

ZONING REGULATIONS UPDATE WORKING GROUP AGENDA
CITY HALL COUNCIL CHAMBERS
Wednesday, February 2, 2022
6:00 pm

THIS AGENDA IS SUBJECT TO CHANGE UNTIL THE START OF THE MEETING

I. CALL TO ORDER

II. BACKGROUND

1. Zoning Regulations Update Process To-Date

III. PRESENTATION

1. Module 3 Review and Discussion

IV. NEXT STEPS

1. Working Group Wrap-Up Meeting
2. Phase 3 – Public Review Draft & Open House
3. Phase 4 – Review & Adoption

V. ADJOURN

DUE TO THE COVID-19 HEALTH PANDEMIC, THE ZONING REGULATIONS UPDATE WORKING GROUP MEETING PLACE IS NOT AVAILABLE TO THE PUBLIC. MEMBERS OF THE PUBLIC WHO DESIRE TO MONITOR THE MEETING REMOTELY OR GIVE INPUT OR TESTIMONY DURING THE MEETING CAN FIND INSTRUCTIONS AT www.hopkinsmn.com/virtualmeetings OR BY CALLING CITY HALL AT 952-548-6342 (DURING NORMAL BUSINESS HOURS 8 AM TO 4:30 PM.)



To: Zoning Regulations Update Project Working Group
From: Jason Lindahl, AICP
Date: February 2, 2022
Subject: Zoning Regulations Update - Module 3 of the Draft Zoning Regulations

Overview

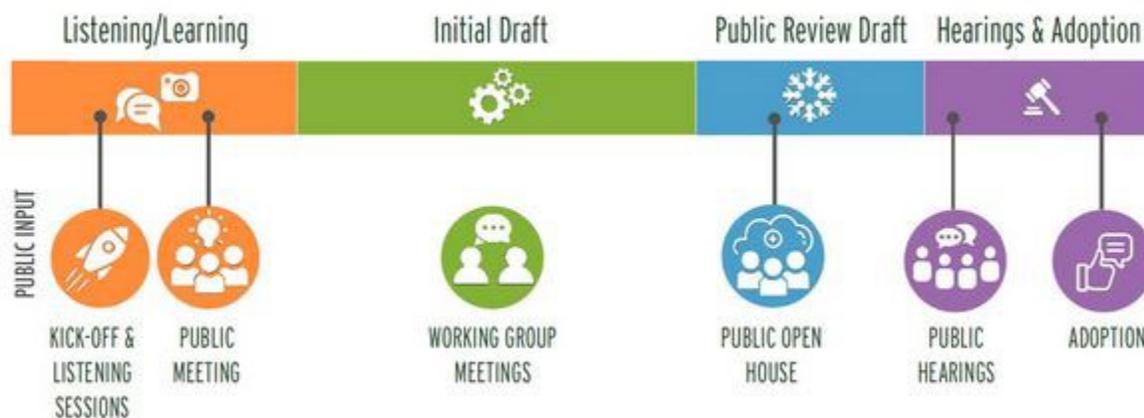
The next meeting of the Zoning Regulations Update Project Working Group will cover review and discussion of Module 3 of the draft zoning regulations. Module 3 is the third of three modules that will eventually make up the public review draft of the zoning regulations. Once the public review draft is complete, staff will initiate a public engagement process to gather community feedback on the draft regulations before proceeding to the formal review process with the Planning & Zoning Commission and City Council. Please review Module 3 (attached) and bring your questions and comments to the meeting for discussion. As always, please reach out to me by phone or email if you have questions before the meeting.

Attachments

- Module 3 of the Draft Zoning Regulations
- Draft Zoning Map

Background

The Zoning Regulations Update Project started in February 2020 and is divided into 4 phases (see graphic below). We are currently in Phase 2 – Initial Draft Development. This phase includes crafting, review and discussion of the draft zoning regulations in 3 separate parts or modules. This group reviewed Module 1 in June and Module 2 in September of 2021. Review of Module 3 represents the end of Phase 2 - Initial Draft.



The next step in the Zoning Regulations Update Process is Phase 3 – Public Review Draft. Phase 3 include presenting the draft regulations to the community for further review and comment as well as additional internal review by other city departments and the City Attorney. Once Phase 3 is

complete, the process will move to Phase 4 – Review and Adoption which will include at least one public hearing before the Planning & Zoning Commission and review and action by the City Council.

As a reference, below please find the table of content for the draft zoning regulations. This past June the Working Group reviewed Module 1 which included the first 6 articles (Article 1 - Introductory Provisions through Article 6 - Accessory Uses and Structures).

Draft Zoning Regulations Table of Contents

- Article 1 – Introductory Provisions
- Article 2 – Neighborhood Zones
- Article 3 – Mixed Use Zones
- Article 4 – Special Zones
- Article 5 – Principal Uses
- Article 6 – Accessory Use and Structures
- Article 7 – Building Design
- Article 8 – Landscape & Site Design
- Article 9 – Parking
- Article 10 – Signs
- Article 11 – Subdivision Design
- Article 12 – Flood Hazard Zones
- Article 13 – Stormwater Management
- Article 14 – Procedures
- Article 15 – Nonconformities
- Article 16 – Definitions & Measurements

In September, the Working Group reviewed Module 2 which included six articles - Articles 11 (Subdivision), 12 (Flood Hazard Areas), 13 (Stormwater Management), 16 (Nonconformities), 7 (Building & Site Design) and 8 (Landscaping & Site Design).

Module 3

The next step in Phase 2 – Initial Draft Development is to review Module 3 (attached). Module 3 builds on the information in Modules 1 and 2 covers the four articles listed below.

- **Article 9 – Parking.** This article includes draft parking regulations for both automobiles and bicycles. As background, the current parking regulations are divided into three tiers – downtown, the Mixed Use District and all other zones. The draft regulation seeks to apply this same framework to the new zoning categories and modernize, simplify, and right-size the off-street parking requirements. The recommendations include standards for the design and location of these parking facilities. This section also includes standards for parking reductions and credits, electric vehicle charging stations and loading areas.
- **Article 10 – Signs.** This article covers the type, location, size and height standards for signs throughout Hopkins. The City did a comprehensive review and update of the sign regulations in 2005 and another update in 2020 to modernize the standards for electronic signs. Given these more recent updates, the current draft makes only minor revisions to modernize and reorganize the existing regulations and adjustment to the maximum size and height standards.
- **Article 14 – Procedures.** This article details the review process for land use applications. Overall, it modernizes, simplifies and reorganizes the city’s existing standards. It also includes new standards for public hearing notification, site plans and planned unit developments and moves the City’s neighborhood meeting standards from a city policy into the zoning regulations.
- **Article 15 – Administration.** This section includes standards for review and decision making authority for the Planning & Zoning Commission, Board of Adjustments and Appeals and the

Zoning Administrator as well as how the City processes violations of the zoning regulations.

- **Article 17 – Definitions & Measurements.** This article details definitions for the terms used in the zoning regulations as well as the methods of measuring regulations in the zoning regulations for building type regulations in Articles 2, 3, and 4.

Please review Module 3 and bring your questions and comments to the meeting. After the meeting and discussion, staff will send out an email with a PDF link to Module 3 which will allow Working Group members to also provide written comments until Monday, February 7th.

City of Hopkins

Development Code Update

MODULE 3

STEERING COMMITTEE REVIEW DRAFT

January 26, 2022

Key for the color coded text throughout the document:

red underlined text and ~~red strike-through text~~ indicates text that has been added or removed, respectively, with this set of revisions. Once reviewed, these revisions will be accepted and the color-coding removed from the text for the next draft.

green text is pulled directly from the current code and will be removed once the appropriate metric is agreed upon by staff

pink text highlights items to discuss with staff and will be removed for the steering committee draft unless their input is needed on the specific item. Many of these questions are in the form of footnotes that will also be removed once answered.

blue text indicates linked cross-references and will remain in the final code highlighted as is.

XXX indicates references to future sections to be developed.

**Development Code
Numbering System**

102

City Code
Chapter
(Development)

1

Article of
Development
Code Chapter

Sec. 102-110.

Section of
Article

Sec. 102-110 (a)

Subsection
of Section

(1)
a.
1.
i.

Paragraphs

Chapter 102 | Development Code

Contents

- ARTICLE 1 INTRODUCTORY PROVISIONS 1-1
- ARTICLE 2 NEIGHBORHOOD ZONES 2-1
- ARTICLE 3 MIXED-USE ZONES 3-1
- ARTICLE 4 SPECIAL ZONES 4-1**
- ARTICLE 5 PRINCIPAL USES 5-1
- ARTICLE 6 ACCESSORY USES AND STRUCTURES 6-1
- ARTICLE 7 BUILDING DESIGN 7-1
- ARTICLE 8 LANDSCAPE & SITE DESIGN 8-1
- ARTICLE 9 PARKING AND MOBILITY 9-1**
- ARTICLE 10 SIGNS 10-1**
- ARTICLE 11 SUBDIVISION DESIGN & IMPROVEMENTS 11-1
- ARTICLE 12 STORMWATER MANAGEMENT AND FLOOD PROTECTION 12-1
- ARTICLE 13 REGULATIONS OF GENERAL APPLICABILITY 13-1
- ARTICLE 14 PROCEDURES 14-1**
- ARTICLE 15 ADMINISTRATION 15-1**
- ARTICLE 16 NONCONFORMITIES 16-1
- ARTICLE 17 DEFINITIONS & MEASUREMENTS 17-1**

ARTICLE 4 SPECIAL ZONES

102-410	Special District Zones	
102-410 (a)	Zones Established	4-2
102-410 (b)	Zone Descriptions	4-2
102-410 (c)	Mapping	4-2
102-410 (d)	Allowed Uses	4-2
102-410 (e)	Site and Building Regulations.....	4-2
102-410 (f)	Other Regulations.....	4-2
102-420	Master Plan Development (MPD)	
102-420 (a)	Intent	4-3
102-420 (b)	Applicability	4-3
102-420 (c)	Determination of MPD Type.....	4-3
102-420 (d)	General to all MPD Types	4-3
102-420 (e)	TOD MPD	4-5
102-420 (f)	Mixed-Use MPD.....	4-5
102-420 (g)	Employment Mix MPD	4-6
102-420 (h)	Mixed Residential MPD	4-6
102-420 (i)	Neighborhood MPD	4-6
102-420 (j)	Block Size & Layout.....	4-7
102-420 (k)	Street Design	4-7
102-420 (l)	Alleys or Service Drives	4-9
102-420 (m)	Front Street Designation.....	4-9
102-420 (n)	Civic Spaces.....	4-10
102-420 (o)	Trails	4-11

102-410 Special District Zones

102-410 (a) ZONES ESTABLISHED

The city's special district zones are listed in [Table 4-1](#).

- (1) When this zoning ordinance refers to “public and institutional” zones or “P” zones, it is referring to the the P1 and P2 zones.
- (2) When this zoning ordinance refers to “industrial” zones or “I” zones, it is referring to the I1 and I2 zones.

Table 4-1. Public & Institutional Zones

SYMBOL	ZONE NAME
P1	Open-Social Space
P2	Public & Institutional
I1	Light Industrial
I2	Waste & Energy

102-410 (b) ZONE DESCRIPTIONS

- (1) **P1, Parks & Open Space.** The P1 zone is intended for parks and other types of open space or natural areas, whether publicly or privately held.
- (2) **P2, Public & Institutional.** The P2 zone is intended to accommodate public, civic, and institutional uses in buildings, while minimizing the potential for adverse impacts on surrounding areas.
- (3) **I1, Light Industrial.** The I1 zone is intended for light industrial uses.
- (4) **I2, Waste & Energy.** The I2 zone is intended to accommodate solid waste processing and disposal and generation of energy.

102-410 (c) MAPPING

The P zones may be applied regardless of ownership of the land on which the use is located. P2 zone is intended to identify the public or institutional use of the subject property, not necessarily the ownership or control of the property.

102-410 (d) ALLOWED USES

Uses are allowed in the P and I zones in accordance with the use regulations of [Article 5](#).

102-410 (e) SITE AND BUILDING REGULATIONS

- (1) **P Zones.** The size, location, and design of all buildings, structures, activity areas and other site improvements in any P zone must comply with the regulations of the Civic building type in [102-3130](#).

- (2) **I Zones.** The regulations of [Table 4-2](#) apply to all I zones.

Table 4-2. Industrial Zones

	I1	I2
Lot Area	10,000 s.f. min.	12,000 s.f. min.
Lot Width	100 ft. min.	100 ft. min.
Lot Depth	100 ft. min.	120 ft. min.
FAR ¹	0.60	0.60
Front Setback	20 ft. min; 75 ft. min. across street from N zone	20 ft. min; 50 ft. min. across street from N zone
Side & Rear Setback	20 ft. min.; 40 ft. min. abutting N zone	20 ft. min.; 40 ft. min. abutting N zone
Rear Setback	20 ft. min.; 40 ft. abutting N zone	20
Height	45 ft. max.; 35 ft. abutting N zone	

102-410 (f) OTHER REGULATIONS

Development in P & I zones is subject to all other applicable regulations of this zoning ordinance, including parking, landscaping and other regulations of general applicability.

¹ Proposing to remove this. Is it meant to be a minimum or maximum in current code?

102-420 Master Plan Development (MPD)

102-420 (a) INTENT

The Master Plan Development (MPD) regulations are intended to implement the goals of the comprehensive plan. These regulations apply to existing parcels larger than a typical, walkable block and require them to be master-planned with a system of streets, blocks, and open space, and a mix of zones to create new, walkable neighborhoods and districts.

The establishment of an MPD on a site allows the use of zones and the applicable building and use regulations allowed in those zones. Therefore, the MPD does not require submittal of building designs at the MPD development plan approval stage other than is necessary to determine needed access and parcel size. Once the MPD and any rezoning to the site needed is approved, building designs meeting the building type regulations in [Article 2](#) or [Article 3](#), building design regulations in [Article 7](#), site design regulations in [Article 8](#), and all other applicable regulations would be submitted as part of the site plan process.

102-420 (b) APPLICABILITY

(1) The regulations of this article apply to the following:

- a. **3-Acre Developments.** All developments on a single parcel or a combination of parcels totaling 3 acres or more, except those currently designated as I or P, where one or more of the following is to occur:
 - 1. Multiple buildings are planned on the site, either phased or not.
 - 2. One or more new streets are planned.
 - 3. Subdivision of the parcel is planned.
 - 4. Rezoning except to an I or P zone.
- b. **Zoning Map.** Any site designated on the city's zoning map as requiring an MPD.²

(2) The following must be included in the MPD submittal:

- a. All abutting land under the same or similar ownership. Similar ownership means parcels that have any common owners with legal rights.
- b. All parcels considered to be part of the same development or phases of a development.

² This may not be necessary, unless you want to ensure that people are aware that certain parcels will require an MPD or you want to require a parcel of set of parcels that would not meet the 3 acre requirement..

- c. All abutting parcels under separate ownership that are either vacant or anticipated to be redeveloped within 10 years of the submittal must be included for planning purposes and noted as such on the submittal plans. Planning purposes include such items as access to those sites, incorporation into the blocks of the MPD site, and mixing of uses.
- d. All parcels the zoning administrator requests to be included for planning purposes.

(3) **Departures.** Departures from strict compliance with otherwise applicable MPD regulations may be requested and approved as part of the development plan review and approval process (see [102-14110](#)).

102-420 (c) DETERMINATION OF MPD TYPE

(1) **Existing Zoning Designation.** The type of Master Plan Development (MPD) to be applied to the site is determined by the existing zoning designation(s) on the parcel as shown in [Table 4-3](#) of this article for the types.

(2) **Multiple Designations.** Where multiple zoning designations exist within the limits of the MPD, one of the following must be met:

- a. One of the development types allowed on the site may be utilized for the entire development.
- b. Multiple MPD types allowed on the site may be utilized for the development with a clear delineation on the submittal plan where each applies. All zoning and design regulations must be met for each development type.

(3) **Departures.** Departures from strict compliance with the determination of the MPD type and the required, allowed, or limited zoning designations within an MPD type may be requested and approved as part of the development plan review and approval process (see [102-14110](#)).

102-420 (d) GENERAL TO ALL MPD TYPES

The master plan development must locate zones on the site to meet the following requirements. Refer to Figure XXX for illustrations of site layouts fulfilling these regulations.

(1) **Lot Lines.** All streets, civic open space, and zoning lots require measurable boundary lines delineated on the MPD submittal. These boundary lines provide the baseline for measuring the allowed location of buildings and other regulations.

- a. **Lot lines.** The location of all new zones proposed for the MPD must be located within lot lines on the plan.

Table 4-3. Types of Master Plan Developments (MPDs)

CURRENT ZONE	MPD TYPE	ALLOWED ZONES ¹											P1	P2	Reference	
		MX-TOD	MX-N	MX-S	RX-TOD	RX-N	IX-TOD or IX-S	NX2	NX1	N3-A	N3-B	N2A & B				
MX-TOD, RX-TOD	TOD	R			A									R*	L	XXX
	Min. amount	40,000			-									-	-	
	Max. amount	-			-									-	20%	
MX-N, MX-S	Mixed-Use		R	L		A		A	A	L				R*	L	XXX
	Min. amount		40,000	-						-				-	-	
	Max. amount		-	40,000*						with 2+ gross acres of residential zones, at least 2 allowed RX and NX required*	20%*			-	20%	
IX-TOD, IX-S	Employment Mix	L			P			R						R*	L	XXX
	Min. amount	-			-			60%*						-	-	
	Max. amount	20%			-			-						-	20%	
NX	Mixed Residential		L	L		L		R/A	R/A	L				R*	L	XXX
	Min. amount		-	-		-		40,000	40,000					-	-	
	Max. amount			40,000* total		40%				with 5+ gross acres, at least 2 building types required	20%*			-	20%	
N	Neighborhood		L			L		L	L	A	A	A		R*	-	XXX
	Min. amount		20,000*			20,000*				with 24+ gross acres, at least 3 N or NX zones, with 1 being NX or N3-A*				-	-	
	Max. amount		40,000*			40,000*		40%		-	-	-		-	-	

KEY:

R = Required per specific development type regulations in XXX.

A = Allowed or permitted per specific development type regulations in XXX.

R/A = At least one of the zones designated is required and the other is allowed per specific development type regulations in XXX.

L = Allowed but limited per specific development type regulations in XXX.

Min. amount = minimum amount of gross area zoned in square feet or as percentage of gross area zoned noted %

Max. amount = maximum amount of gross area zoned in either square feet or as percentage of gross area zoned noted %

*refer to specific MPD type regulations for additional requirements

NOTES

Current zone is that which is designated on the parcel on the City's current zoning map.

¹ Note that MX-D and RX-D are not listed. The downtown area does not really have larger parcels that may redevelop as an MPD, except those closer to the station, which would be TOD MPD.

- b. **Easement, Right-of-Way, or Lot Line.** If a component (e.g. street, civic space type, conservation area, stormwater easement) is dedicated or under separate ownership, the easement line, right-of-way, or lot line serves as the boundary line.
- (2) **General Layout of Zones.** The following general layout requirements apply.
- a. The same zones must generally face each other across streets, including existing buildings.
 - b. More intense zones located on blocks with less intense zones should be located on block ends. More intense zones include those allowing taller, bigger buildings or relatively more intensive uses, e.g. commercial uses are more intensive than residential uses,
 - c. Changes in zones must generally occur at a rear boundary line, at an alley, or at corner parcels.
 - d. Departures from strict compliance with general zone layout provisions of this subsection may be requested and approved as part of the development plan review and approval process (see [102-14110](#)).
- (3) **Specific Layout of Zones.** The following layout requirements are applicable to these specific zones applied to a site.
- a. **MX Zones.** MX zones should be clustered into nodes of at least 10,000 square feet of lot area, on a corner lot or multiple corner lots at an intersection, or located linearly along a corridor.
 - b. **RX Zones.** RX zones may be used as transition zones, located between MX and NX or N zones.
 - c. **P1 Zone.** All civic spaces required per [102-420 \(n\)](#) must be zoned P1.
- (4) **Minimum Number of Zones.** At least 2 different zones are required on any master plan development, not including P1 zones required for civic spaces.
- (5) **Minimum Number of Building Types in NX.** At least 2 different building types are required in any NX zones on any MPD. Refer to [Article 3](#) for permitted building and site types and descriptions and regulations.

