may be decorative block or integrally-colored stucco.
 - c. Synthetic stucco may be permitted as a secondary material on upper floors only.
 - d. Accent materials may be wood or metal if appropriately integrated into the overall building design and not situated in areas that will be subject to physical or environmental damage.
 - e. All primary and secondary materials shall be integrally colored.
 - f. Decorative block shall be colored only by means of a pigment integral to the block material, not applied to the surface.
 - g. Sheet metal, corrugated metal, asbestos, iron, shakes, and plain flat concrete block (whether painted or integrally colored or not) are not acceptable as exterior wall materials on buildings within the Cedar Grove District.
 6. All mechanical equipment, whether roof-mounted or ground-mounted, shall be completely screened from the ground-level view of adjacent properties and public streets, or designed to be compatible with the architectural treatment of the principal building.
 7. All exterior trash enclosures or other accessory structures shall be constructed of the same materials and colors as the principal building.
 8. Consistent interior window treatments are required for windows that are visible from a public street or open space in offices and multiple residential complexes.
 9. All buildings containing non-residential uses on the ground floor shall meet the following standards:
 - a. The building shall have entrances to a street or public open space spaced no more than 100 feet apart.
 - b. Entrances shall be oriented conveniently to the street frontage and to on-street and off-street parking serving the use.
 10. All buildings containing residential uses on the ground floor shall have a first floor elevation at least two and one-half feet above the adjacent street level in the front yard. This standard may be modified with a variance in unique or hardship situations if the intent is preserved. In addition, each first-floor unit must have an individual private entrance at street level. All such residential units must meet ADA and other applicable access requirements.
 11. Trash handling: All trash, recyclable materials, and equipment for handling them, including compactors, shall be completely screened from eye level view from public streets and adjacent properties, whether in the front, side or rear, either by being stored within the principal structure, completely screened from view by the

principal building, or stored within an accessory structure constructed of the same materials and colors as and attached to the principal building and enclosed by a roof and readily served through swinging doors or an overhead door on tracks.

12. Loading docks: Loading docks shall be not located in the front yard and shall be completely screened from eye-level view of public streets and public open spaces, by means of landscaping which is at least 80 percent opaque year-round within two years, or by a screen wall of the same materials and colors as the principal building.
13. Landscaping:
 - a. All land area not occupied by buildings, parking, driveways, sidewalks, or other hard surface shall be sodded or mulched and landscaped with approved ground cover, flowers, shrubbery and trees.
 - b. At least ten percent of the total land area within the perimeter of private parking and driveway areas shall be landscaped. Landscaped areas provided within the build-to line may be credited toward this ten percent landscaping requirement on a square-foot-for-square-foot basis, for up to half of the ten percent requirement, or five percent.
 - c. Parking lot landscaped islands shall be a minimum of 150 square feet in area and include at least one overstory or evergreen tree meeting the requirements of this ordinance.
 - d. Where parking abuts the site perimeter there shall be provided at least one overstory tree per 25 feet of site perimeter.
 - e. At least one overstory tree shall be provided for every 500 square feet of landscaped area on the entire site.
 - f. The landscape plan shall include a full complement of overstory, ornamental and evergreen trees, shrubbery, and ground covers that are hardy and appropriate for the locations in which they are planted, and which provide year-round color and interest.
 - g. Plant selection. The following trees may not be used to satisfy the landscaping requirement of this section:

Acer negundo	Box Elder
Acer saccharinum	Silver Maple
Catalpa speciosa	Northern Catalpa
Elaeagnus	Russian Olive
Ginkgo Biloba	F. Ginkgo (female prohibited, male permitted)
Morus alba	Mulberry
Populus deltoides	Cottonwood
Populus species	Poplars

- h. The following trees may be used to satisfy the landscaping requirement of this section, but only in areas that are reasonably protected from winter wind conditions:

Picea pungens glauca	Colorado Blue Spruce
Pinus alba	White Pine
Pinus resinosa	Red Pine
Juniperous Virginiana	Eastern Red Cedar

- i. The following trees may be used to satisfy the landscaping requirement of this section, but only in areas that are not on, or immediately adjacent to, a public street boulevard:

Tilia cordata	Little Leaf Linden
Fraxinus mandshurica mancana	Mancana Ash

14. Signage:

- a. All signs erected on any building or land within the Cedar Grove District must comply with the standards of this section and other applicable sections of this title.
- b. Wall signs:
 - 1) Wall signage is allowed on buildings in the Cedar Grove District within a horizontal band no more than three feet in height, at least ten feet and no more than 15 feet above the ground.
 - 2) Wall signage may be either:
 - a. Attached: flat and parallel to the surface of the building and projecting no more than one foot from it, or
 - b. Projecting: perpendicular to the surface of the building and no more than one foot in thickness.
 - 3) Attached wall signage shall consist of individual letters or script logos mounted on the building.
- c. Projecting signs:
 - 1) Projecting signs may project no more than four feet from the front edge of the building and be no more than 12 square feet in area.
 - 2) Projecting signs may not extend over a public right-of-way or public property unless by conditional use permit.
 - 3) Projecting signs may not extend over a designated parking space or loading area.
- d. Box signs or cabinet signs, whether on a wall, projecting or on canopies/awnings, are prohibited.
- e. Signs on canopies are allowed only if they are on a surface perpendicular to the ground and if all other requirements of this section as to area and location are adhered to.
- f. Allowable area of wall signs is one and one-half square feet of signage per lineal foot of building frontage on a public street, public open space, or private parking area. Each wall shall be calculated individually and sign area may not be transferred from one side of a building to another side. In calculating the total allowable area of wall signage, only one side of a two-sided projecting sign shall be counted.
- g. Freestanding signs, intended to identify tenant(s), provided said signage does not exceed 12 feet in height, are allowed provided the sign is located within a landscaped area or landscaped island. Such

signage shall be constructed with a base, constructed of the same materials and colors as the principal building, with a minimum height of three feet and a total sign area not to exceed 45 square feet. In calculating the total allowable area of identification signage, only one side of a two-sided freestanding sign shall be counted.

- h. Directional signs at driveways and within parking areas, if no more than five feet in height and no more than six square feet in area, are allowed. Directional signs must be setback at least two feet from right-of-way, lot lines, and parking spaces.

15. Lighting:

- a. All exterior lighting in the Cedar Grove District shall be downcast cutoff type fixtures, and shall follow the styles and types identified in the Framework Manual. No light source may be more than 20 feet above the ground, except by conditional use permit for buildings more than 24 feet in height.
- b. The applicant for any building project shall provide a photometric lighting diagram prepared by a qualified professional showing light levels, in foot-candles, from all exterior artificial lighting for all points on and within ten feet of the site.
- c. Lighting levels in exterior parking areas shall average one and one-half foot candle, with a minimum of one-half foot-candle in all locations.
- d. Lighting levels in interior parking areas shall average two foot-candles, with a minimum of one-half foot-candle in all locations.
- e. Lighting levels shall not exceed one-half foot-candle at the abutting property line or right-of-way line, and no direct glare from lighting on site shall extend onto the public street, public open space or neighboring properties.

K. Reserved.

- L. Administration. *Cedar Grove Design Review*. The Advisory Planning Commission (APC) will identify design review conformance as part of their standard land use and zoning review for applications in the Cedar Grove District.

Subd. 22. Reserved.

Subd. 23. T Transitional District.

A. Intent. The intent of the (T) Transitional Zoning District is:

- 1. To provide for the maintenance of existing uses on parcels of land that are inconsistent with the adopted Comprehensive Guide Plan land use designation.
- 2. To provide for the continued present use of a parcel of land until such time as market forces warrant a change to a use consistent with the Comprehensive Guide Plan land use designation.

B. Purpose.

- 1. To allow an existing use to remain conforming until such time as development is approved that the city deems consistent with the Comprehensive Guide Plan at which time the city will consider changing the zoning designation.
- 2. To provide for orderly (re)development of contiguous parcels of land.
- 3. To discourage piecemeal, lot-by-lot development or leapfrog development that would result in the isolation or inefficient re-use of existing parcels of land.
- 4. To ensure that contiguous parcels of land are served with adequate access and public infrastructure.

C. Permitted uses.

- 1. The use and scope of use that existed as of October 17, 2002 (adoption date of this ordinance).

D. Conditional uses.

- 1. None.

(Ord. No. 367, 2nd series, § 1, eff. 10-28-03; Ord. No. 379, 2nd series, § 1, eff. 6-24-04; Ord. No. 382, 2nd series, § 1, eff. 9-16-04; Ord. No. 385A, 2nd series, § 1, eff. 1-13-05; Ord. No. 395, 2nd series, § 1, eff. 1-3-06; Ord. No. 397, 2nd series, §§ 1, 2, eff. 2-21-06; Ord. No. 399, 2nd series, § 1, eff. 4-18-06; Ord. No. 452, 2nd series, §§ 1—7, eff. 2-16-10; Ord. No. 466, 2nd series, § 1, 11-16-2010; Ord. No. 471, 2nd series, § 2, 2-15-2011; Ord. No. 477, 2nd series, §§ 2—8, eff. 4-20-2011; Ord. No. 499, 2nd series, §§ 2—5, eff. 2-21-2012; Ord. No. 500, 2nd series, §§ 2—8, eff. 5-1-2012; Ord. No. 524, 2nd series, §§ 1—4, eff. 12-3-2013; Ord. No. 528, 2nd series, §§ 1, 2, eff. 5-5-2014; Ord. No. 531, 2nd series, §§ 2—8, eff. 6-3-2014; Ord. No. 542, 2nd series, § 1, eff. 3-17-2015; Ord. No. 547, 2nd series, §§ 2—5, eff. 8-3-2015; Ord. No. 554, 2nd series, § 1, eff. 6-7-2016)