102-420 (e) TOD MPD

TOD MPDs are required on applicable parcels per [102-420 \(b\)](#) and locations with an MX-TOD or RX-TOD zoning designation on the current zoning map.

- (1) **Required Zones.** Zones required on the parcel are listed in [Table 4-3](#).
 - a. **MX-TOD Zone.** A minimum of 40,000 square feet of lot area must be zoned MX-TOD when the existing zoning is MX-TOD per [102-420 \(c\)](#) for location and layout.
 - b. **P1 Zones.** All civic spaces required per [102-420 \(n\)](#) must be zoned P1.
- (2) **Allowed Zones.** Zones allowed with no limitations are listed in [Table 4-3](#).
- (3) **Limited Zones.** Zones allowed but limited per [Table 4-3](#) must meet the following regulations:
 - a. **P2 Zone.** A maximum of 20% of the MPD site may be zoned P2.

102-420 (f) MIXED-USE MPD

Mixed-Use MPDs are required on applicable parcels per [102-420 \(b\)](#) and locations with an MX-N or MX-S zoning designation on the zoning map.

- (1) **Required Zones.** Zones required on the parcel are listed in [Table 4-3](#).
 - a. **MX-N Zone.** A minimum of 40,000 square feet of lot area must be zoned MX-N when the existing zoning is MX-N or MX-S per [102-420 \(c\)](#) for location and layout.
 - b. **P1 Zones.** All civic spaces required per [102-420 \(n\)](#) must be zoned P1.
- (2) **Allowed Zones.** Zones allowed by right with no limitations are listed in [Table 4-3](#).
- (3) **Limited Zones.** Zones allowed but limited per [Table 4-3](#) must meet the following regulations:
 - a. **MX-S Zone.** When at least 120,000 square feet of MX-N zone area is designated, a maximum of 40,000 square feet of lot area may be zoned MX-S zone per [102-420 \(c\)](#) for location and layout.
 - b. **N3-A Zone.** When an NX zone is provided on the site, a maximum of 20% of the total NX and N zone area may be N3-A.
 - c. **P2 Zone.** A maximum of 20% of the MPD site may be zoned P2.
- (4) **Minimum Required Residential Mix.** With more than 3 gross acres of residential zones, at least two RX, N, or NX zones must be designated.

102-420 (g) EMPLOYMENT MIX MPD

Employment Mix MPDs are required on applicable parcels per [102-420 \(b\)](#) and locations with an IX-TOD or IX-S zoning designation on the current zoning map.

- (1) **Required Zones.** Zones required on the parcel are listed in [Table 4-3](#).
 - a. IX-TOD Zone. A minimum of 60% of lot area must be zoned IX-TOD when the current zoning is IX-TOD per [102-420 \(c\)](#) for location and layout.
 - b. IX-S Zone. A minimum of 60% of lot area must be zoned IX-S when the existing zoning is IX-S per [102-420 \(c\)](#) for location and layout.
 - c. P1 Zones. All civic spaces required per [102-420 \(n\)](#) must be zoned P1.
- (2) **Allowed Zones.** Zones allowed by right with no limitations are listed in [Table 4-3](#).
- (3) **Limited Zones.** Zones allowed but limited per [Table 4-3](#) must meet the following regulations:
 - a. MX-TOD. A maximum of 30% of the MPD site may be zoned MX-TOD, located adjacent to either the station or a major street.
 - b. P2 Zone. A maximum of 20% of the MPD site may be zoned P2.

102-420 (h) MIXED RESIDENTIAL MPD

Mixed Residential MPDs are required on applicable parcels per [102-420 \(b\)](#) and locations with an NX zoning designation on the zoning map.

- (1) **Required Zones.** Zones required on the parcel are listed in [Table 4-3](#).
 - a. NX Zone. A minimum of 50% of the MPD site must be zoned NX1 or NX2 when the current zoning is NX. Refer to [102-420 \(c\)](#) for location and layout.
 - b. P1 Zones. All civic spaces required per [102-420 \(n\)](#) must be zoned P1.
- (2) **Allowed Zones.** Zones allowed by right with no limitations are listed in [Table 4-3](#).
- (3) **Limited Zones.** Zones allowed but limited per [Table 4-3](#) must meet the following regulations:
 - a. MX-N and MX-S Zones. MX-N and MX-S zones, are limited to one node of no more than 40,000 square feet of lot area. See XXX for location and layout.

- b. RX-N Zone. RX-N zone is limited to no more than 40% of the site area.
 - c. N3-A Zone. N3-A zone is allowed only on developments over 15 acres in size and is limited to no more than 20% of the site area.
 - d. P2 Zone. A maximum of 20% of the MPD site may be zoned P2.
- (4) **Minimum Required Residential Mix.** With more than 5 gross acres of residential zones, at least 2 different residential building types are required.

102-420 (i) NEIGHBORHOOD MPD

Neighborhood MPDs are required on applicable parcels per [102-420 \(b\)](#) and locations with an N zoning designation on the zoning map.

- (1) **MX-N or RX-N Zone.** MX-N or RX-N allowed but limited per [Table 4-3](#) must meet the following regulations
 - a. For developments 20 acres or larger, a minimum of 20,000 square feet and a maximum of 40,000 square feet of MX-N or RX-N must be designated at an intersection.
 - b. For developments less than 20 acres, MXN or RX1 is limited to a single node at one street intersection of no more than 20,000 square feet of area or 10% of the total net land area, whichever is greater.
- (2) **N and NX Zones.** N and NX zones allowed per [Table 4-3](#) must meet the following:
 - a. NX zones are limited to no more than 40% of the total net land area.
 - b. Minimum Required Residential Mix.
 1. For all developments, at least two N or NX zones must be designated with each zone constituting at least 20% of the land area.
 2. For developments over 24 acres, at least three N or NX zones must be designated with each zone constituting at least 20% of the land area. At least one of the three zones must be an NX or N3-A zone.
- (3) **P1 Zones.** P1 Zones. All civic spaces required per [102-420 \(n\)](#) must be zoned P1.

102-420 (j) BLOCK SIZE & LAYOUT

An interconnected system of streets and blocks is required for all MPD sites. Refer to Figure XXX for illustrations of example layouts of these regulations. Note that other configurations that meet the regulations are possible.

- (1) **Block Size.** Block lengths may not exceed 600 feet, with a maximum perimeter of 1,800 feet, but may vary where natural features or site constraints such as rail corridors, waterways, or limited access highways abut the block and limit access.
- (2) **Access Points.** A minimum of two access points must be provided for the development, with a minimum of one per every 1,500 feet of boundary, except along rail corridors, waterways, or limited access highways. An access point is a new street connecting to an existing street.
- (3) **Extend Existing Streets.** Streets must connect and continue existing streets from adjoining areas. Future connections must be considered and temporary dead end streets may be supplied for future extension with zoning administrator approval.
- (4) **Shape of Blocks.** The shape of a block should be generally rectangular in order to accommodate typically rectilinear buildings, but may vary due to natural features or site constraints.
- (5) **Civic Space Frontage.** Refer to [102-420 \(n\)](#) for civic space requirements, including street frontage requirements. Open space, existing and new, must be fronted with streets to provide more visibility and access.
- (6) **Cul-de-Sacs and Dead End Streets.** Cul-de-sac and dead-end streets are not allowed.
- (7) **Lots.** All lots must have frontage along a street per the building type requirements, unless otherwise specified. Refer to [Article 2](#) and [Article 3](#).
 - a. Lots must front at least 2 street faces of any block, preferably the longest faces, with the exception of blocks containing open space or civic space.
 - b. Flag lots are prohibited.
 - c. Consider lot and block orientation for maximum energy efficiency, depending on the building type. For example, block orientation along an east-west longitudinal axis will encourage development of long mixed-use buildings oriented along an east-west axis, with smaller east and west facing facades, able to take advantage of passive solar technology.

- (8) **Service Access.** The configuration of the lots and blocks must consider alley and service drive inclusion per [102-420 \(l\)](#) to accommodate such activities as garage and parking access, trash and recycling pickup, service and loading access, and utilities.
- (9) **Existing Lots.** Blocks may be established including already existing lots and those lots may retain their existing zone designation.
- (10) **Departures.** Departures from strict compliance with these block size and layout standards may be requested and approved as part of the development plan review and approval procedures of [102-14110](#). Such departures may be approved only when necessitated by natural features or physical constraints, including but not limited to waterways, or highways. If allowed, pedestrian connections and landscape plantings may be required.

102-420 (k) STREET DESIGN

Complete streets provide for multiple modes of access throughout the city. All streets, whether publicly dedicated or privately held, must meet the following requirements. Refer to [Figure 4.20-A](#) for illustrations of these regulations.

- (1) **Base Street Requirements.** The base street type is illustrated in [Figure 4.20-A](#). The **zoning administrator** may require additional street right-of-way or configuration based on existing context and circulation needs. The base street defines the minimum components of any new street on the interior of the development and includes the components outlined in this section, [102-420 \(k\)](#).
- (2) **On-Street Parking.** On-street parallel parking must be accommodated on both sides of all new streets. Back-in or head-in, angled parking is acceptable in lieu of parallel parking. On-street parking on one side of the street may be approved by the **zoning administrator**, though parking on both sides is encouraged.
- (3) **Streetscape.**
 - a. **Non-Residential Streetscape Width.** The minimum dimension required for streetscapes along non-residential ground stories is 14 feet, with a clear sidewalk width of at least 6 feet and an 8-foot street tree and furnishings zone.
 - b. **Residential Streetscape Width.** Along residential ground stories, the minimum is 13 feet with a clear sidewalk of at least 5 feet and a 8-foot landscape zone (parkway).

**NON-COMMERCIAL STREETScape
 LANDSCAPE ZONE ILLUSTRATED**

**COMMERCIAL STREETScape
 FURNISHINGS ZONE ILLUSTRATED**

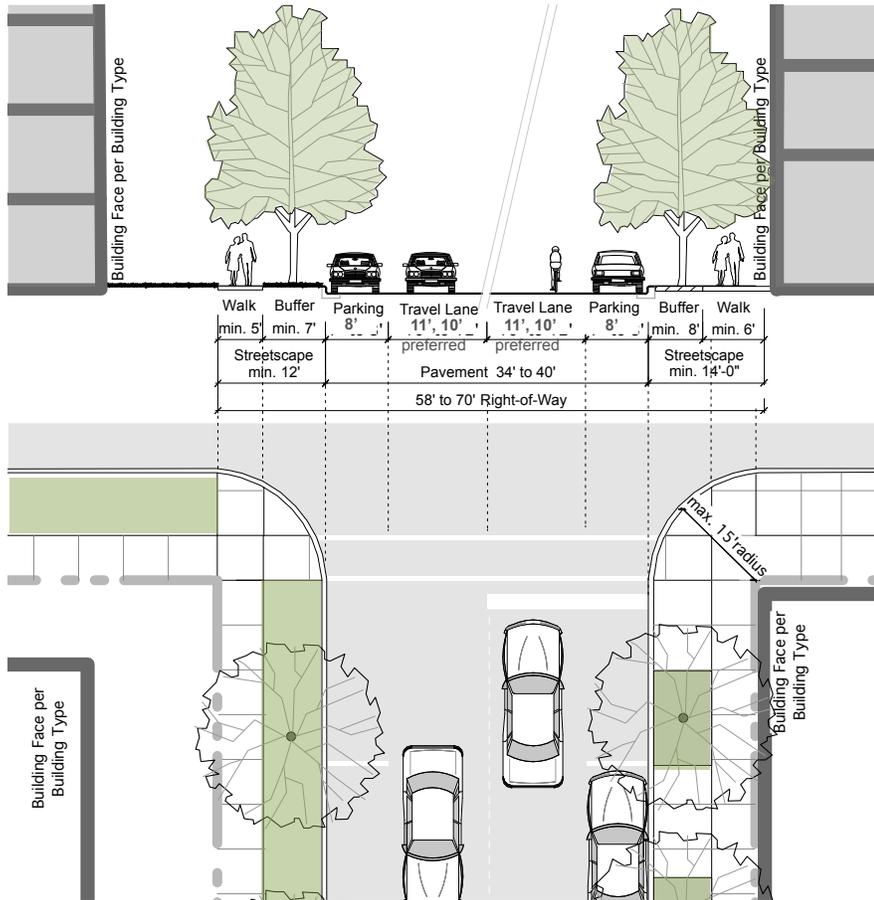


Figure 4.20-A. Typical Base Street

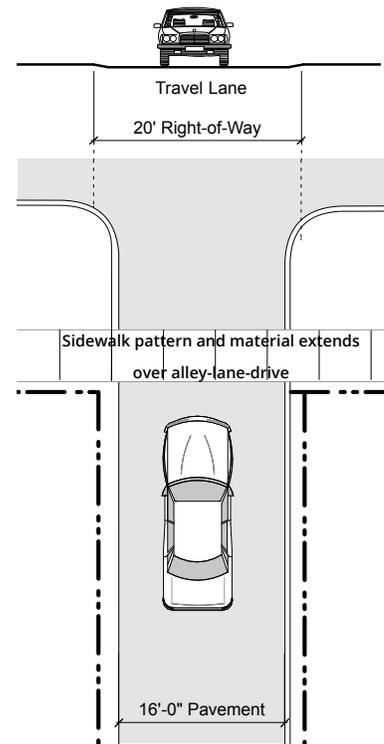


Figure 4.20-B. Typical Alley, Lane, or Service Drive

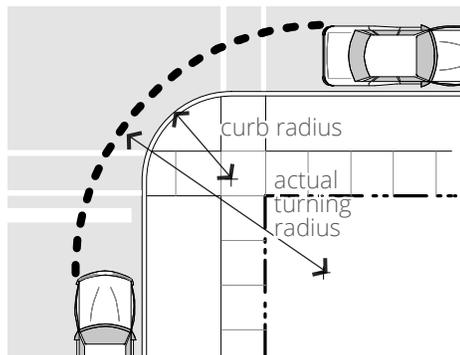


Figure 4.20-C. Illustration of Actual Turning Radius vs. Curb Radius

- c. Landscape. See [102-870](#) in landscape for streetscape requirements.
- (4) **Maximum Pavement Width.** The maximum crossing width for all streets internal to the development is 38 feet. Wider pavement widths must include a median in the middle to provide pedestrian refuge and/or bulb-outs to reduce the crossing widths to less than 38 feet.
 - a. **Reduced Minimum Pavement.** When only one lane of on-street parking is approved, the minimum pavement width for a two-way street is 28 feet and the minimum right-of-way width is 54 feet.
 - b. **Mid-Block Pedestrian Paths.** Where departures from strict compliance with maximum block size limitations are approved, mid-block pedestrian paths may be required.
 - c. **Alternative Narrow or Shared Street.**³ A woonerf, mews, or other type of narrow or shared street may be approved through a departure as part of the development plan review and approval procedures of [102-14110](#).
- (5) **Street Crosswalks.** Crossings at all street intersections must include a clear pedestrian path across streets (crosswalks) with accessibility ramps at curbs, demarcated by paint, stamped patterns, or pavers. Raised crosswalks are encouraged.
- (6) **Curb Radii.** Intersections internal to the development must be designed for actual turning radius, accounting for on-street parking, of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, increasing pedestrian safety. See [Figure 4.20-C](#) for illustration.
 - a. Where on-street parking is provided with no bulb-out, a radius no greater than 5 feet is required, unless the typical design vehicle is a Class 6 or larger truck.
 - b. Where on-street parking is provided with a bulb-out or where no on-street parking is provided, a radius no greater than 15 feet is required, unless the typical design vehicle is a Class 6 or larger truck.
- (7) **Bicycle Accommodations.** New streets within the MPD must accommodate bicycle access per the city’s most recent bicycle policy. Bicycle accommodations must be

³ If this type of street is desired, it might be advisable to provide a section and some standards to make it easier to approve?

included on through streets and higher activity streets. On non-commercial and lower activity streets, bicycles may share vehicular lanes.

- (8) **Departures.** Departures from strict compliance with these street standards may be requested and approved as part of the development plan review and approval procedures of [102-14110](#).

102-420 (l) ALLEYS OR SERVICE DRIVES

Alleys, lanes, or service drives (see [Figure 4.20-B](#)) must be provided through all blocks to provide such items as emergency access, garage and parking access, trash and recycling pickup, service and loading access, and utilities.

- (1) **Parking Drives.** Parking lot drives and parking structure drives may serve as alleys or service drives if the drive is continuous through the block with at least 2 access points and serves all lots on the block.
- (2) **Departures.** Departures from strict compliance with the alley or service drive regulations may be requested and approved as part of the development plan review and approval process (see 102-14110.). Such departures are limited to the following circumstances:
 - a. A single point of access is all that is required and a non-primary street is available for access.
 - b. Natural or existing constraints limit the block depth and no more than 2 vehicular access points are required for the lots on the block.

102-420 (m) FRONT STREET DESIGNATION

The orientation and location of buildings on lots is determined by front street designations per the building type regulations in XXX and XXX.

- (1) **Minimum Designation.** A minimum of 50 percent of a combination of the new streets in the MPD and existing streets fronting the development must be designated as front streets. Departures from strict compliance may be approved for up to a 20 percent reduction in the minimum requirement for streets treated as front streets as part of the development plan review and approval process (see [102-14110](#)).
- (2) **Building Frontage.** Front streets must be designated so that all building lots abut at least one front street, except up to 20 percent of the lots may front a non-front street.
- (3) **Civic Space Frontage.** Where practicable, streets along civic space must be designated as primary streets to ensure buildings front the civic space.

- (4) **Driveways.** Driveways to lots must not be located off a front street, except when the parcel is fronted by more than two front streets and/or there is no other alternative access.
- (5) **Alleys and Service Drives.** Alleys or service drives providing access to more than 2 lots may be located off a front street.
- (6) **Major Streets.** When the development abuts a street with a right-of-way wider than 120 feet, one of the following layouts must be utilized to create slower, more accessible, and more walkable streets for fronting commercial or mixed-use buildings than the major street would provide:
 - a. **Perpendicular.** A new front street located generally perpendicular to the existing major street.
 - b. **Boulevard.** A new front street located essentially parallel to the major street with a landscape buffer island or boulevard median of at least 8 feet in width provided separating the major street from the front streets.

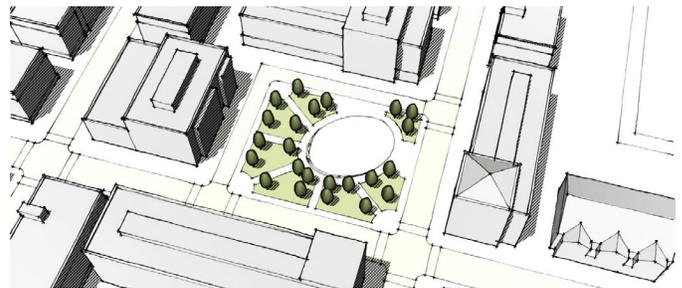
right-of-way or building frontage on all sides and at least one side the equivalent of 25 percent of the perimeter fronting a primary street. A single plaza may not fulfill the minimum open space requirements; if a plaza is utilized to meet the distance requirement, another open space must be incorporated in another location on the site.

- b. **Square.** A square is a combination of hardscape and landscape (approximately 50% and 50% respectively), minimum 1/4 acre in size, and surrounded by street frontage on all sides.

102-420 (n) CIVIC SPACES

Where a master plan development is required, the following civic space must be provided:

- (1) **Intent.** The intent is to provide usable open space within a short walkable distance for all occupants and visitors.
- (2) **Overall Minimum.** A minimum of 10% of the total master plan development must be provided as one of the civic space types.
- (3) **Distance from Principal Entrances.** One type of civic space is required within a 500-foot distance, as measured continuously along a sidewalk, from the principal entrance of all residential and live-work units and all other buildings.
- (4) **Mix of Civic Space Types.** A mix of types is required, with not more than 2 of any one type utilized.
- (5) **Types of Civic Space.** The following types of civic space are allowed. Refer to [Figure 4.20-D](#) for example images.⁴
 - a. **Plaza.** A plaza is a generally hardscaped area (minimum 60 percent coverage), minimum 1/8 acre in size, with either street, pedestrian, or river



Example of a PLAZA



Example of a GREEN



Example of a GREENWAY

Figure 4.20-D. Examples of Civic Space Types

⁴ Sizes of the types need updating based upon the community.

- c. Green. A green is a generally landscaped space (minimum 70 percent), minimum 1/2 acre with street right-of-way on at least 50 percent of the perimeter.
- d. Greenway. A greenway is a linear landscape space, minimum 2 acres in total with minimum 30 feet wide and minimum average 60 feet wide, and with street right-of-way on at least 30 percent of the perimeter.
- e. Park. A park is a larger, generally landscaped space, a minimum of 2 acres in size, with at least 25 percent of the perimeter on street right-of-way.

102-420 (o) TRAILS

Refer to any city open space and/or trail plans, and any existing trails surrounding the site, to provide connections through and within the site for continuous trails.

Illustrations to follow

Illustrations to follow

[page intentionally blank]

ARTICLE 9 PARKING AND MOBILITY

102-910 General 9-2
102-920 Parking Ratios 9-2
102-930 Calculation of Required Parking 9-4
102-940 Parking Reductions and Credits 9-4
102-950 Bicycle Parking 9-6
102-960 Location of Off-Street Parking 9-6
102-970 Parking Area Layout and Design 9-7
102-980 Electric Vehicle Supply Equipment 9-9
102-990 Stacking Spaces 9-10
102-9100 Junked or Inoperable Vehicles 9-10
102-9110 Loading 9-11

102-910 General
.....

102-910 (a) PURPOSE

- (1) The regulations of this article are intended to help ensure that off-street parking and loading facilities are provided to meet the basic day-to-day needs of shoppers, employees, visitors and residents while also avoiding the negative impacts that can result from requiring excessive quantities of off-street parking.
- (2) The provisions of this article are also intended to help protect the public health, safety and general welfare by:
 - a. Promoting economically viable and beneficial use of land; and
 - b. Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the city.

102-910 (b) APPLICABILITY

- (1) **General.** Off-street parking and loading must be provided and maintained in accordance with the provisions of this article. Unless otherwise expressly stated, the regulations apply to all zones and uses.
- (2) **New Uses and Development.** The parking regulations of this article apply to all new buildings constructed and all new uses established in all zones.
- (3) **Change of Use.** If a newly established use on a lot requires more off-street parking than the use that most recently occupied that lot, additional off-street parking is required in an amount equal to the difference between the parking required for the new use and the parking that would have been required for the previous use if the parking requirements of this article had been applicable.

(4) Enlargements and Expansions

- a. The parking regulations of this article apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity or other units of measurement used in establishing off-street parking requirements.
- b. In the case of enlargements or expansions that trigger requirements for additional parking, additional spaces are required only to serve the enlarged or expanded area, not the entire building or use. There is no requirement to address parking deficits associated with existing, lawfully established buildings or uses.

- (5) **Damage or Destruction.** When a use that has been damaged or destroyed is re-established, off-street parking or loading facilities must also be re-established or continued in operation in an amount equal to the number maintained at the time of such damage or destruction. It is not necessary, however, to restore or maintain parking facilities in excess of those required by this code.
- (6) **Maintenance.** Off-street parking spaces required by this code must be maintained for the life of the principal use.

102-910 (c) USE OF OFF-STREET PARKING AREAS

- (1) Required off-street parking spaces are intended to serve residents, tenants, patrons, employees, or guests of the principal use. Required off-street parking areas may be used solely for the temporary parking of licensed motor vehicles in operating condition.
- (2) Required off-street parking spaces may not be used for the storage, display or sale of goods equipment or materials, except that the city clerk is authorized to permit temporary use of off-street parking areas for transient merchants in accordance with Chapter 10, Article XI of the city code.
- (3) No motor vehicle repair work of any kind is permitted in a required parking space.
- (4) Required parking spaces may be used for electric vehicle charging.

102-920 Parking Ratios
.....

102-920 (a) MINIMUMS

Off-street parking spaces must be provided in accordance with the minimum ratios established in [Table 9-1](#). All uses for which minimum bicycle parking requirements are established must provide at least 2 bike parking spaces.

102-920 (b) MAXIMUMS

Nonresidential uses in the MX-D, RX-D, MX-TOD, and RX-D zones may not provide parking in excess of 125% the minimum motor vehicle parking ratios established in [Table 9-1](#) for "all other zones."¹

¹ Most minimum motor vehicle parking ratios have been reduced; bike parking standards are new.

Table 9-1. Parking Ratios

	MINIMUM MOTOR VEHICLE PARKING SPACES [1]		MINIMUM BIKE PARKING		
	MX-TOD AND RX-TOD	ALL OTHER ZONES	ALL ZONES	NOTES	
RESIDENTIAL					
Household Living, 1–4 units	1 (enclosed) per dwelling unit	2 per dwelling unit	None		
Household Living, 5+ units	1.2 (enclosed) per dwelling unit	1 per studio/1 BR dwelling unit 2 per 2B or larger dwelling unit	1.1 per unit	Min. 90% long-term	
Manufactured Home Park	NA	1 per dwelling unit	None		
Group Living	1 per 10 beds	1 per 6 beds	1 per 6 beds	Min. 90% long-term	
COMMERCIAL					
Adult-Oriented Business	No minimum requirement; parking study and TDM plan required if use exceeds 25,000 sq. ft. or seating capacity exceeds 125 persons (see 102-940 (j))	1 per 400 sf or 1 per 5 seats, whichever is less	1 per 5,000 sf	Min. 50% short-term	
Animal Boarding		1 per 400 sf	None		
Consumer Service		1 per 400 sf	1 per 5,000 sf	Min. 50% short-term	
Day Care		1 per 6 enrollees	None		
Entertainment Venue, Large		1 per 5 seats	1 per 20,000	Min. 50% short-term	
Funeral & Mortuary Service		1 per 5 seats	None		
Lodging		1 per guest room if more than 4 rooms	1 per 25 guest rooms in hotels	Min. 75% long-term	
Office		1 per 400 sf	1 per 4,000 sf	Min. 75% long-term	
Personal Credit Establishment		1 per 400 sf	1 per 5,000 sf	Min. 50% short-term	
Retail & Entertainment		1 per 400 sf or 1 per 5 seats, whichever is less	1 per 5,000 sf	Min. 50% short-term	
Self-Service Storage		1 per 10 storage units	None		
Vehicle Sales & Service		4, plus 1 per service bay/stall	None		
MANUFACTURING & INDUSTRY					
Manufacturing, Artisan		No minimum requirement	1 per 1,000 sf	1 per 5,000 sf	Min. 75% long-term
Manufacturing, Limited	1 per 20,000 sf			Min. 75% long-term	
High-Impact Industry	1 per 40,000 sf			Min. 75% long-term	
Warehousing & Distribution	1 per 50,000 sf			Min. 75% long-term	
CIVIC & INSTITUTIONAL					
College	No minimum requirement; parking study and TDM plan required if use exceeds 25,000 sq. ft. or seating capacity exceeds 125 persons (see 102-940 (j))	Parking study required	3 per classroom	Min. 50% short-term	
Community Assembly		1 per 400 sf or 1 per 5 seats, whichever is less	1 per 2,000 sf	Min. 50% short-term	
Cultural Facility		1 per 400 sf	1 per 5,000 sf	Min. 50% short-term	
Detention or Correctional Facility		Parking study required	Parking study required		
Hospital		Parking study required	Parking study required		
Parks and Open Space		None	Parking study required		
School		1 per 10 high students for high schools; 1 per classroom for all other schools	3 per classroom	Min. 50% short-term	
Utilities & Services, Minor		None	None		
Utilities & Services, Major		Parking study required	None		

[1] See [102-940 \(a\)](#) for motor vehicle parking in MX-D and RX-D zones
sf = square feet of floor area (see [102-930 \(c\)](#))

102-930 Calculation of Required Parking

In determining the number of parking spaces required, the following calculation rules apply:

102-930 (a) MULTIPLE USES

Lots containing more than one use or tenant must provide parking in an amount equal to the total aggregate number of spaces required for each use or tenant on the lot except when a shared parking arrangement is approved in accordance with [102-940 \(h\)](#).

102-930 (b) ROUNDING

When calculating off-street parking requirements, any fractional result of less than one-half is rounded down to the next lower whole number and any fractional result of one-half or more is rounded up to the next higher whole number.

102-930 (c) FLOOR AREA (SQUARE FEET)

For purposes of calculating off-street parking requirements based on floor area (sf), the sum of the gross horizontal areas of the several floors of the building or portion of building devoted to such use are counted, measured to the centers of all partitions, are counted. However, the following are not counted:

- (1) Areas devoted primarily to dead storage, building maintenance, or utilities;
- (2) Restrooms and dressing rooms;
- (3) Window show cases;
- (4) Employee lunch areas and conference rooms;
- (5) Area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space; and
- (6) Basement floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

102-930 (d) BENCH SEATING

In stadiums, sport arena, religious institutions, and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each 22 inches of such seating are counted as one seat.

102-930 (e) UNLISTED USES

Upon receiving a permit or development application, the zoning administrator is authorized to apply the off-street parking ratio specified for the listed use that is deemed most similar to the proposed use or establish a minimum off-street parking requirement for the proposed use in accordance with [102-930 \(f\)](#).

102-930 (f) ESTABLISHMENT OF PARKING RATIOS

The zoning administrator is authorized to establish required minimum parking ratios for unlisted uses and in those instances where authority to establish a requirement is expressly granted. Such ratios must be established on the basis of (1) a similar use determination, as described in [102-520 \(d\)](#); (2) parking data provided by the applicant; or (3) other information available to the zoning administrator. Parking data and studies must include estimates of parking demand based on reliable data collected from comparable local uses or on external data from credible research organizations, such as the Urban Land Institute (ULI) and the Institute of Transportation Engineers (ITE). Comparability will be determined by density, scale, bulk, area, type of activity and location. Parking studies must document the source of all data used to develop recommended requirements.

102-940 Parking Reductions and Credits

102-940 (a) DOWNTOWN ZONES

- (1) **Residential Uses.** Residential uses must provide motor vehicle parking in accordance with the minimum ratios that apply MX-TOD and RX-TOD zones, in accordance with [Table 9-1](#).
- (2) **Nonresidential Uses.** Minimum motor vehicle parking ratios do not apply to nonresidential uses in MX-D and RX-D zones.
- (3) **Bicycle Parking.** The minimum bicycle parking ratios established in [Table 9-1](#) apply to all uses in MX-D and RX-D zones.

102-940 (b) AFFORDABLE HOUSING

Off-street parking requirements are reduced by 50% for housing units restricted to occupancy by households earning no more than 80% of the area median income, as defined by the U.S. Department of Housing and Community Development.

102-940 (c) PUBLIC PARKING

Nonresidential uses are credited for parking spaces within a nearby public parking lot or public parking garage, as follows:

- (1) Minimum parking requirements for the subject use are reduced by one parking space for every 4 parking spaces within the public parking lot or garage, not to exceed a total reduction of more than 25 spaces;
- (2) The nearest pedestrian entrance to the public parking lot or garage must be located within 1,500 feet of the lot on which the subject use is located; and

- (3) The parking facility must be open to the general public from at least 6:00 a.m. to 10 p.m.

102-940 (d) ON-STREET PARKING

Nonresidential uses in MX-N and RX-N zones are credited for on-street parking spaces on public street rights-of-way abutting the subject property. One on-street parking space credit may be taken for each 20 linear feet of abutting right-of-way where on-street parallel parking is allowed, and one on-street parking space credit may be taken for each 10 linear feet of abutting right-of-way where on-street diagonal parking is allowed. Only space on the same side of the street as the subject use may be counted, except that the opposite side of the street may be counted if the property on that side of the street does not have the potential for future development. In calculating credit for on-street parking, the rounding rules of [102-930 \(b\)](#) apply.

102-940 (e) LANDSCAPE REGULATIONS

If compliance with the landscape regulations of [Article 8](#) would result in the loss of required motor vehicle parking spaces, the amount of motor vehicle parking required is automatically reduced by the amount needed to accommodate the required landscape area.

102-940 (f) CAR-SHARE AND BIKE-SHARE SERVICE

Car-share and bike-share parking credits apply to nonresidential uses that are required to provide 10 or more motor vehicle parking spaces and to residential projects that are required to provide 25 or more motor vehicle parking spaces, as follows:

- (1) The number of required motor vehicle parking spaces is reduced by 4 spaces for each parking space that is leased by a city-approved car-share program for use by a car-share vehicle.
- (2) The number of required motor vehicle parking spaces is reduced by 2 spaces for uses that provide space for a city-approved bike-share program facility with a minimum of 8 bicycle parking docks.

102-940 (g) MOTORCYCLE AND SCOOTER PARKING

In parking lots containing more than 10 parking spaces, the provision of motorcycle or scooter parking spaces may be credited toward satisfying the minimum off-street parking ratios of [Table 9-1](#), at the rate of one motor vehicle parking space for each 2 motorcycle or scooter parking spaces. The maximum credit allowed under this provision is 2 spaces or 10% of the total minimum motor vehicle parking requirement for the subject property, whichever is greater. To receive credit, each motorcycle and scooter space must have a concrete surface and minimum dimensions of 4 feet by 8 feet. Areas restricted to motorcycle and scooter parking must be identified by signs.

102-940 (h) SHARED PARKING

- (1) **General.** Shared parking refers to the practice of 2 or more users who need parking at different times making use of the same motor vehicle parking spaces. Shared parking is encouraged as a means of conserving scarce land resources, reducing stormwater runoff, reducing the heat island effect caused by large paved areas, and improving community appearance.
- (2) **Eligibility.** The zoning administrator is authorized to approve shared parking for uses that have different periods of peak parking demand. Required accessible parking spaces (for people with disabilities) may not be shared.²
- (3) **Submittal Requirements and Methodology.** Applicants proposing to use shared parking as a means of reducing overall motor vehicle parking requirements must submit:
 - a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - b. The location and number of parking spaces that are being shared;
 - c. An explanation of any technology or other techniques that will be employed to track parking utilization by various users and to help ensure that parking inventories are adequate to serve the off-street parking needs participants in the shared parking arrangement;
 - d. A shared parking study conducted in accordance with accepted methodology approved by the city, prepared by an independent traffic engineering professional under the supervision of the city and paid for by the applicant, demonstrating that the hours, size, and mode of operation of the respective uses does not create a substantial conflict in the peak parking demands of the uses for which shared parking facilities is proposed, and there is adequate parking to meet the parking needs for each use; and
 - e. A properly drawn legal instrument, which must be filed as a deed restriction on all impacted properties, guaranteeing access to the parking for the shared parking users. The agreement is subject to approval by the city and must be recorded in the county recorder's office.

² Shared parking currently requires city council approval.

102-940 (i) ALTERNATIVE COMPLIANCE AND TDM

- (1) The motor vehicle and bicycle parking ratios of [102-920](#) are not intended to be a barrier to development or redevelopment or to make development and redevelopment economically impractical or negatively impact the viability of businesses. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, the city council is authorized to approve alternatives to the minimum and maximum parking ratios of [102-920](#) in accordance with the conditional use permit procedures of [102-1490](#).
- (2) To request approval, the applicant must submit a parking study and travel demand management (TDM) plan prepared by an independent traffic engineering professional that includes the following information:
 - a. The anticipated travel demand for the project.
 - b. How the anticipated travel demand for the project will be met on-site or off-site, including:
 - 1. Number of on-street motor vehicle parking spaces, off-street motor vehicle parking spaces, or shared vehicle parking arrangements.
 - 2. Number of short-term and long-term bicycle parking spaces.
 - 3. Accommodations for pedestrians, cyclists, motorists, transit riders, and the mobility-impaired.
 - c. The parking and access strategies that will be employed to reduce single-occupancy motor vehicle trips and promote transportation alternatives such as walking, cycling, ride-sharing, and transit.
- (3) Alternative access strategies identified in the parking study and TDM plan may include one or more of the following:
 - a. Walking, cycling, ride-sharing, and transit promotion and education;
 - b. Parking cash-out programs or unbundled parking;
 - c. Shared parking arrangements;
 - d. Enhanced bicycle parking (above minimum requirements) and bicycle commuter amenities, such as shower, locker, and repair facilities;
 - e. On-site accommodation of or proximity to car-share and bike-share facilities;

- f. Location within convenient walking distance of public parking facilities;
- g. Location within convenient walking distance of a public transit stop;
- h. Guaranteed ride home service;
- i. Carpooling or vanpooling programs or incentives;
- j. Free or subsidized transit passes, transit-to-work shuttle service from transit facilities or satellite parking lots, or enhanced transit facilities (such as bus shelters);
- k. Alternative work schedules (e.g., flextime, compressed work week, staggered shifts, telecommuting);
- l. Off-site roadway or transportation improvements that will improve traffic conditions or promote transportation alternatives;
- m. Designation of an on-site employee and/or resident transportation coordinator; or
- n. Similar approaches that will help promote walking, cycling, ride-sharing, transit and other alternatives to single-occupant motor vehicle trips.

102-950 Location of Off-Street Parking

102-950 (a) GENERAL

Except as otherwise expressly stated in this article, required off-street parking areas must be located on the same lot as the building or use they are required to serve.

102-950 (b) OFF-SITE PARKING

- (1) **When Allowed.** All or a portion of required off-street parking for nonresidential uses may be provided off-site, in accordance with the regulations of this section. Required accessible parking spaces and required parking for residential uses may not be located off-site.
- (2) **Location.** Off-site parking areas must be located within 500 feet of the use served by such parking, measured between the nearest public entrance door of the use to be served and the outer perimeter of the furthest parking space within the off-site parking lot. Off-site parking lots are allowed only in zones that permit non-accessory parking or that allow the principal use to be served by the off-site parking spaces.
- (3) **Design.** Off-site parking areas must comply with all applicable parking area design regulations of [102-960](#).

(4) **Control of Off-Site Parking Area.** The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if a legal instrument is provided guaranteeing the long-term availability of the off-site parking. The agreement is subject to approval by the city and must be recorded with the county recorder's office. Any proposed changes to the agreement must also be submitted to the city for review and approval.

102-950 (c) RESIDENTIAL AREAS

(1) **Side Yard Parking.** Parking is prohibited in side yards except that up to one vehicle may be parked on the garage side yard on a N-zoned lot if the vehicle is set back at least 5 feet from the side property line.

(2) **Rear Yard Parking.** Parking is prohibited in rear yards except that:

- a. Up to one vehicle may be parked next to a garage on an improved parking space in the rear yard; and
- b. If the subject lot does not have a garage in the rear yard, up to one vehicle may be parked on an improved parking space in the rear yard.

102-960 Parking Area Layout and Design

102-960 (a) APPLICABILITY

The parking layout and design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required or non-required parking spaces.

102-960 (b) INGRESS AND EGRESS

All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply when motor vehicle access is to a local street.

102-960 (c) PARKING STALL SIZE

(1) **Standard Spaces.** Except as expressly allowed for compact spaces or as expressly required for accessible parking spaces, parking spaces must be designed as "standard" size spaces, in accordance with [Table 9-2](#). Up to 2 feet of the front of a standard parking space, as measured from a line parallel to the direction of the bumper of a vehicle using the space, may be landscaped area instead of paved. Such areas counts toward interior parking lot landscaping requirements.

(2) **Compact Spaces.** Up to 25% of the parking spaces in parking lots containing more than 25 parking spaces

may be designated, designed, and marked as compact parking spaces. Compact parking spaces must be designed in accordance with [Table 9-2](#).

102-960 (d) PARKING LOT GEOMETRICS

Parking areas must be designed in accordance with [Table 9-2](#), which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in [Table 9-2](#) may be interpolated from the layouts shown, as approved by the zoning administrator.³

Table 9-2. Parking Lot Geometrics

STALL TYPE	A STALL ANGLE	B STALL WIDTH	C STALL LENGTH	D AISLE WIDTH
Compact	0°	8.0	16.0	12.0
Standard		9.0	20.0	12.0
Compact	45°	8.0	16.0	12.0
Standard		9.0	17.0	11.0
Compact	60°	8.0	16.0	16.0
Standard		9.0	17.0	15.0
Compact	75°	8.0	16.0	21.0
Standard		9.0	17.0	20.0
Compact	90°	8.0	16.0	24.0
Standard		9.0	17.0	22.0

102-960 (e) VERTICAL CLEARANCE

All required parking spaces must have overhead vertical clearance of at least 7 feet.

102-960 (f) MARKING

In off-street parking areas for more than 6 vehicles, the location of each parking space must be identified by surface markings at least 4 inches in width and be maintained so as to be readily visible at all times.

102-960 (g) SURFACING

(1) All off-street parking areas and access drives for more than 6 vehicles must be surfaced and maintained with an asphaltic or Portland concrete pavement. All other parking areas must provide an improved surface consisting of bituminous, concrete or other hard-surface material approved by the city to control dust and drainage. The improved surface must be below the entire vehicle.

(2) Pavement areas are limited to only necessary drives, walkways and parking spaces; all other areas must be landscaped.

³ These dimensions differ from the current ordinance

102-960 (h) DRAINAGE

Driveways may not exceed a grade of 4% and all parking lots except those for less than 4 vehicles must be graded according to a drainage plan that has been approved by the city engineer and the governing watershed district. Catchbasins, sumps, and underground storm sewers may be required.

102-960 (i) SETBACKS.

All off-street parking areas must be so designed and constructed that parked vehicles are set back at least one foot from lot lines and at least 2 feet from principal buildings.

102-960 (j) LIGHTING

Lighting used to illuminate an off-street parking area must be shielded or diffused to reflect the light away from the adjoining property and away from abutting rights-of-way.

102-960 (k) TANDEM AND STACKED PARKING

- (1) Tandem parking spaces that involve the placement of one parking space behind another may be used to satisfy parking requirements for household living uses when the parking spaces are assigned to the same dwelling unit.
- (2) Stacked or in-line parking spaces that involve the placement of 2 or more parking spaces in a row directly behind one another so that one parking space is blocking access for other parking spaces may be used to satisfy off-street parking requirements for non-household living uses when an attendant is on duty during all hours of operation of the subject use.

102-960 (l) CURBS AND BARRIERS

Curbs or similar barriers approved by the zoning administrator must be provided to prevent motor vehicles from encroaching into required setbacks and landscape areas, as follows:

- (1) All open off-street parking areas must provide a 6-inch curb or approved wheel barrier when abutting required setbacks, landscape areas and adjoining property lines.
- (2) Wheel barriers must be located at least 2 feet from the edge of pavement or the area to be protected from encroachment.

102-960 (m) STREET YARD PARKING IN N ZONES

- (1) Parking of motor vehicles is prohibited in street yards of lots in N zones except when such parking is on a permanent driveway that complies with the regulations of this article and leads to a garage or parking area located outside of the street yard.

- (2) Vehicles must be parked in such a manner so that all wheels are within a garage or on the surface of an approved driveway.
- (3) The portion of a driveway located within the abutting street right-of-way (i.e., driveway approach) may not exceed 16 feet in width.
- (4) That portion of a driveway located outside the street right-of-way may not exceed 20 feet in width or the width of the garage served by the driveway, whichever width is greater.⁴ When a garage served by a residential driveway exceeds 20 feet in width the portion of the driveway allowed to exceed 20 feet in width is limited to a depth of 24 feet, measured from the garage opening.

102-960 (n) NUMBER OF VEHICLES

No more than 3 passenger vehicles may be parked or stored outside an enclosed building on a lot occupied by a detached house. For a two-unit house, no more than 6 passenger vehicles may be parked or stored outside an enclosed building. If there are 3 or more persons residing in a detached house who have valid Minnesota driver's licenses showing the residence address, then the total number of passenger vehicles allowed to be parked outside is increased to a number equal to the number of licensed drivers residing at the property, plus one passenger vehicle. The provisions of this section do not apply during snow emergencies. If a detached house has a commercial vehicle, non-passenger vehicle or RV, the total number of vehicles parked outside an enclosed building may not exceed the limits listed above. No more than one truck not to exceed a 9,000-pound rated capacity may be parked on a lot in an N zone.

102-970 Electric Vehicle Supply Equipment
.....

102-970 (a) PURPOSE⁵

The regulations of this section are intended to accommodate and promote the use of electric vehicles, to expedite the establishment of convenient, cost-effective electric vehicle supply equipment, and establish minimum requirements for provision of such equipment.

102-970 (b) CHARGING STATIONS REQUIRED

- (1) **Off-street parking Areas with 14 or Fewer Parking Spaces.** Electric vehicle charging stations (EVCS) are not required in any off-street parking area containing 14 or fewer parking spaces.

⁴ Parking currently limited to 30% of street yard, with driveways limited to 24 feet "average" width.

⁵ These provisions have been modeled on those included in the St. Louis Park zoning code (adopted 2019).

(2) Off-street parking Areas with 15 to 49 Parking Spaces. All new or reconstructed off-street parking areas with at least 15 but no more than 49 spaces, or expanded off-street parking areas that result in a parking area with 15 to 49 parking spaces, must provide electric vehicle charging stations as follows:

- a. **Residential.** Residential land uses must provide Level 1 or Level 2 electric vehicle charging stations for at least 5% of provided parking spaces. At least one of the electric vehicle charging stations provided must be accessible to a vehicle parked in an accessible parking space.
- b. **Nonresidential.** Nonresidential land uses with parking spaces available for use by the general public must provide at least one Level 2 electric vehicle charging station. At least one of the electric vehicle charging stations provided must be accessible to a vehicle parked in an accessible parking space. DC charging stations may be used to satisfy minimum EVCS requirements on a one-for-one basis.

(3) Off-street parking Areas with 50 or More Parking Spaces. All new or reconstructed off-street parking areas with 50 or more parking spaces, or expanded off-street parking areas that result in a parking area with 50 or more parking spaces, must provide electric vehicle charging stations as follows.

- a. **Residential.** Residential land uses must provide at least one Level 2 electric vehicle charging station plus at least one Level 1 or Level 2 electric vehicle charging station for a minimum of 10% of provided parking spaces. At least one of the electric vehicle charging stations provided must be accessible to a vehicle parked in an accessible parking space.
- b. **Nonresidential.** Nonresidential land uses with parking spaces available for use by the general public must provide at least 2 Level 2 electric vehicle charging stations or electric vehicle charging stations for at 1% of provided parking spaces, whichever results in a higher number of electric vehicle charging stations. At least one of the electric vehicle charging stations provided must be accessible to a vehicle parked in an accessible parking space. DC charging stations may be used to satisfy minimum EVCS requirements on a one-for-one basis.

(4) Fueling Stations. Notwithstanding the requirements of paragraphs (1), (2) and (3) of this subsection, all new or reconstructed vehicle fueling stations must

provide at least one Level 2 electric charging station. A DC charging station may be installed to meet this requirement.

102-970 (c) EV-READY SPACES REQUIRED

EV-ready parking spaces are required to accommodate anticipated future growth in market demand for electric vehicle supply equipment, as follows:

- (1) In addition to the number of electric vehicle charging stations required, at least of 10% of parking spaces in off-street parking areas with 15 ore more parking spaces must be EV-ready.
- (2) Required EV-ready parking spaces must be provided with electrical panel capacity and space to support a minimum 40-ampere, 208/240-volt branch circuit, and the installation of underground and surface-mounted raceways to support the future installation of an electric vehicle charging station to serve the parking space.

102-970 (d) ALLOWED REDUCTIONS

When the cost of installing electric vehicle charging stations or EV-ready parking spaces required by this section would exceed 5% of the total project cost, the property owner or applicant may submit cost estimates for city consideration and request a reduction of applicable requirements that limit installation costs to not more than 5% of the total project cost. When city council approval of the project is not required, the zoning administrator is authorized to such approve reductions.

102-970 (e) PERMITTED LOCATIONS

- (1) Level 1 and Level 2 electric vehicle charging stations are permitted in all zones when accessory to the primary permitted use. When such stations are accessory to residential uses, they must be designated as private restricted use charging stations.
- (2) DC electric vehicle charging stations are permitted as accessory uses to principal nonresidential uses in all zones.
- (3) If the principal use of the subject property is electric vehicle charging, then the use is considered a vehicle fueling station for zoning purposes and restricted to zones in which fueling stations are allowed.

102-970 (f) ACCESSIBLE SPACES

An electric vehicle charging station is considered accessible if it is located adjacent to, and can serve, an accessible parking space (for persons with disabilities). It is not necessary to designate the charging station for the exclusive the use of vehicles parked in the accessible parking space.

102-970 (g) PUBLIC USE EV CHARGING STATIONS

Public use electric vehicle charging stations are subject to the following requirements:

- (1) The electric vehicle charging stations must be located in a manner that will be easily seen by the public for informational and security purposes.
- (2) The electric vehicle charging stations must be located in desirable and convenient parking locations that will serve as an incentive for the use of electric vehicles.
- (3) The electric vehicle charging stations must be operational during the normal business hours of the use served. Electric vehicle charging stations may be de-energized or otherwise restricted after normal business hours of the associated use.
- (4) Site lighting must be provided unless charging is for daytime purposes only.

102-970 (h) EQUIPMENT DESIGN STANDARDS

- (1) Battery charging station outlets and connector devices must be mounted to comply with all applicable codes and must comply with all relevant Americans with Disabilities Act (ADA) requirements. Equipment mounted on pedestals, bollards, and other devices must be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.
- (2) Electric vehicle supply equipment may not encroach into the required dimensions of the parking space (length, width, and height clearances).

102-970 (i) USAGE FEES

The property owner may collect a service fee for the use of electric vehicle charging stations.

102-970 (j) MAINTENANCE

Electric vehicle supply equipment must be maintained in all respects, including the functioning of the equipment. A phone number or other contact information must be provided on the equipment for reporting problems with the equipment or access to it.

102-980 Stacking Spaces

102-980 (a) SPACES REQUIRED

In addition to the parking required for each use, stacking spaces must be provided in accordance with [Table 9-3](#).

Table 9-3. Stacking Space Requirements

USE	MINIMUM SPACES (PER LANE)
Drive-up Windows [1]	5

Table 9-3. Stacking Space Requirements

USE	MINIMUM SPACES (PER LANE)
Vehicle Repair [2]	4

[1] Includes banks, restaurants, pharmacies and similar uses with drive-up or drive-through service.

[2] Includes car washes and all forms of motor vehicle, boat, and trailer repair

102-980 (b) DIMENSIONS

Each lane of stacking spaces must be at least 8 feet in width and at least 17 feet in length. Stacking lanes for drive-up windows must be delineated with pavement markings.

102-980 (c) LOCATION AND DESIGN

Stacking lanes must be located on the subject property. They may not be located within required driveways, drive aisles, parking spaces, or loading areas and may not interfere with access to parking and ingress and egress from the street.

102-980 (d) PEDESTRIAN ACCESS

The principal pedestrian access to the entrance of the use from a public sidewalk may not cross stacking lanes.

102-990 Bicycle Parking

102-990 (a) PURPOSES

- (1) **Short-term Bicycle Parking.** Short-term bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for fewer than 3-hour time periods, including customers, clients, messengers, and other short-term visitors.
- (2) **Long-term Bicycle Parking.** Long-term bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for more than 2- to 3-hour periods, including employees, residents, students, and commuters.

102-990 (b) SPACES REQUIRED

- (1) **Short-term Bicycle Parking.** Short-term and long-term bicycle parking spaces must be provided in accordance with the minimum bicycle parking ratios of [Table 9-1](#).

102-990 (c) LOCATION AND DESIGN

- (1) **General.** All required bicycle parking spaces must:
 - a. Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
 - b. Be of solid construction, resistant to rust, corrosion, hammers, and saws;

- c. Allow both the bicycle frame and at least one wheel to be locked with the bicycle in an upright position using a standard U-lock;
- d. Be designed and installed so as not to cause damage to the frame, wheels, or components;
- e. Be accessible without interference from or moving adjacent bicycles and not result in a parked bicycle obstructing a required walkway; and
- f. Have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.

(2) Short-Term Bicycle Parking Spaces. Short-term bicycle parking spaces must be at least as conveniently located as the most convenient non-disabled motor vehicle parking provided for the subject use. If no motor vehicle parking is provided, short-term bicycle parking spaces must be located within 50 feet of a building entrance. Short-term bicycle parking must be located on the subject lot, unless the city approves a proposal to allow private bicycle parking facilities to be located in the right-of-way. Public bicycle parking spaces may be credited toward meeting short-term bicycle parking requirements if such bicycle parking spaces comply with the location requirements of this paragraph.

(3) Long-Term Bicycle Parking and Storage Spaces. Long-term bicycle parking spaces must:

- a. Be located with direct access by the bicycle rider, with no more than 50% of the required spaces requiring the use of stairs or elevators;
- b. May not be located in dwelling units or on dwelling unit balconies;
- c. Must protect the entire bicycle, its components and accessories against theft and inclement weather, including wind-driven rain and snow.
- d. Must be designed to allow bicycles to be securely locked to a bicycle rack in:
 1. A bike storage room that is accessible only to authorized users and has at least 2 electrical outlets;
 2. A bicycle locker with a separate access door for each bike; or
 3. An attended bike storage room.

102-9100 Junked or Inoperable Vehicles

It is unlawful for any person to park, store or leave any junked or inoperable motor vehicle, whether attended or not, upon any public or private property within the city, or for any person, as an owner of or an occupant having control of private property within the city to permit the parking, storing or leaving of any junked or inoperable vehicle upon such private property, unless such vehicle is within an enclosed building or structure lawfully situated upon private property or is so parked, stored or left upon private property lawfully zoned and operated as a recycling operation.

102-9110 Loading⁶

- (1) All uses engaged in receiving or shipping goods by truck or large delivery vehicles must provide loading and unloading facilities, as determined by the plan commission.
- (2) Loading spaces must have a minimum width of 10 feet and a minimum length of 25 feet, with a minimum overhead clearance of 15 feet.
- (3) Loading spaces may not be located on a front facade.
- (4) Except as expressly allowed in city-designated commercial loading zones, vehicle maneuvering areas and loading and unloading activities must occur on-site, not within the public right-of-way.
- (5) All loading spaces must be posted with signs prohibiting engine idling for more than 5 minutes.
- (6) All loading areas and access drives must be surfaced and maintained with an asphaltic or Portland cement binder concrete or other dustless, all-weather surface approved by the city.
- (7) All off-street loading areas adjacent to R zones must be completely screened from view by building walls, fences, or plant material at least 8 feet in height.

⁶ Revised for additional flexibility

ARTICLE 10 SIGNS

102-1010 General 10-2
102-1020 Permits 10-5
102-1030 Prohibited Signs 10-6
102-1040 Non-commercial Speech Signs 10-6
102-1050 Illumination 10-6
102-1060 Electric Signs 10-6
102-1070 Window Signs 10-6
102-1080 Canopies, Marquees, and Awnings 10-6
102-1090 Sign Setbacks 10-7
102-10100 Sign Height 10-7
102-10110 Signs in N and NX Zones 10-7
102-10120 Signs in Mixed-Use and Special Zones 10-7
102-10130 Dynamic Signs 10-7
102-10140 Nonconforming Signs 10-9

102-1010 General
.....

102-1010 (a) FINDINGS

In conjunction with the adoption of the sign regulations of this article, the city council finds as follows:

- (1) Exterior signs have a substantial impact on community appearance and quality of the environment.
- (2) Signs provide an important medium through which individuals may convey a variety of messages.
- (3) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.
- (4) The city's zoning regulations have, since as early as 1966, included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the city and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community.
- (5) The regulation of the physical characteristics of signs within the city has had a positive impact on traffic safety and the appearance of the community.

102-1010 (b) PURPOSE

- (1) The purpose and intent of this article is to:
 - a. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the city in order to promote the public health, safety and welfare.
 - b. Maintain, enhance and improve the aesthetic environment of the city by preventing visual clutter that is harmful to the appearance of the community.
 - c. Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees and the city's goals of public safety and aesthetics.
 - d. Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the city.
- (2) It is not the purpose or intent of this article to regulate the message displayed on any sign; nor is it the purpose or intent of this article to regulate any building design or any display not defined as a sign, or any sign that cannot be viewed from outside a building.

102-1010 (c) EFFECT

A sign may be erected, mounted, displayed or maintained in the city if it is in conformance with the provisions of this article. The effect of this article, as more specifically set forth herein, is to:

- (1) Allow a wide variety of sign types in mixed-use zones, and a more limited variety of signs in other zones, subject to the standards set forth in this article.
- (2) Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this article.
- (3) Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and when communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- (4) Provide for the enforcement of the provisions of this article.

102-1010 (d) SCOPE AND APPLICABILITY

All signs on private property are subject to the sign regulations of this article and all other applicable provisions of this zoning code. Official signs are not subject to the regulations of this article.

102-1010 (e) SUBSTITUTION

- (1) The owner of any sign that is otherwise allowed by this article may substitute non-commercial speech in lieu of any other commercial speech or non-commercial speech. This substitution of copy may be made without any additional approval or permitting
- (2) The purpose of this "substitution" provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial speech over any other non-commercial speech. This provision prevails over any more specific provision to the contrary.

102-1010 (f) SIGN-RELATED DEFINITIONS

The definitions of this section apply in administering and interpreting the sign regulations of this development code. These definitions are in addition to those set forth in section XXX, except that in the event of a conflict between the sections, the definitions in this article shall apply.

- (1) **Abandoned sign.** Any sign and/or its supporting sign structure that remains without a message or whose display surface remains blank for a period of one year or more, or any sign that pertains to a time, event or purpose that no longer applies. Signs applicable to a business temporarily suspended because of a change

in ownership or management of such business is not deemed abandoned unless the property remains vacant for a period of one year or more. Any sign remaining after demolition of a principal structure is also deemed to be abandoned. Signs that are present because of being established nonconforming signs or signs which have required a conditional use permit or a variance are also subject to the definition of "abandoned sign.

- (2) **Area (of a sign).** See "sign area."
- (3) **Awning.** A roof-like cover, often of fabric, plastic, metal or glass designed and intended for protection from the weather or as a decorative embellishment, and that projects from a wall or roof of a structure primarily over a window, walk, or the like. Any part of an awning that also projects over a door is counted as an awning.
- (4) **Awning sign.** A building sign or graphic printed on or in some fashion attached directly to the awning material.
- (5) **Balloon sign.** A sign consisting of a bag made of lightweight material supported by helium, hot, or pressurized air that is greater than 24 inches in diameter.
- (6) **Building sign.** Any sign attached or supported by any building.
- (7) **Cabinet sign.** Any wall sign that is not of channel or individually mounted letter construction.
- (8) **Canopy.** A roof-like cover, often of fabric, plastic, metal, or glass on a support, that provides shelter over a doorway.
- (9) **Canopy sign.** Any sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door or entrance. A canopy sign is not a marquee and is different from service area canopy signs.
- (10) **Changeable copy sign.** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. Changeable copy signs do not include signs upon which characters, letters or illustrations change or rearrange only once in a 24-hour period.
- (11) **Commercial speech.** Speech advertising a business, profession, commodity, service or entertainment.
- (12) **Dwell Time.** The duration or interval of time during that each individual advertisement or message is displayed on any dynamic sign.
- (13) **Dynamic Sign.** Any element of a sign or sign structure capable of displaying words, symbols, figures, images or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input or any other method or technology that allows a sign to present a series of images, messages or displays.
- (14) **Elevation.** The view of the side, front, or rear of a given structures.
- (15) **Elevation area.** The area of all walls that face any lot line.
- (16) **Erect.** Activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, painting, drawing or any other way of bringing into being or establishing.
- (17) **Flag.** Any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and that contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.
- (18) **Flashing sign.** A directly or indirectly illuminated sign that exhibits changing light or color effect by any means, so as to provide intermittent illumination that includes the illusion of intermittent flashing light by means of animation. The term "flashing sign" also means mode of lighting that resembles zooming, twinkling, or sparkling.
- (19) **Freestanding sign.** Any sign that has supporting framework that is placed on, or anchored in, the ground and that is independent from any building or other structure.
- (20) **Grade.** The final ground elevation after construction. Earth mounding for landscaping and screening is not part of the final grade for sign height computation.
- (21) **Ground sign.** Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and that has a total height not exceeding 8 feet.
- (22) **Height (of sign).** The vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.
- (23) **Illuminated sign.** Any sign that contains an element designed to emanate artificial light internally or externally.

- (24) Interior sign.** A sign that is located within the interior of any building, or within an enclosed lobby or court of any building, and a sign for and located within the inner or outer body, court or entrance of any theater.
- (25) Nonconforming sign.** Any sign and its support structure that was lawfully erected prior to the effective date of the regulations of this article that fails to conform to the requirements of this article. A sign that was erected in accordance with a variance granted before the adoption of the ordinance from which this chapter is derived and that does not comply with this chapter is deemed to be a nonconforming sign. A sign that was unlawfully erected is deemed to be an illegal sign.
- (26) Marquee.** Any permanent roof-like structure projecting beyond a theater building or extending along and projecting beyond the wall of that building, generally designed and constructed to provide protection from the weather.
- (27) Marquee sign.** Any building sign painted, mounted, constructed or attached in any manner, on a marquee.
- (28) Monument sign.** Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and that has a height exceeding 8 feet.
- (29) Multiple tenant site.** Any site that has more than one tenant, each of which (tenant) has a separate ground level exterior public entrance.
- (30) Non-commercial speech.** Dissemination of messages not classified as commercial speech, that includes, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.
- (31) Off-premises sign.** A commercial speech sign that directs the attention of the public to a business, activity conducted, or product sold or offered at a location not on the same lot where such sign is located. For the purposes of this article, easements and other appurtenances are considered to be outside such lot and any sign located or proposed to be located in an easement or other appurtenance is deemed an off-premises sign.
- (32) On-premises messages.** Messages that identify or advertise an establishment, person, activity, goods, products or services located on the premises where the sign is installed.
- (33) Owner (of a lot).** The legal owner of the lot as officially recorded by the county, and including fee owners, contract for deed purchasers and ground lessees.
- (34) Owner (of a sign).** The owner of the sign, including any lessees.
- (35) Pole sign.** See Pylon sign.
- (36) Portable sign.** Any sign that is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support is converted to another sign or attached temporarily or permanently to the ground since this characteristic is based on the design of such a sign.
- (37) Porte cochere.** A roofed structure or roof-like cover, extending from the entrance of a building and that provides shelter over a doorway.
- (38) Projecting sign.** Any sign that is affixed to a building or wall in such a manner that its leading edge extends more than 2 feet beyond the surface or such building or wall face.
- (39) Public notices.** Official notices posted by public officers, employees or their agents in the performance of their duties, or as directed by such officers, employees or agents.
- (40) Public street right-of-way.** The entire right-of-way of any public street.
- (41) Pylon sign.** Any freestanding sign that has its supportive structures anchored in the ground and that has a sign face elevated above ground level by poles or beams and with the area below the sign face open.
- (42) Residential zone.** Any N or NX zone.
- (43) Roof.** The exterior surface and its supporting structure on the top of a building or structure. The structural make-up of that conforms to the roof structures, roof construction and roof covering sections of the Uniform Building Code.
- (44) Roof line.** The upper-most edge of the roof or in the case of an extended facade or parapet, the upper-most height of the facade.
- (45) Roof sign.** Any sign erected and constructed wholly on and above the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

(46) Roof sign, integral. Any building sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, so that no part of the sign extends vertically above the highest portion of the roof and so that no part of the sign is separated from the rest of the roof by a space of more than 6 inches.

(47) Rotating sign. A sign or portion of a sign that turns about on an axis.

(48) Shimmering signs. A sign that reflects an oscillating sometimes distorted visual image.

(49) Sign. Any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, including all associated brackets, braces, supports, wires and structures, that is displayed for informational or communicative purposes.

(50) Sign area. A measurement of the area (size/square footage) within the frame of the sign, except that when the width of the frame exceeds 12 inches in the frame must be included in calculating sign area. When letters or graphics are mounted directly on a wall or fascia without a frame, the calculation of the sign's area must include the area extending 6 inches beyond the periphery formed around the letters or graphics in a plane figure bounded by straight lines. Each surface utilized to display a message or to attract attention must be measured as a separate sign. Symbols, flags, pictures, wording, figures or other forms of graphics painted on or attached to windows, walls, awnings, free-standing structures, suspended by balloons, or kites or on persons, animals, or vehicles are considered a sign and are included in calculating total sign area.

(51) Sign face. The surface of the sign upon, against, or through which the message of the sign is exhibited.

(52) Sign structure. Any structure including the supports, uprights, bracing and framework that supports or is capable of supporting any sign.

(53) Site. A lot or combination of contiguous lots that are intended, designated, and/or approved to function as an integrated unit.

(54) Stringer. A line of string, rope, cording, or an equivalent to which is attached a number of pennants.

(55) Suspended sign. Any building sign that is suspended from the underside of a horizontal plane surface and is connected to this surface.

(56) Total site signage. The combined area of all freestanding and wall identification signs on a specific property.

(57) Visible. Capable of being seen by a person of normal visual acuity (whether legible or not) without visual aid.

(58) Wall. Any structure that defines the exterior boundaries or courts of a building or structure and that has a slope of 60 degrees or greater with the horizontal plane.

(59) Wall sign. Any building sign attached parallel to, but within 2 feet of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, that is supported by such wall or building, and that displays only one sign surface.

(60) Window sign. Any building sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

102-1020 Permits

102-1020 (a) REQUIRED

Except as expressly stated in [102-1020 \(c\)](#), no sign may be erected, altered, reconstructed, maintained or moved without first securing a permit from the city. The content of the message or speech displayed on the sign may not be reviewed or considered in determining whether to approve or deny a sign permit. Permit applications must be submitted to the zoning administrator and include at least the following:

- (1)** The applicable application/permit fee;
- (2)** Name and address of the applicant, and the owners of the sign and the subject lot;
- (3)** The address at which any signs are to be erected;
- (4)** The lot, block and addition at which the signs are to be erected and the street on which they are to front;
- (5)** A complete set of plans showing the necessary elevations, distances, size and details to fully and clearly represent the construction and placement of the sign;
- (6)** The cost of the sign;
- (7)** Type of sign (i.e., wall sign, monument sign, etc.);

- (8) Certification by the applicant indicating the application complies with all requirements of this article; and
- (9) If the proposed sign is along state trunk highway or interstate highway, the application must be accompanied by proof that the applicant has obtained a permit from the state.

102-1020 (b) PROCESSING

The zoning administrator must act to approve or deny the sign permit in an expedited manner no later than 30 days from the receipt of the complete application. Permits not approved or denied within 30 days are deemed approved. If the permit is denied, the zoning administrator must provide a written notice of denial describing the applicant's appeal rights under [102-14160](#), and send such notice to the applicant by certified mail, return receipt requested.

102-1020 (c) EXEMPTIONS

The following signs do not require a permit. These exemptions, however, are not to be construed as relieving the owner of the sign from the responsibility of compliance with the provisions of this article or any other law or ordinance regulating signs in the city.

- (1) The changing of the display surface on a painted or printed sign. This exemption applies only to poster replacement and/or on-site changes involving sign painting elsewhere than directly on a building.
- (2) Signs 6 square feet or less in size.

102-1030 Prohibited Signs

The following signs are unauthorized and are prohibited in the city:

- (1) Any sign, signal, marking or device that purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signal, or that attempts to direct the movement of traffic or that hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal;
- (2) All off-premises signs;
- (3) Back-lighted awnings;
- (4) Signs painted, attached or in any other manner affixed to trees, rocks, or similar natural surfaces, or attached to public utility poles, bridges, towers, or similar public structures;
- (5) Portable signs; and

- (6) Changeable copy signs.

102-1040 Non-commercial Speech Signs

Notwithstanding any other provisions of this article to the contrary, all signs of any size containing non-commercial speech may be posted in any zone from August 1 in any general election year until 10 days following the general election and 13 weeks before any special election until 10 days following the special election.

102-1050 Illumination

External illumination for signs must be constructed and maintained so that the source of light is not visible from the public right-of-way or property used or zoned for residential purpose.

102-1060 Electric Signs

Electric signs must be installed in accordance with the current electrical code and a separate permit from the building official must be obtained before placement of such a sign.

102-1070 Window Signs

Temporary or permanent window signs must be on the inside of the window. Temporary or permanent window signs are limited to 33% of the surface area of the window to which they are affixed.

102-1080 Canopies, Marquees, and Awnings

102-1080 (a) WHERE ALLOWED

Canopies, marquees and fixed awnings are considered an integral part of the structure to which they are attached. They are allowed in mixed-use zones if they comply with the applicable sign area limitations of [102-10120](#) and the following regulations.

102-1080 (b) REGULATIONS

- (1) Awnings, canopies or marquees may not project into the public right-of-way closer than 30 inches to the street curb or curb line;
- (2) Awnings, canopies or marquees may have no part of the structure other than supports nearer the ground surface than 7 feet;
- (3) The architectural style of the awning, canopy or marquee must be consistent with the building being served;

- (4) Awnings, canopies or marquees projecting into the required setbacks may not be enclosed except with a transparent material permitting through vision;
- (5) Awnings, canopies or marquees built over the public right-of-way must be included in a liability insurance policy holding the city free of all responsibility; and
- (6) Sign may not project below a marquee.

102-1090 Sign Setbacks

Ground signs must be set back from lot lines in accordance with the minimum requirements of [Table 10-1](#).

Table 10-1. Minimum Setback from Lot Lines

ZONE	STREET	SIDE	REAR
N & NX	5	5	5
MX-TOD, MX-N, RX-TOD, RX-N	5	5	5
MX-S	10	5	5
IX-TOD I-TOF IX-S	5	5	5
I-1 I-2	10	10	10
P	5	5	5

Note: Ground signs are prohibited in MX-D and RX-D zones.

102-10100 Sign Height

The top of any sign, including any superstructure, may not extend higher than the roof of the building to which such sign is attached or the maximum height stated in [Table 10-2](#), whichever is less.¹

Table 10-2. Sign Height

ZONE	MAXIMUM HEIGHT (FEET)
N, NX, RX-N, & MX-N	6
MX-TOD & RX-TOD	10
IX-TOD, I-TOD, & IX-S	10
I-1 & I-2	10
P	6

¹ Proposed changes; existing maximum height is 35 feet.

102-10110 Signs in N and NX Zones

102-10110 (a) PROHIBITED SIGNS

The following signs are prohibited in all N and NX zones:

- (1) Awning signs;
- (2) Balloon signs;
- (3) Canopy signs;
- (4) Flashing signs;
- (5) Marquee signs;
- (6) Pole signs;
- (7) Pylon signs; and
- (8) Shimmering signs.

102-10110 (b) MAXIMUM SIGN AREA

The area of permitted signs in N and NX zones may not exceed the maximum limits established in [Table 10-3](#).

Table 10-3. Signs in N and NX Zones

ZONE	SINGLE SIGN MAXIMUM AREA	MAXIMUM CUMULATIVE SIGN AREA
N1, N2, N3	8 sq ft	8 sq ft
NX	12 sq ft	24 sq ft

102-10120 Signs in Mixed-Use and Special Zones

102-10120 (a) MAXIMUM SIGN AREA

The area of permitted signs in mixed-use and special zones may not exceed the maximum limits established in [Table 10-4](#).

Table 10-4. Mixed-Use and Special Zones

ZONE	SINGLE SIGN MAXIMUM AREA	MAXIMUM CUMULATIVE SIGN AREA
MX-TOD, MX-D, MX-N, RX-TOD, RX-D, RX-N	60 sq ft	2 sq ft per foot of building frontage [1]
MX-S	80 sq ft	3 sq ft per foot of building frontage [1]
IX-TOD I-TOF IX-S	250 80 sq ft	4 3 sq ft per foot of building frontage [1]
I-1 I-2	80 sq ft	4 3 sq ft per foot of building frontage [1]
P	60 sq ft	2 sq ft per foot of building frontage [1]

{1} On corner lots building frontage is measured along narrowest frontage

102-10130 Dynamic Signs

102-10130 (a) GENERAL

All dynamic signs are subject to all regulations of this section (102-10130).

102-10130 (b) ZONE LIMITATIONS

- (1) **N and NX Zones.** Dynamic signs may be approved in N or NX zones through the conditional use permit process on any lot occupied by a public, civic, or institutional use, provided that such signs will be located along a principal arterial, minor reliever or major collector road as designated in the comprehensive plan.
- (2) **Mixed-Use and Special Zones.** Dynamic signs are prohibited in RX-D, MX-D, RX-D, MX-N, and I zones. Dynamic signs may be located on properties within other mixed-use and special zones, provided the proposed dynamic sign will be located along a principal arterial or minor reliever road as designated in the comprehensive plan. Dynamic signs in mixed-use and special zones are permitted as of right, except that conditional use permit approval is required for any dynamic sign located on a property abutting an N- or NX-zoned lot or a lot occupied a residential use.

102-10130 (c) LOCATION

Dynamic signs must be located on the site of the use identified or advertised by the sign.

102-10130 (d) ORIENTATION

Dynamic signs must be positioned so as to limit their impact on adjacent residential uses. At a minimum, such signs must be positioned perpendicular to the adjacent public right-of-way.

102-10130 (e) TYPE OF SIGN

Dynamic signs are limited to ground signs only.

102-10130 (f) TEXT SIZE AND LEGIBILITY

The following minimum text size requirements apply to all dynamic signs. If a sign is located on a corner with streets that have differing speed limits, the minimum required text size is based on the standard for the higher speed limit to ensure maximum legibility.

Table 10-5. Dynamic Sign Text Size

SPEED LIMIT OF ABUTTING STREET (MPH)	MINIMUM TEXT SIZE (INCHES)
25–34	7
35–44	9
45–54	11
55 or higher	15

102-10130 (g) MODE

Dynamic signs may only operate in a static mode. Animation, motion or video displays are prohibited. Any change from one static display to another must be instantaneous and may not include any distracting effects, such as dissolving, spinning or fading. The images and messages displayed must be complete in and of themselves, without continuation in content to the next image or message or to any other sign.

102-10130 (h) SIZE AND NUMBER OF DISPLAYS

The dynamic portion of any sign may not exceed 80% of the total allowable area of the subject sign. The remaining 20% of the allowable sign area may not include dynamic capabilities even if it is not used. Each site can have only one dynamic sign and such dynamic signs may include only one dynamic display.

102-10130 (i) MINIMUM DISPLAY TIME

The images and messages displayed on a dynamic sign must have a minimum dwell time of at least 20 minutes, except for time, date and temperature signs. Time, date and temperature information must have a dwell time of at least 2 seconds, provided that the display of this information remains for at least 20 minutes before changing to another display.

102-10130 (j) BRIGHTNESS:

Dynamic signs may not exceed a maximum illumination of 5,000 nits during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. All dynamic sign applications shall include certification from the sign manufacturer that the sign has been preset to conform to the luminance levels noted above and these settings are protected from end users' manipulation by password protected software.

102-10130 (k) COLOR

Dynamic signs may use multiple colors within the display but the use of color must not create distraction or a hazard to the public health, safety or welfare. No portion of the display may change in color or color intensity in any manner. Each line of text in any direction must be uniform in color.

102-10130 (l) OPERATION

All dynamic signs must be equipped with a means to immediately discontinue the display if it malfunctions. The owner of a dynamic sign must immediately cease operation of their sign when notified by the city that it fails to comply with the regulations of this article. The dynamic sign must remain inoperable until such time that the owner demonstrates to the city that the device is in satisfactory working condition and conforms to the regulations of this

article. The city's decision regarding the operation of a dynamic sign may be appealed in accordance with the appeal procedures of [102-14160](#).

102-10130 (m) APPLICATION TO EXISTING SIGNS

The dynamic sign standards of this article apply to all existing and future dynamic signs, unless otherwise determined by the city that an existing sign qualifies as a nonconforming use under state statute or this development code. Any existing dynamic sign that cannot meet the minimum text size as required by the speed limit must use the largest size possible for one line of copy to fit in the available display space.

102-10140 Nonconforming Signs
.....

It is recognized that signs exist within the city that were lawful before these sign regulations were adopted, but are prohibited under the regulations of this article. Such nonconforming signs are allowed to continue as nonconforming signs provided that such signs are safe, are maintained so as not to be unsightly, and have not been abandoned or removed. Nonconforming signs are subject to compliance with the following provisions:

- (1) Nonconforming signs may not be enlarged or altered in a way that increases the sign's nonconformity.
- (2) If the use of the nonconforming sign or sign structure is discontinued for a period of one year, the sign or sign structure may not be reconstructed or used except in compliance with the provisions of this article.
- (3) Should a nonconforming sign or sign structure be damaged or structure be destroyed by any means to an extent greater than 50% of its market value and all required permits for its reconstruction have not been applied for within 180 days of when the sign or sign structure was damaged, it may not be reconstructed or used except in compliance with the provisions of this article.
- (4) If a nonconforming sign or sign structure is moved for any reason for any distance whatsoever, it must thereafter comply with the regulations of this article.
- (5) Existing signs on the site of a use that is not permitted in the zone in which the use is located may not be enlarged, expanded or moved except in changing the sign to a sign permitted in the subject zone.
- (6) When a building loses its nonconforming status all signs devoted to the building must be removed and all signs painted directly on the building must be repainted in a neutral color or a color that matches the building.

[page intentionally blank]

ARTICLE 14 PROCEDURES

102-1410	Common Provisions	14-2
102-1420	Preapplication Meetings	14-4
102-1430	Concept Plans	14-5
102-1440	Neighborhood Meetings	14-5
102-1450	Text Amendments	14-6
102-1460	Zoning Map Amendments	14-7
102-1470	Major Subdivisions	14-7
102-1480	Administrative Subdivisions	14-9
102-1490	Conditional Use Permits	14-9
102-14100	Interim Uses	14-11
102-14110	Development Plans	14-11
102-14120	Site Plans	14-12
102-14130	Zoning Variances	14-14
102-14140	Building Permits	14-14
102-14150	Certificates of Occupancy	14-14
102-14160	Appeals of Staff Decisions	14-14

102-1410 Common Provisions

102-1410 (a) APPLICABILITY

The common provisions of this section apply to all of the procedures in this development code unless otherwise expressly stated.

102-1410 (b) MINNESOTA STATUTES

These review and approval procedures are intended to comply with applicable provisions of the Minnesota Statutes. If any provision of this development code is in conflict with any provision of the Minnesota Statutes or if this development code fails to incorporate a provision required for implementation of the statutes, the Minnesota Statutes take precedence and govern.

102-1410 (c) REVIEW & DECISION-MAKING SUMMARY

Table 14-1 provides a summary of review and decision-making authority under this development code. If this summary table conflicts with the detailed, written procedures contained elsewhere in this development code, the detailed, written procedures govern.

Table 14-1. Review and Decision-Making Summary

PROCEDURE	ZA	BOAA	PZC	CC
Dev't Code Text Amendments	○	—	○	●
Zoning Map Amendments	○	—	○	●
Major Subdivisions				
Preliminary Plat	○	—	○	●
Final Plat	○	—	○	●
Administrative Subdivisions	●	—	—	—
Conditional Use Permit	○	—	○	●
Interim Uses	○	—	○	●
Site Plans				
Administrative Site Plan	●	—	—	—
Major Site Plan	○	—	○	●
Variances	○	○	—	●
Certificates of Occupancy	○	—	—	—
Building Permits	○	—	—	—
Appeals of Staff Decisions	○	●	—	①

Table notes:

- = review and recommendation | ● = final decision
- ① = appeals of BoAA decisions
- ZA = zoning administrator
- BOAA = board of appeals and adjustments
- PZC = planning & zoning commission
- CC = city council

102-1410 (d) APPLICATIONS AND FEES

- (1) **Applicability.** The application and fee provisions of this subsection apply to zoning applications filed by “eligible applicants.”
- (2) **Eligible Applicants.** When the procedures of this article allow an application to be filed by an “eligible applicant,” such application must be submitted by a person, firm, corporation or organization that has a legal property interest in the land that is the subject of the application, including owners, lessees, and holders of development rights. Applications may also be submitted by an authorized agent acting on behalf of such person, firm, corporation, or organization.
- (3) **Form of Application.** Applications required under this development code must be submitted in a form and in such numbers as required by the official responsible for accepting the application. Applications must include materials and information to assist authorized review and decision-making bodies in their consideration of the application, including at least the following:
 - a. A list of the names and addresses of all owners of record of the property that is the subject of the application; and
 - b. Maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information, as required by this development code or application checklists established by the official responsible for accepting the application.
- (4) **Additional Information.** Review and decision-making bodies are authorized to request supplemental information from applicants concerning operational factors and to require expert testimony with the consent and at the expense of the applicant concerning operational factors when such additional information is deemed necessary to evaluate the request or to establish conditions of approval. Failure on the part of the applicant to supply such supportive information may constitute grounds for denial of an application.
- (5) **Base Fees and Escrow Amounts.** All applications filed by property owners must be accompanied by the required base fee and escrow amount. Base fees and escrow funds are intended to cover the cost of providing public hearing notices and other costs related to reviewing and processing applications.

(6) Completeness, Accuracy and Sufficiency

- a. An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required application filing and notification fees.
- b. The official responsible for accepting the application is authorized to refuse acceptance of an incomplete application. If an application is determined to be incomplete, the official responsible for accepting the application must, within 15 days of receipt of the application, provide notice to the applicant along with an explanation of the application’s deficiencies. Notice of an incomplete application may be provided by personal service, electronic mail, or first-class mail.
- c. No further processing of incomplete applications will occur and incomplete applications will be pulled from the processing cycle. When the deficiencies are corrected, any state-mandated time-frames for decision-making will begin. If the deficiencies are not corrected by the applicant within 90 days, the application will be deemed to have been withdrawn.
- d. Applications deemed complete will be placed in the first available application processing cycle and will be reviewed by staff and other review and decision-making bodies, in accordance with applicable review and approval procedures of this development code.
- e. The official responsible for accepting the application may require that applications or plans be revised before being placed on an agenda for possible action if the official determines that:
 - 1. The application or plan contains one or more significant inaccuracies or omissions that will hinder timely or competent evaluation of the plan’s/application’s compliance with development code requirements or other regulations;
 - 2. The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan’s or application’s compliance with development code requirements or other regulations; or
 - 3. The decision-making body does not have legal authority to approve the application as filed.

102-1410 (e) APPLICATION PROCESSING CYCLES

City officials responsible for accepting applications are authorized to promulgate reasonable cycles and timelines for processing applications, including deadlines for receipt of complete applications.

102-1410 (f) PUBLIC HEARING NOTICES

(1) Published Notice. When the procedures of this development code require that published notice be provided, the notice must be published in the city’s official newspaper. Required newspaper notices must be published at least 10 days before the day of the public hearing,

(2) Mailed Notice to Property Owners

- a. When the procedures of this development code require that mailed notice be provided, such notices must be sent to all owners and occupants of property within ~~350~~ 500 of the subject property via United States Postal Service and postmarked at least 10 days before the day of the public hearing. The zoning administrator is authorized to increase the otherwise applicable 500-foot notification radius based on project size, geographic considerations, or other relevant factors aimed at providing adequate notice to affected properties.
- b. Property owner and occupant addresses must be obtained from the latest address information maintained by the city assessor. When the assessor’s records show a mailing address for an owner of property to be different than the address of the property owned, then notification must also be mailed to the address of the property itself.
- c. The person responsible for providing mailed notices must file a affidavit of mailing or equivalent affirming that mailed notice has been provided in accordance with these regulations. A copy of the notice and the addresses to which the notice was sent must be made a part of the records of the proceedings.

(3) Posted Notice. When the procedures of this development code require that posted notice be provided:

- a. At least one sign must be posted on each public street frontage abutting the subject property in locations plainly visible to passers-by.
- b. Signs must be posted and remain visible and in sound condition for at least 10 consecutive days before the day of the public hearing.

102-1450 Preapplication Meetings

(4) Courtesy Notices. In addition to the forms of notice required to be provided by this development code, the city may elect to provide additional forms of courtesy notification by, for example, posting notices in city hall or other government buildings, or providing notice via the city's website.

(5) Content of Notices. All required hearing notices must:

- a. Indicate the date, time and place of the hearing or date of action that is the subject of the notice;
- b. Describe any property involved in the application by address or by a commonly understood description of the location;
- c. Describe the general nature of the application or proposal; and
- d. Indicate where additional information on the matter can be obtained.

(6) Constructive Notice

- a. When the records of the city document the publication, mailing, or posting of notice, as required by this article, required notice of the public hearing will be presumed to have been given. Failure of mailed notice to reach any intended recipient does not invalidate any action taken on the subject matter of the notice.
- b. Minor defects in required notices will not be deemed to impair the notice or invalidate proceedings pursuant to the notice. Minor defects in notice are limited to errors in a legal description or typographical or grammatical errors that do not impair communication of the notice to affected parties. If questions arise at the hearing regarding the adequacy of notice, the body conducting the hearing must make a formal finding about whether there was substantial compliance with the notice requirements of this development code.

102-1410 (g) PUBLIC HEARINGS

- (1) General.** The body conducting the hearing is authorized to establish reasonable rules and regulations governing the conduct of hearings and the presentation of information and comments.
- (2) Continuances.** Once commenced, a public hearing may be continued by the hearing body. No re-notification is required if the continuance is set for specified date and time and that date and time is announced at the time of the continuance. If a public hearing is continued or postponed for an indefinite period of time from the date

of the originally scheduled public hearing, new public hearing notice must be given before the rescheduled public hearing. If the applicant requests and is granted a continuance or postponement requiring renotification, the body conducting the hearing is authorized to require that the applicant pay any costs of renotification.

102-1410 (h) REVIEW AND DECISION-MAKING

- (1) Authorized Actions.** Review and decision-making bodies may take any action that is consistent with:
 - a. The regulations of this development code and state law;
 - b. Any rules or by-laws that apply to the review or decision-making body; and
 - c. The notice that was given.
- (2) Burden of Proof or Persuasion.** In all cases, the burden is on the applicant to show that an application or proposal complies with all applicable review or approval criteria.
- (3) Continuance or Deferral.** Decision-making bodies are authorized to continue a public hearing or defer action in order to receive additional information or further deliberate.
- (4) Conditions of Approval**
 - a. Review bodies are authorized to recommend conditions and decision-making bodies are authorized to approve the subject application with conditions.
 - b. Any conditions recommended or approved must relate to a situation likely to be created or aggravated by the proposed use or development and must be roughly proportional to the impacts of the use or development.

102-1410 (i) SUCCESSIVE APPLICATIONS

Decision-making bodies are authorized to decline to consider any application relating to the same or substantially the same matter for 6 months from the date of denial of the previous application.

102-1420 Preapplication Meetings

102-1420 (a) GENERAL

Preapplication meetings provide an early opportunity for staff and applicants to discuss application submittal requirements, approval procedures, regulations, design standards, and other issues before submitting a formal

application for review and approval under this development code.

102-1420 (b) APPLICABILITY

- (1) **Elective.** Preapplication meetings are encouraged before filing any application for approval under this development code.
- (2) **Mandatory.** Preapplication meetings are required before filing an application for approval of any of the following:
 - a. Zoning map amendments;
 - b. Major subdivision preliminary plats;
 - c. Conditional use permits;
 - d. Development plans; and
 - e. Variances.

102-1420 (c) GUIDELINES

The zoning administrator is authorized to establish guidelines for preapplication meetings, including information that must be provided and available alternatives to in-person meetings.

102-1430 Concept Plans

Any applicant for approval under the procedures of this development code may request a preliminary (pre-application) concept plan meeting with applicable review and decision-making bodies to explore the concept ideas and all other pertinent general information related to a possible application. Requests for concept plan meetings must be accompanied by the required fee and data that will provide review and decision-making bodies with adequate information to allow for a preliminary examination of the anticipated application, as determined by the zoning administrator. Recommendations and opinions expressed by review and decision-making bodies as part of a concept plan review are not binding.

102-1440 Neighborhood Meetings

102-1440 (a) PURPOSE

It is the city's intent to expand and enhance the dissemination of information to the residents and to encourage involvement by residents in the planning process. For these reasons, applicants for conditional use permits or zoning map amendments that are located adjacent to or within any portion of a N zone must facilitate and host a neighborhood meeting in accordance with the procedures of this section. The city may also require a neighborhood meeting for other land use applicants, as determined necessary and appropriate. Required

neighborhood meetings are separate and distinct from any public hearing that is required pursuant to state law.

102-1440 (b) SCHEDULING

- (1) Applicants must schedule required neighborhood meetings to take place only after the city has accepted an application under this development code and at least one week before the statutorily required public hearing on the subject application.
- (2) Meetings must be scheduled Monday through Thursday evenings after 6:30 p.m., although meetings may not take place on any of the following dates:
 - a. On a holiday, as that term is defined in Minnesota Statutes, Section 645.44;
 - b. On October 31;
 - c. On the evening of a major political party caucus; or
 - d. On the date of an election being held within the city's boundaries.
- (3) The applicant must host the meeting and present the proposed project for questions and comments from those in attendance.

102-1440 (c) NOTICE AND INVITATION

- (1) Notice of required neighborhood meetings must be mailed at least 10 days before the meeting to those names and addresses listed on the public hearing notice list provided by the planning & economic development department. The area of notification may be modified by city staff based on the specific project.
- (2) The applicant must make available to the public a complete description of the proposed project necessitating the application, including copies of printed materials and maps, where appropriate. The notice and invitation must include at least the following:
 - a. Date, time, and location of the meeting;
 - b. Project location map; and
 - c. Contact information for the applicant, including an email address and a telephone number.
- (3) The applicant must provide a sign-in sheet at the meeting to be signed at the option of those in attendance. The applicant must also take minutes at the meeting. A copy of this information must be provided to city staff no more than one day following the neighborhood meeting.

- (4) The schedule of meeting dates for planning & zoning commission, park and recreation commission, and city council to consider the application, as applicable, must be provided to those in attendance at the meeting, if those dates are known.
- (5) A copy of the meeting invitation must also be emailed to the members of the planning & zoning commission, the city council, and the city planner. A list of these individuals and their email addresses must be provided to the applicant by the city planning & economic development department.
- (6) If the applicant desires to use a room in city hall for the meeting, this needs to be coordinated with the city clerk.

102-1440 (d) MODIFICATION OF REQUIREMENTS

The city recognizes that not all land use applications or circumstances are similar in nature and certain situations may warrant deviating from the express requirements of this section for reasons that cannot necessarily be predicted or contemplated within a rigid set of policy provisions. To that end, the city manager is authorized to permit deviations from any of the neighborhood meeting requirements of this section upon determining that such deviation is reasonable under the circumstances. This subsection is not to be interpreted to act as a mechanism through which an applicant may request or apply for deviations, but rather is intended solely to provide city staff with the flexibility to initiate a deviation when circumstances warrant..

102-1450 Text Amendments

102-1450 (a) GENERAL

Amendments to the text of this development code must be processed in accordance with the development code text amendment procedures of this section.

102-1450 (b) INITIATION

Development code text amendments applications may be initiated by private parties, the zoning administrator, the planning & zoning commission or the city council.

102-1450 (c) NOTICE OF HEARING

Notice of the planning & zoning commission’s required public hearing on a development code text amendment must be published in accordance with [102-1410 \(f\)](#).

102-1450 (d) COMMISSION PUBLIC HEARING

The planning & zoning commission must hold a public hearing on the proposed development code text amendment. Following the close of the public hearing, the planning & zoning commission must act to recommend that the proposed text amendment be approved as proposed,

Figure 14-1. Development Code Text Amendments



approved with modifications, or denied and transmit its report and recommendations to the city council. The planning & zoning commission may also act to continue the matter for further consideration and deliberation. Motions to approve, approve with modifications, or deny development code text amendments may be approved by a simple majority vote. If the planning & zoning commission arrives at a tie vote, the application must be forwarded to the city council with a notation of the tie vote.

102-1450 (e) CITY COUNCIL ACTION

Following receipt of the planning & zoning commission's recommendation, the city council must act to approve the development code text amendment, approve the development code text amendment with modifications, or disapprove the text amendment. The city council is also authorized to continue the matter or remand the proposed text amendment back to the planning & zoning commission for further consideration. Development code text amendments may be approved by a simple majority vote of the city council.

102-1450 (f) REVIEW AND APPROVAL CRITERIA

The decision to amend the development code text is not controlled by any one standard. In making decisions about development code text amendments, the planning & zoning commission and city council must consider all relevant factors, including at least the following:

- (1) Whether the proposed development code text amendment is in conformity with the comprehensive plan; and

Figure 14-2. Zoning Map Amendments



- (2) Whether the proposed development code text amendment corrects an error or inconsistency or will help meet the challenge of a changed or changing condition.

102-1460 Zoning Map Amendments

102-1460 (a) GENERAL

Amendments to the zoning map that change the zoning classification of property or that modify zoning district boundaries must be processed in accordance with the zoning map amendment procedures of this section.

102-1460 (b) INITIATION

Zoning map amendments applications may be filed by an eligible applicant, as defined in [102-1410 \(d\)](#), or be initiated by the city council, planning & zoning commission, or the zoning administrator. Applications initiated by private parties must be filed with the zoning administrator.

102-1460 (c) NOTICE OF HEARING

Notice of the planning & zoning commission’s required public hearing on a zoning map amendment must be published, mailed, and posted in accordance with [102-1410 \(f\)](#), except that mailed and posted notice is not required for city-initiated rezonings affecting multiple properties with a combined area of 5 acres or more.

102-1460 (d) COMMISSION PUBLIC HEARING

The planning & zoning commission must hold a public hearing on the proposed zoning map amendment. Following the close of the public hearing, the planning & zoning commission must act to recommend that the proposed zoning map amendment be approved as proposed, approved with modifications, or denied and transmit its report and recommendations to the city council. The planning & zoning commission may also act to continue the matter for further consideration and deliberation. Motions to approve, approve with modifications or deny zoning map amendments may be approved by a simple majority vote. If the planning & zoning commission arrives at a tie vote, the application must be forwarded to the city council with a notation of the tie vote.

102-1460 (e) CITY COUNCIL ACTION

Following receipt of the planning & zoning commission's recommendation, the city council must act to approve the zoning map amendment with modifications, or disapprove the zoning map amendment. The city council is also authorized to continue the matter or remand the proposed zoning map amendment back to the planning & zoning commission for further consideration. Zoning map amendments may be approved by a simple majority vote of the city council.

102-1460 (f) REVIEW AND APPROVAL CRITERIA

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any one criterion or standard. In making recommendations and decisions about zoning map amendments, the planning & zoning commission and city council must consider all relevant factors, including at least the following:

- (1) Whether the proposed zoning map amendment is in conformity with the comprehensive plan; and
- (2) Whether the proposed zoning map amendment corrects an error or inconsistency or will help meet the challenge of a changed or changing condition.

102-1460 (g) TIME-FRAME FOR FINAL ACTION

In accordance with section 15.99 of the Minnesota Statutes, if the city council does not take action on a zoning map amendment application filed by a private party within 60 days of receipt of a complete application, the application is deemed approved, unless:

- (1) The city notifies the applicant that the 60-day rule is being extended; or
- (2) The applicant agrees in writing to waive the 60-day rule.

Figure 14-3. Major Subdivision Preliminary Plats



Figure 14-4. Major Subdivision Final Plats



102-1470 Major Subdivisions

102-1470 (a) GENERAL

The major subdivision approval procedures of this section govern the subdivision of unplatted land and resubdivision of previously platted lands, except as expressly authorized by the administrative subdivision procedures of [102-1480](#). The major subdivision approval process entails review and approval of a preliminary plat followed by review and approval of a final plat. No property to which the subdivision regulations or other official controls of this development code apply may be transferred by metes and bounds description

102-1470 (b) PRELIMINARY PLATS

- (1) **Application Filing.** Applications for preliminary plat approval must be submitted to the zoning administrator.
- (2) **Notice of Hearing.** Notice of the planning & zoning commission’s required public hearing on a preliminary plat must be published **and posted** in accordance with [102-1410 \(f\)](#).
- (3) **Commission Public Hearing.** The planning & zoning commission must hold a public hearing on the proposed preliminary plat. Following the close of the public hearing, the planning & zoning commission must act to recommend that the proposed preliminary plat be approved as proposed, approved with modifications, or denied and transmit its report and recommendations to the city council. The planning & zoning commission may also act to continue the matter for further

consideration and deliberation. Motions to approve, approve with modifications or deny preliminary plats may be approved by a simple majority vote. If the planning & zoning commission arrives at a tie vote, the application must be forwarded to the city council with a notation of the tie vote.

- (4) **City Council Action.** Following receipt of the planning & zoning commission’s recommendation, the city council must act to approve the preliminary plat, approve the preliminary plats with modifications, or disapprove the preliminary plat. The city council is also authorized to continue the matter or remand the proposed preliminary plat application back to the planning & zoning commission for further consideration. Preliminary plats may be approved by a simple majority vote of the city council.
- (5) **Review and Approval Criteria**
 - a. In reviewing and acting on preliminary plat applications, review and decision-making bodies must consider whether the proposed preliminary subdivision plat is consistent with the comprehensive plan and complies with all applicable regulations of this development code.
 - b. If the subdivision plat is approved with conditions, the final plat and any other required submittals related to the subdivision review process must demonstrate compliance with the imposed conditions.
- (6) **Time-Frame for Final Action.** In accordance with section 462.358 of the Minnesota Statutes, if the city

council does not take action on a preliminary plat application within 120 days of receipt of a complete application, the application is deemed approved, unless the applicant agrees in writing to waive the 120-day rule.

are to be built within the subdivisions must also be submitted with the final plat.

102-1470 (c) FINAL PLATS

- (1) Application Filing.** Following approval of a required preliminary plat, applicants may file an application for final plat approval for all or a portion of the proposed subdivision. Applications for final plat approval must be submitted to the zoning administrator.
- (2) Commission Review and Recommendation.** Following receipt of a complete application, the planning & zoning commission must consider the proposed final plat conformance with the approved preliminary plat and compliance with all applicable development code regulations and act to recommend that the proposed final plat be approved as proposed, approved with modifications, or denied and transmit its report and recommendations to the city council. The planning & zoning commission may also act to continue the matter for further consideration and deliberation. Motions to approve, approve with modifications or deny final subdivision plats may be approved by a simple majority vote. If the planning & zoning commission arrives at a tie vote, the application must be forwarded to the city council with a notation of the tie vote.
- (3) City Council Action.** Following receipt of the planning & zoning commission's recommendation, the city council must act to approve the final plat or disapprove the final plat. The city council is also authorized to continue the matter or remand the proposed final plat application back to the planning & zoning commission for further consideration. Final plats may be approved by a simple majority vote of the city council.
- (4) Time-Frame for Final Action.** In accordance with section 462.358 of the Minnesota Statutes, if the city council does not take action on a final plat application within 60 days of receipt of a complete application, the application is deemed approved, unless the applicant agrees in writing to waive the 120-day rule.
- (5) Recording of Final Plat.** If the final plat is approved by the city council, the subdivider must record it with the county recorder within 100 days of the date of approval; otherwise, the approval of the final plat is void. Immediately upon recording, the subdivider must furnish the clerk with four prints of the recorded plat and proof of recording. Three copies of the certified plan showing the improvements as built or as they

102-1480 Administrative Subdivisions

102-1480 (a) APPLICABILITY

The administrative subdivision approval procedures of this section apply to:

- (1)** Lot line adjustments that combine multiple, existing abutting lots into a fewer number of lots than existed before the lot line adjustment occurred;
- (2)** Lot line adjustments that alter the boundary between or reconfigure the shapes of existing abutting lots without creating additional lots;
- (3)** Resubdivision of previously platted land that result in no more than one additional lot being created; and
- (4)** Other minor land division activities authorized by the planning & zoning commission.

102-1480 (b) APPLICATION FILING

Applications for administrative subdivision approval must be submitted to the zoning administrator.

102-1480 (c) ZONING ADMINISTRATOR ACTION

Following receipt of a complete application, the zoning administrator must review the administrative subdivision application and act to approve the subdivision, approve the subdivision with modifications or conditions, or disapprove the subdivision.

102-1480 (d) REVIEW AND APPROVAL CRITERIA

In order to approve an administrative subdivision application the zoning administrator must determine that all of the following criteria are met:

- (1)** The proposed subdivision will not create more than one additional lot;
- (2)** The proposed subdivision or consolidation conforms to all applicable zoning regulations of zone in which the property is located;
- (3)** The proposed subdivision or consolidation provides all necessary drainage and utility easements;
- (4)** No public improvements or dedications of right-of-way will be required; and
- (5)** The proposed subdivision or consolidation meets all subdivision design standards of this development code.

Figure 14-5. Conditional Use Permits



102-1490 Conditional Use Permits

102-1490 (a) GENERAL

Conditional use permit approval is required whenever a requirement for such approval is expressly stated by the provisions of this development code. Applications of conditional use permit approval must be processed in accordance with the conditional use permit procedures of this section.

102-1490 (b) APPLICATION FILING

Conditional use permit applications may be filed by an eligible applicant, as defined in [102-1410 \(d\)](#). Applications must be filed with the zoning administrator.

102-1490 (c) NOTICE OF HEARING

Notice of the planning & zoning commission’s required public hearing on a conditional use permit application must be published, mailed, and posted in accordance with [102-1410 \(f\)](#).

102-1490 (d) COMMISSION PUBLIC HEARING

The planning & zoning commission must hold a public hearing on the proposed conditional use permit. Following the close of the public hearing, the planning & zoning commission must act to recommend that the proposed conditional use permit be approved as proposed, approved with modifications or conditions, or denied and transmit its report and recommendations to the city council. The

planning & zoning commission may also act to continue the matter for further consideration and deliberation. Motions to approve, approve with modifications or conditions, or deny conditional use permits may be approved by a simple majority vote. If the planning & zoning commission arrives at a tie vote, the application must be forwarded to the city council with a notation of the tie vote.

102-1490 (e) CITY COUNCIL ACTION

Following receipt of the planning & zoning commission’s recommendation, the city council must act to approve the conditional use permit, approve the conditional use permit with modifications, or disapprove the conditional use permit. The city council is also authorized to continue the matter or remand the proposed conditional use permit back to the planning & zoning commission for further consideration. Conditional use permits may be approved by a simple majority vote of the city council.

102-1490 (f) REVIEW AND APPROVAL CRITERIA

A conditional use permit may be approved only if the city council determines that:

- (1) The proposed conditional use is consistent with the comprehensive plan and the purposes of this development code;
- (2) The proposed conditional use complies with all applicable provisions of this development code; and
- (3) The proposed conditional use will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

102-1490 (g) TIME-FRAME FOR FINAL ACTION

In accordance with section 15.99 of the Minnesota Statutes, if the city council does not take action on a conditional use permit application within 60 days of receipt of a complete application, the application is deemed approved, unless:

- (1) The city notifies the applicant that the 60-day rule is being extended; or
- (2) The applicant agrees in writing to waive the 60-day rule.

102-1490 (h) EXPIRATION

- (1) An approved conditional use permit expires and is void one year after it is approved by the city council unless a building permit has been issued and the project has commenced and is diligently pursued to completion. If no building permit is required, the use, improvement or activity that is the subject of the conditional use permit must be in place within the one-year period.

- (2) The city council is authorized to extend the expiration period by up to one year at the time of approval of the conditional use permit or any time before expiration of the approval. Requests for extensions after the conditional use permit is approved must be processed in accordance with the conditional use permit procedures of this section, including applicable fees, notices and public hearings.

102-1490 (i) AMENDMENTS

Amendments to approved conditional use permits must be processed as new conditional use permit applications, including all requirements for fees, notices and public hearings, provided that the zoning administrator is authorized to approve the following:

- (1) Any structures or uses authorized to be approved by the zoning administrator at the time of conditional use permit approval; and
- (2) Other changes that the zoning administrator determines are insignificant and not likely to result in external impacts that exceed those of the original approval.

102-14100 Interim Uses

102-14100 (a) GENERAL

The city council is authorized to approve an interim use in any zone subject to the procedures of this section.

102-14100 (b) APPLICATION FILING

Interim use applications may be filed by an eligible applicant, as defined in [102-1410 \(d\)](#). Applications must be filed with the zoning administrator.

102-14100 (c) NOTICE OF HEARING

Notice of the city council's required public hearing on an on an interim use request must be published **and posted** in accordance with [102-1410 \(f\)](#).

102-14100 (d) CITY COUNCIL HEARING/DECISION

The city council must hold a public hearing on the proposed interim use. Following the close of the public hearing, the city council must act to approve the proposed interim use, approve the proposed use with modifications or conditions, or deny the interim use request. The city council may also act to continue the matter for further consideration and deliberation. Motions to approve, approve with modifications or conditions, or deny interim uses may be approved by a simple majority vote.

102-14100 (e) REVIEW AND APPROVAL CRITERIA

An interim use may be approved only if the city council determines that:

- (1) The use complies with all applicable zoning regulations;
- (2) The date or event that will terminate the use can be identified with certainty;
- (3) Permitting the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- (4) The applicant agrees to any conditions that the city council deems appropriate for approval of the use.

102-14100 (f) TIME-FRAME FOR FINAL ACTION

In accordance with section 15.99 of the Minnesota Statutes, if the city council does not take action on an interim use application within 60 days of receipt of a complete application, the application is deemed approved, unless:

- (1) The city notifies the applicant that the 60-day rule is being extended; or
- (2) The applicant agrees in writing to waive the 60-day rule.

102-14100 (g) CHANGE OF ZONING REGULATIONS

An interim use may be terminated by a change in zoning regulations.

102-14110 Development Plans¹

102-14110 (a) APPLICABILITY

The development plan review and approval procedures of this section apply to all requests for approval of master plan developments (MPDs, see also [102-420](#)) and to requests for approval of planned unit developments (PUDs, see also [XXX](#)).

102-14110 (b) PROCESS GENERALLY

- (1) **Development Plans.** Once approved, a development plan, in combination with the zone classification applied to the subject property, sets forth the basic entitlements for development of the subject property, including any approved departures from strict compliance with otherwise applicable regulations of this development code and any supplemental conditions of development imposed at the time of development plan approval.
- (2) **Zoning Map Amendment.** Development plans for master planned developments (MPDs) and planned unit developments (PUDs) must be processed concurrently with a zoning map amendment for the subject property following the procedures in [102-1460](#).

¹ Updated procedures for processing of MPDs (new) and PUDs.

- (3) **Subdivision Review.** If subdivision approval is required for the subject project, such review must occur simultaneously with review of the development plan and zoning map amendment.

102-14110 (c) APPLICATION FILING

Development plan applications may be filed by an eligible applicant, as defined in [102-1410 \(d\)](#). Applications must be filed with the zoning administrator.

102-14110 (d) NOTICE OF HEARING

Notice of the planning & zoning commission’s required public hearing on a development plan application must be published, mailed, **and posted** in accordance with [102-1410 \(f\)](#). Such notice may be combined with the public hearing notice provided for the zoning map amendment and any required subdivision plat application.

102-14110 (e) REVIEW AND FINAL DECISION

- (1) In acting on proposed development plans for MPDs and PUDs, the planning & zoning commission is authorized to recommend and the city council is authorized to approve departures from strict compliance with otherwise applicable building type, zone, and design regulations and departures from strict compliance with those MPD regulations expressly identified as eligible for departures in the master plan development regulations of [102-420](#).
- (2) The planning & zoning commission is also authorized to recommend and the city council is authorized to approve any supplemental conditions of development necessary to ensure that the proposed development is consistent with the comprehensive plan and that is .
- (3) The authority to approve departures from strict compliance is limited to intended to recognize that there may be instances in which:
 - a. Site-specific building or site features or other characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable; and
 - b. Alternative project designs may result in equal or better implementation of a regulation’s intended purpose; and
 - c. Alternative project designs will facilitate development that would promote one or more of the following public benefit features:
 - 1. Variety in housing types and sizes to accommodate households of diverse ages, sizes, incomes and lifestyle choices;

- 2. Compact, mixed-use development patterns where residential, commercial, employment, civic, and open space areas are located in close proximity to one another;
- 3. A transportation network designed to accommodate safe and efficient motorized and non-motorized travel;
- 4. Buildings and other improvements that by their arrangement, massing, design, character and site design elements establish a quality, livable environment;
- 5. Sustainable development practices; and
- 6. Low-impact development (LID) and stormwater best management practices.

102-14110 (f) SITE PLAN REQUIREMENT

- (1) Site plan approval is required before the issuance of any permits for development or construction of on any property included within the boundaries of any approved development plan. This site plan approval requirement does not apply to the construction of streets or other public improvements.
- (2) Unless a longer time period or a phasing plan is approved at the time of approval of the development plan, a complete application for site plan approval must be filed within 2 years of the date of development plan approval. If an application for site plan approval is not filed within the time required, no further site plans may be approved for the project until the subject property owner has filed the original or amended development plan for review and consideration by the planning & zoning commission and city council. Following review and consideration, the city council is authorized to approve any of the following actions based on surrounding land use patterns and other relevant information presented at the time of reconsideration:
 - a. An extension of time for filing a site plan;
 - b. An amendment to the approved development plan; or
 - c. Rezoning of all or a portion of the subject property to another zone classification in accordance with the zoning map amendment procedures of [102-1460](#).

102-14120 Site Plans

102-14120 (a) GENERAL

Site Plans are required in order to provide information that will allow a determination of whether proposed buildings,

uses, and structures comply this development code and with other applicable city regulations.

102-14120 (b) APPLICABILITY

Unless otherwise expressly exempted under provisions of this development code, site plan approval is required for all of the following:

- (1) Construction or enlargement a building;
- (2) Movement of a building to any lot;
- (3) Expansion or change in use of a building or lot;
- (4) Modification of a building, accessory structure or land feature in any manner which results in a greater intensity of use, including the construction of additional parking;
- (5) Reconstruction, replacement, or remodeling of material on 50% or more on any part of the exterior of an existing building ~~that abuts a public right-of-way 50 feet or more in width~~; and
- (6) Any use or activity for site plan approval for which site plan approval is expressly required under this development code.

102-14120 (c) EXEMPTIONS

Notwithstanding the provisions of [102-14120 \(b\)](#), the following do not require site plan approval:

- (1) Changes in the leasable space on the interior of a multi-tenant building when the change does not intensify the use, require additional parking, or result in an inability to maintain compliance with applicable regulations of this development code; and
- (2) The construction, enlargement, or moving of residential buildings containing 4 or fewer dwelling units.

102-14120 (d) APPLICATION FILING

Site plan applications may be filed by an eligible applicant, as defined in [102-1410 \(d\)](#). Applications must be filed with the zoning administrator.

102-14120 (e) PROCESS; DECISION-MAKING²

Two types of site plan review are established under this development code—major site plan review and administrative site plan review.

- (1) **Major Site Plans.** Major site plans require review and recommendation by the planning & zoning commission and final review and decision-making by the city council.

a. **Applicability.** The following are subject to the major site plan review process:

1. Site plans that accompany a conditional use permit application, which must be reviewed in accordance with the conditional use permit procedures of [102-1490](#);
2. Site plans that accompany a conditional use permit application, which must be reviewed in accordance with the conditional use permit procedures of [102-14130](#);
3. Construction of a new building with more than 25,000 square feet of gross floor area and building enlargements resulting in the addition of more than 25,000 square feet of gross floor area.
4. Site plans that qualify as administrative site plans but which are referred by the zoning administrator for processing as a major site plan; and
5. Any other activities for which major site plan approval is expressly identified in this development code.

b. **Process**

1. **Submittal.** Applications for major site plan approval must be submitted to the zoning administrator.
2. **Public Hearing Notice.** Notice of the planning & zoning commission's required public hearing on a major site plan must be mailed and posted in accordance with [102-1410 \(f\)](#).
3. **Public Hearing.** The planning & zoning commission must conduct a public hearing on all requests for major site plan approval.
4. **Commission Recommendation.** Following the close of the public hearing, the planning & zoning commission must act to recommend that the proposed major site plan be approved as proposed, approved with modifications or conditions, or disapproved and transmit its report and recommendations to the city council. The planning & zoning commission may also act

² This proposed code expands staff-level review authority for site plan review. This recommendation is based on the new code's use of objective standards for building siting and design and as a proposed process streamlining measure.

to continue the matter for further consideration and deliberation. Motions to approve, approve with modifications or conditions, or disapprove major site plans may be approved by a simple majority vote. If the planning & zoning commission arrives at a tie vote, the application must be forwarded to the city council with a notation of the tie vote.

5. City Council Action. Following receipt of the planning & zoning commission's recommendation, the city council must act to approve the major site plan, approve the major site plan with modifications or conditions, or disapprove the major site plan. The city council is also authorized to continue the matter or remand the proposed major site plan application back to the planning & zoning commission for further consideration. Major site plans may be approved by a simple majority vote of the city council.

(2) Administrative Site Plans. The zoning administrator has final review and decision-making authority on all site plans except those classified as major site plans in [102-14120 \(e\).\(1\)](#). Following receipt of a complete application, the zoning administrator must review the administrative site plan application and act to approve the site plan, approve the site plan with modifications, or disapprove the site plan. The zoning administrator is also authorized to refer a site plan that is otherwise eligible for processing as an administrative site plan for processing as a major site plan in accordance with [102-14120 \(e\).\(1\)](#). Administrative site plans may be reviewed concurrently with certificates of occupancy (see [102-14150](#)).

(3) Criteria for Site Plan Approval. Final action to approve or disapprove a proposed major site plan or administrative site plan must be based on whether the site plan, as proposed, complies the regulations of this development code and all other applicable regulations.

102-14120 (f) TIME-FRAME FOR FINAL ACTION

In accordance with section 15.99 of the Minnesota Statutes, if the authorized decision-making body does not take action on a site plan application within 60 days of receipt of a complete application, the application is deemed approved, unless:

- (1)** The city notifies the applicant that the 60-day rule is being extended; or
- (2)** The applicant agrees in writing to waive the 60-day rule.

102-14120 (g) EXPIRATION

- (1)** An approved site plan expires and is void one year after it is approved unless a building permit has been issued and the project has commenced and is diligently pursued to completion. If no building permit is required, the use, improvement or activity that is the subject of the site plan must be in place within the one-year period.
- (2)** The zoning administrator is authorized to extend the expiration period by up to one year at any time before expiration of the approval. All other requests for extensions must be processed in accordance with the applicable site plan procedures of this section.

102-14130 Zoning Variances

102-14130 (a) GENERAL

A zoning variance is a grant of relief to a property owner from strict compliance with the zoning regulations of this development code.

102-14130 (b) PROCESS

Under this development code, the city council is the final decision-making authority on requests for zoning variances, following a public hearing and review by the board of appeals and adjustments. See Minnesota Statutes § 462.357, subd. 6 for regulations governing the processing and criteria for the granting of zoning variances.

102-14130 (c) REASONABLE ACCOMMODATION

The zoning variance procedures of this development code notwithstanding, requests for reasonable accommodation in the form of modifications to zoning or other development regulations that pose a barrier to fair housing opportunities for persons with disabilities must be processed in accordance with the Reasonable Accommodation procedures of Chapter 1, Section 1-21 of the city code.

102-14140 Building Permits

No building or structure may be erected or structurally altered until a building permit has been issued for such building or structure. No building permit may be issued except in conformance with an approved conditional use permit or certificate of occupancy application, as applicable.

102-14150 Certificates of Occupancy

102-14150 (a) GENERAL

No building or structure erected, moved or structurally altered, and no portion of an existing building or structure erected or moved may be occupied or used for any

Figure 14-6. Zoning Variances



purpose whatsoever until a certificate of occupancy has been issued.

102-14150 (b) APPLICATION

Applications for a certificate of occupancy must accompany building permit applications and may be issued when the zoning administrator has found the use and the conditions of the development comply with all applicable provision of this development code.

102-14160 Appeals of Staff Decisions

102-14160 (a) APPLICABILITY

The board of appeals and adjustments is authorized to hear and decide appeals when it is alleged there has been an error in any order, requirement, decision or determination made by the zoning administrator or any other administrative official in the administration and interpretation of this development code.

102-14160 (b) RIGHT TO APPEAL

Except as otherwise expressly stated in this development code, appeals of administrative decisions may be filed by any person aggrieved by, or any department of the city affected by, the administrative official’s decision or action.

102-14160 (c) FILING OF APPEAL

Appeals of administrative decisions must be filed with the zoning administrator within 10 days of actual or constructive notice of the decision being appealed.

102-14160 (d) EFFECT OF FILING

The filing of a complete notice of appeal stays all proceedings in furtherance of the action appealed, unless the zoning administrator or the administrative official who made the decision being appealed certifies to the board of appeals and adjustments, after the appeal is filed, that, because of facts stated in the certification, a stay would cause immediate peril to life or property, in which case the proceedings will not be stayed unless by a restraining order, which may be granted by the board of appeals and adjustments or by a court of record based on due cause shown.

102-14160 (e) TRANSMITTAL TO BOARD

Upon receipt of a complete notice of appeal, the administrative official whose decision is being appealed must transmit to the board of appeals and adjustments all papers constituting the record upon which the action appealed is taken.

102-14160 (f) NOTICE OF HEARING

Notice of the board of appeals and adjustments required public hearing on the appeal must be published in accordance with [102-1410 \(f\)](#).

102-14160 (g) HEARING AND FINAL DECISION

- (1) The board of appeals and adjustments must hold a hearing to consider the appeal.
- (2) Following the close of the hearing, the board of appeals and adjustments must take action on the appeal unless they vote to continue the matter for further consideration and deliberation.
- (3) In exercising the appeal power, the board of appeals and adjustments has all the powers of the administrative official from whom the appeal is taken. The board of appeals and adjustments may affirm or reverse, wholly or in part, or modify the decision being appealed. A simple majority vote of the is necessary to reverse an administrative decision.
- (4) In acting on the appeal, the board of appeals and adjustments must grant to the administrative official’s decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

102-14160 (h) GENERAL REVIEW CRITERION

An administrative decision may be reversed only if the board of appeals and adjustments finds that the zoning administrator or other administrative official erred.

102-14160 (i) TIME-FRAME FOR FINAL ACTION

In accordance with section 15.99 of the Minnesota Statutes, if the board of appeals and adjustments does not take

102-14160 Appeals of Staff Decisions

action on an appeal within 60 days of receipt of a complete filing, the decision being appealed is deemed reversed, unless:

- (1) The city notifies the applicant that the 60-day rule is being extended; or
- (2) The applicant agrees in writing to waive the 60-day rule.

102-14160 (j) APPEALS TO CITY COUNCIL

Any person aggrieved by, or any department of the city affected by, any decision of the board of appeals and adjustments on an appeal of an administrative decision pursuant to this section may appeal that decision to the city council. The procedures governing appeals to city council are same as those governing the board of appeals and adjustments, including those pertaining to timing of appeals, public hearings, and reviews and final decisions (see [102-14160 \(c\)](#) through [102-14160 \(j\)](#)).

ARTICLE 15 ADMINISTRATION

102-1510 Review and Decision-Making Bodies 15-2
102-1520 Violations, Penalties and Enforcement 15-2

102-1510 Review and Decision-Making Bodies

102-1510 (a) PLANNING AND ZONING COMMISSION

[Sec. 2-68](#) of the city code establishes basic regulations governing the planning and zoning commission.

102-1510 (b) BOARD OF ADJUSTMENTS AND APPEALS

- (1) **Designated.** The planning and zoning commission serves as the board of adjustments and appeals pursuant to and with the duties and powers set forth in sections 462.351 through 462.363 of the Minnesota Statutes.
- (2) **Procedure.** At their May meeting, the board of adjustments and appeals must elect from its membership a chair and vice-chair. The board of adjustments and appeals is authorized to formulate and adopt rules of procedure. Meetings of the board must be scheduled once each month at a time and place to be specified in the rules and procedures. Meetings are open to the public.
- (3) **Powers and Duties.** The board of adjustments and appeals has those powers and duties expressly stated in this development code.
- (4) **Filing.** Copies of all resolutions, findings and orders including minutes showing action of the board of adjustments and appeals must be filed with the clerk and manager who must notify all concerned parties of actions taken by the board.

102-1510 (c) ZONING ADMINISTRATOR

The zoning administrator is appointed by the manager and is responsible for administering and enforcing the provisions of this development code and carrying out those duties expressly identified in this development code, including:

- (1) Conducting inspections of buildings and use of land to determine compliance with the terms of this development code and, to that end, is authorized and empowered to enter into or upon the premises for such purpose with or without the consent of the owner or occupant;
- (2) Maintaining permanent and current records of this development code, including all maps, amendments, conditional uses, site plans, subdivision plats, variances, appeals, and certificates of occupancy;
- (3) Receiving, filing and forwarding all applications for amendments, conditional use permits, subdivision plats,

variances, and other matters to the appropriate review and decision-making body;

- (4) Instituting in the name of the city any appropriate actions or proceedings against a violator as provided by law; and
- (5) Establishing and enforcing necessary or desirable regulations, in writing, clarifying or explaining any provision of this development code.

~~Maintain a record of each non-conforming use indicating the type of use, square footage in use, number of employees and other pertinent information as considered necessary to establish the size and scale of the non-conforming use; the record shall be furnished the owner of the use on request~~

102-1520 Violations, Penalties and Enforcement

102-1520 (a) RESPONSIBILITY FOR ENFORCEMENT

The zoning administrator is responsible for enforcing the regulations of this development code. All departments, officials, agencies, and employees vested with the authority to review, recommend or issue development approvals, permits, or licenses must act in accordance with the provisions of this development code.

102-1520 (b) VIOLATIONS

All of the following constitute violations of this development code and are subject to the remedies and penalties provided for in this development code.

- (1) To use land, buildings, or other structures in any way that is not consistent with the requirements of this development code;
- (2) To erect a building or other structure in any way not consistent with the requirements of this development code;
- (3) To install or use a sign in any way not consistent with the requirements of this development code;
- (4) To engage in the use of a building, structure, or land, the use or installation of a sign, or any other activity requiring one or more permits or approvals under this development code, without obtaining such required permits or approvals;
- (5) To engage in the use of a building, structure, or land, the use or installation of a sign, or any other activity for which a permit or approval has been granted under this development code or under previous zoning regulations of the city, that is in any way inconsistent

102-1510 Violations, Penalties and Enforcement

with such permit or approval or any conditions imposed on the permit or approval;

- (6) To violate the terms of any permit or approval granted under this development code, or under previous zoning regulations of the city, or any condition imposed on the permit or approval;
- (7) To obscure, obstruct, or destroy any notice required to be posted under this development code;
- (8) To violate any lawful order issued by any authorized public official; or
- (9) To continue any violation after receipt of notice of a violation.

102-1520 (c) CONTINUING VIOLATIONS

Each day that a violation remains uncorrected after receiving notice of the violation from the city constitutes a separate violation of this development code..

102-1520 (d) PERSONS SUBJECT TO PENALTIES

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, or agent, or other person who commits, participates in, assists in, or maintains a violation of this development code may each be found guilty of a separate offense and be subject to penalties, remedies, and enforcement actions under this development code.

102-1520 (e) REMEDIES AND ENFORCEMENT POWERS

The city has all remedies and enforcement powers allowed by law, including those set forth in Article VII, Chapter 2 of the city code and the following administrative remedies:¹

(1) Withhold Permits

- a. The zoning administrator is authorized to deny or withhold all permits, certificates, or other forms of authorization on any land or structure or improvements upon which there is an uncorrected violation of a provision of this development code, or of a condition or qualification of a permit, certificate, approval, or other authorization previously granted by the city. This enforcement provision may be used regardless of whether the current owner or applicant is responsible for the violation in question.
- b. The zoning administrator may deny or withhold all permits, certificates or other forms of authorization on any land where an uncorrected violation exists.

The zoning administrator may also withhold all permits, certificates, or other forms of authorization on any other land owned land on which an uncorrected violation exists. This enforcement provision maybe used regardless of whether the property for which the permit or other approval is sought is the property in violation.

- c. Instead of withholding or denying a permit or other authorization, the zoning administrator may grant such authorization subject to the condition that the violation be corrected.

(2) Revoke Permits

- a. A permit, certificate, or other form of authorization required under this development code may be revoked by the zoning administrator when the zoning administrator determines:
 - 1. That there are unapproved, significant departures from approved plans or permits;
 - 2. That the development permit was procured by false representation or was issued by mistake; or
 - 3. That any of the provisions of this development code, or any approval previously granted by the city, are being violated.
- b. Written notice of revocation must be served upon the owner, the owner's agent or contractor, or upon any person employed on the building or structure for which such permit was issued. If no persons can reasonably be served with notice, the notice must be posted in a prominent location.

- (3) **Stop Work.** With or without revoking permits, the zoning administrator may stop work on any building or structure on any land on which there is an uncorrected violation of a provision of this development code, or of a permit or other form of authorization, issued under this or previous zoning regulations.

- (4) **Forfeiture and Confiscation of Signs on Public Property.** Any sign installed or placed on public property, except in compliance with the regulations of this development code will be considered forfeited to the public and subject to confiscation. In addition to other remedies and penalties of this chapter, the city has the right to recover from the sign owner, or person who placed the sign, the full costs of sign removal and disposal.

¹ The following administrative remedies are not spelled out in the current ordinance, but they are thought to represent remedies currently available to the city.

(5) Other Penalties, Remedies and Powers. The city may seek such other penalties and remedies as are provided by law.

(6) Continuation of Previous Enforcement Actions. Nothing in this development code prohibits the continuation of previous enforcement actions, undertaken by the city pursuant to previous valid zoning regulations and laws.

102-1520 (f) REMEDIES CUMULATIVE

The remedies and enforcement powers established in this development code are cumulative, and the city may exercise them in any combination or order. Penalties may be imposed for each and every individual violation.

ARTICLE 17 DEFINITIONS & MEASUREMENTS

102-1710	Language and Interpretation	17-2
102-1720	Measurements	17-2
102-1730	Terms Beginning with "A"	17-10
102-1740	Terms Beginning with "B"	17-10
102-1750	Terms Beginning with "C"	17-10
102-1760	Terms Beginning with "D"	17-11
102-1770	Terms Beginning with "E"	17-11
102-1780	Terms Beginning with "F"	17-12
102-1790	Terms Beginning with "G"	17-12
102-17100	Terms Beginning with "H"	17-12
102-17110	Terms Beginning with "I"	17-13
102-17120	Terms Beginning with "J"	17-13
102-17130	Terms Beginning with "K"	17-13
102-17140	Terms Beginning with "L"	17-13
102-17150	Terms Beginning with "M"	17-14
102-17160	Terms Beginning with "N"	17-14
102-17170	Terms Beginning with "O"	17-14
102-17180	Terms Beginning with "P"	17-15
102-17190	Terms Beginning with "Q"	17-15
102-17200	Terms Beginning with "R"	17-16
102-17210	Terms Beginning with "S"	17-16
102-17220	Terms Beginning with "T"	17-17
102-17230	Terms Beginning with "U"	17-17
102-17240	Terms Beginning with "V"	17-18
102-17250	Terms Beginning with "W"	17-18
102-17260	Terms Beginning with "X"	17-18
102-17270	Terms Beginning with "Y"	17-18
102-17280	Terms Beginning with "Z"	17-18

102-1710 Language and Interpretation

102-1710 (a) MEANINGS AND INTENT

- (1) All words and terms expressly defined in this development code have the specific meanings assigned unless the context indicates another meaning.
- (2) Words that are not expressly defined in this development code have the meaning assigned in Merriam-Webster’s Collegiate Dictionary.

102-1710 (b) CONJUNCTIONS

Unless the context otherwise expressly indicates, conjunctions have the following meanings:

- (1) “And” indicates that all connected items or provisions apply; and
- (2) “Or” indicates that the connected items or provisions may apply singularly or in combination.

102-1710 (c) COMPUTATION OF TIME

- (1) References to “days” are to calendar days unless otherwise expressly stated. References to “business days” are references to regular city government working days, excluding Saturdays, Sundays and holidays observed by city government.
- (2) The time in which an act is to be completed is computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or holiday observed by city government, that day is excluded.
- (3) A day concludes at the close of business and any materials received by the city after that time will be considered to have been received the following day.

102-1710 (d) TENSES AND USAGE

- (1) Words used in the singular include the plural. The reverse is also true.
- (2) Words used in the present tense include the future tense. The reverse is also true.
- (3) The words “shall,” “will,” and “must” are mandatory.
- (4) The phrase "may not" means that the subject act is prohibited

102-1710 (e) USE DEFINITIONS

See [102-520](#) for an explanation of the use categorization system used in this development code and for use type definitions.

102-1710 (f) MEASUREMENT-RELATED TERMS

See [102-1720](#).

102-1710 (g) ABBREVIATIONS

Certain terms are sometimes abbreviated in this development code. Abbreviations have the meanings assigned in [Table 17-1](#).

Table 17-1. Abbreviations

ABBREVIATION	MEANING
DNR	Minnesota Department of Natural Resources
Ft.	Feet
In.	Inches
Max.	Maximum
MPD	Master Plan Development
Min.	Minimum
R.o.w.	Right-of-way
Sq. Ft. or s.f.	Square Feet

102-1710 (h) VERSIONS AND CITATIONS

All references in this development code to other city, state or federal regulations are to be construed as referring to the most up-to-date version and citation for those regulations or successor regulations, unless otherwise expressly indicated. When the referenced regulations have been repealed and not replaced by other successor regulations, zoning ordinance requirements for compliance are no longer in effect.

102-1710 (i) LISTS AND EXAMPLES

Unless otherwise expressly indicated, lists of examples that use “including,” “such as,” or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

102-1720 Measurements

The following explains the methods for measuring regulations in this zoning ordinance, specifically for building type regulations in Articles 2, 3, and 4.

102-1720 (a) FRACTIONS & ROUNDING GENERALLY

When calculations required under this zoning code result in fractions, any fractional result of less than one-half of the unit of the regulation is rounded down to the whole number and any fractional result of one-half or more of the regulation unit is rounded up to the whole number. For example, if the maximum regulation is 2 feet, a measurement of 1.5 feet (or 1-foot, 6 inches) is rounded up to 2 feet and a measurement of 1.25 feet (or 1-foot, 3 inches) is rounded down to 1 foot. If the maximum regulation is in inches, fractions are rounded to the nearest inch.

102-1720 (b) GENERALLY PARALLEL & PERPENDICULAR

"Generally parallel," when stated related to lot lines or building facades, means less than 45 degrees off the lot line or facade. "Generally perpendicular," when stated related to lot lines or building facades, means more than 45 degrees off the lot line or facade in any direction.

102-1720 (c) LOT AREA

Lot area is measured as the total ground-level surface area contained within the lot lines of a lot.

102-1720 (d) LOT WIDTH

Lot width is the horizontal distance measured along the minimum front setback line between the side lot lines of a lot, measured along the minimum front setback line. If no minimum front setback is required, lot width is measured along the front lot line.

102-1720 (e) FRONT STREETWALL

(1) Definition. The minimum amount of building facade required along and generally parallel to a front street lot line.

(2) Measurement: Minimum Percentage of Streetwall.

The minimum percentage of front streetwall must be equal to or greater than the width of the principal structures, as measured within the build-to zone along the frontage edge, divided by the length of the lot line parallel to the front street, minus side setbacks. See [Figure 17-1](#).

(3) Measurement: Maximum Streetwall. The maximum streetwall is the measurement along all front facades that are generally parallel and facing the lot line, measured from the edge of the facade horizontally to the opposite edge of the facade.

(4) Height. The streetwall or building facade being measured must meet the minimum height required for the building type.

(5) Courtyard and Other Allowances. Courtyards and other allowances may be listed in the supplemental regulations for the building type as exceptions. The length of opening may be deducted from lot line dimension for the minimum percentage of streetwall. Courtyard facades facing the front street do not count towards maximum streetwalls.

102-1720 (f) MINIMUM & MAXIMUM SETBACKS

The following applies to front and non-front street required setbacks.

(1) Measurement: Buildings. Required minimum and maximum setbacks are generally parallel and measured from the applicable lot line, right-of-way line, or specific

location referred to in the applicable regulation, to the nearest exterior building wall.

- a. Street (front and non-front) setbacks are measured from the actual right-of-way line of the street. (Alleys are not considered streets and typically abut side or rear lot lines.)
- b. Side or interior-side setbacks are measured from the nearest side lot line that does not abut a street.
- c. Rear setbacks are measured from the rear lot line.
- d. On through-lots, the required front or non-front setback must be provided for each street frontage, depending on whether the abutting street is a front or non-front street. (See [102-1780](#) for definitions.) Generally applicable regulations apply per [102-360\(e\)](#) and supplemental building regulations for the building type may have additional requirements.

$$\frac{\text{Width of Building within Build-to Zone}}{\text{Length Front Street Lot Line Minus Minimum Side Setbacks}} = \text{Front Streetwall \%}$$

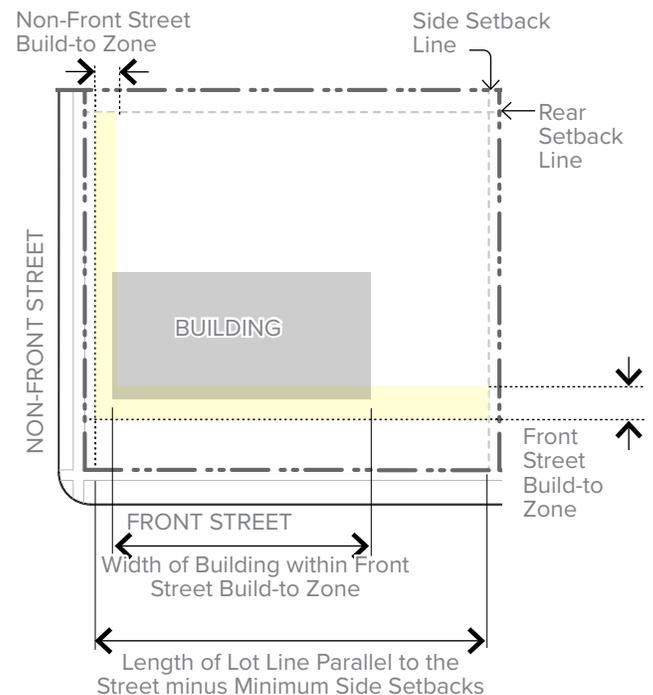


Figure 17-1. Measuring Front Streetwall

- (2) **Minimum Pedestrian Area.** See supplemental building regulations for each building type for regulations requiring a minimum pedestrian area. Where the minimum area does not exist, the build-to zone must be measured from the edge of the expanded minimum pedestrian area into the lot.
- (3) **Exceptions to Maximum Setbacks.** Upper-story recessed balcony facades and courtyard facades are not required to meet the maximum setbacks.
- (4) **Allowed Encroachments.** Allowed encroachments into minimum setbacks are as follows, unless otherwise established in the building type regulations:
 - a. **Minor Building Projections in All Yards for All Building Types.** Roof overhangs, eaves, cornices, chimneys, bays, and other architectural features may encroach up to 2 ft. into any yard no closer than 1 foot from the lot line on the lot side.
 - b. **Porches in Front Yards.** Porches, stoops, decks, awnings encroaching into setbacks or beyond maximum setbacks into street yards are regulated in the building siting and supplemental regulations section for each building type.
 - c. **Steps and Ramps in Front Yards.** Steps and ramps in front yards may encroach fully into any street yard up to within 1 foot of any lot line.

- d. **Porches, Stoops, Decks in Rear and Side Yards.** Open (unenclosed) or screened porches, stoops, awnings, decks, ramps, and steps may encroach into the side or rear yard up to within 1 foot of any lot line.

- (5) **Setbacks on Irregular Lots.** Setbacks are measured from lot lines towards the center of the lot as follows:

- a. When lot lines are curvilinear, setbacks must be measured generally parallel to the curvilinear lot line.
- b. When there are multiple rear lot lines, the rear setback must be measured from each of rear lot lines.
- c. **When there is no rear lot line, the rear setback must be measured as a radial distance from the intersection of side lot lines at the rear of the lot.**

- (6) **Contextual Setbacks.** The average yard depth of existing abutting and adjacent buildings is used to determine the applicable prevailing setback for the subject lot.

- a. **Measurement.** Street setbacks are determined by calculating the mean yard depth that exists on the nearest 2 lots on either side of the subject lot.

1. If one or more of the lots required to be included in the contextual setback calculation is vacant, the vacant lot will be deemed to have a street yard depth equal to the minimum street setback requirement of the subject zone.
2. Lots with frontage on a different street than the subject lot or that are separated from the subject lot by a street or alley are not used in computing the contextual setback.
3. When the subject lot is a corner lot, the mean street yard depth will be computed on the basis of the nearest 2 lots with frontage on the same street as the subject lot.
4. When the subject lot abuts a corner lot with frontage on the same street, the mean yard depth will be computed on the basis of the abutting corner lot and the nearest 2 lots with frontage on the same street as the subject lot.

- b. **Administrative Exception.** If it is determined that the nearest yard depths do not apply, the zoning administrator may approve an administrative exception to the prevailing setback requirement and

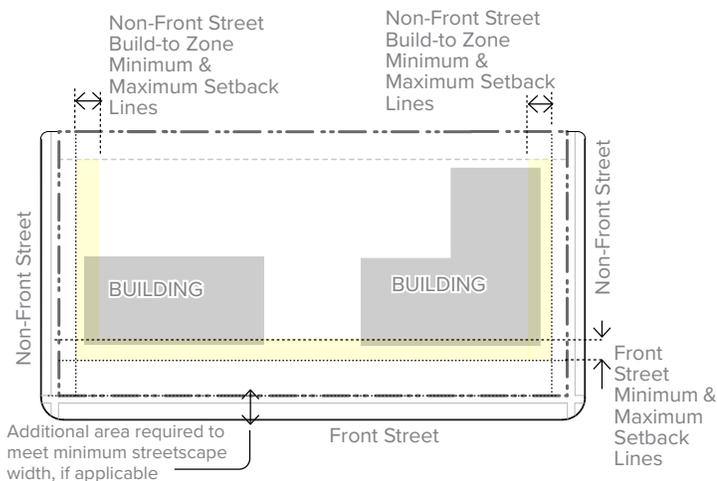


Figure 17-2. Minimum & Maximum Setbacks

the required minimum and/or maximum setback in the code applies.

(7) Waterway or Trail Frontage. A waterway or trail frontage setback is measured from the required easement or right-of-way into the lot perpendicular to the easement or lot line.

(8) Measurement: Elements Other than Buildings. Minimum setbacks that apply to elements other than buildings (e.g. parking areas, fences, storage areas) are measured from the lot line, right-of-way line, or specific location referred to in the applicable regulations, to the nearest point of the feature.

102-1720 (g) SITE COVERAGE

Impervious site coverage is measured as the maximum percentage of a lot that may be covered by impervious surfaces. An additional percentage of the lot may also be covered by semi-pervious surfaces and green roofs.

(1) Impervious Surfaces. Any land or portion of a site covered by constructed features that prevent the direct percolation of surface water into the underlying earth. Examples include buildings, paved parking and streets, walls and terraces, swimming pools, sidewalks, hard surface playing courts, paved driveways.

(2) Semi-Pervious Surfaces. Semi-pervious materials are those that allow at least 40% absorption of water into the ground or plant material, such as semi-pervious pavers, semi-pervious asphalt, and semi-pervious concrete.

(3) Green Roofs. Green, or vegetated, roofs are covered with vegetation, a growing medium, and a waterproofing membrane. For the purposes of this ordinance, green roofs must allow at least a 40% reduction in roof runoff, through methods such as filtration and evapotranspiration.

102-1720 (h) ATTACHED GARAGE AND DOOR LOCATION

(1) Garage Setback Measurement.

a. Dimensional Setback. The attached garage setback is measured from the front facade of the building, located generally parallel and facing the front lot line. The setback is intended to promote the use of the area directly behind the front facade of any building for people and not the parking of vehicles.

b. No Closer to Lot Line Than the Principal Building or Facade. The garage facade facing a front lot line must be located farther from the lot line than the front facade.

(2) Garage Door Location. Any garage door must be located on one of the designated facades of the building.

102-1720 (i) LIMITED SIDE YARD PARKING

Where allowed, limited side yard parking is located in the interior side yard and must be configured as one double- or single-loaded aisle of parking with the centerline of the aisle located perpendicular to the street.

102-1720 (j) BUILDING HEIGHT IN FEET

Where the height of a building is regulated in overall feet and not stories, the following applies:

(1) Measurement. The overall building height is measured from the average grade at the base of the building along all street facades to the top of the roof type, except to the midpoint of the highest gable on a pitched roof.¹

(2) Minimum Height. When a minimum height in feet is required, the entire building, including any exposed basement and roofs, must meet the minimum height.

(3) Maximum Height. The building, including any visible basement, roof, or tower, may not exceed the overall maximum height in feet.

102-1720 (k) BUILDING HEIGHT IN STORIES

See [Figure 17-3](#). The building height is measured in stories plus any visible basement, exposed basement, roof type, and tower.

(1) Minimum Height. Each building type requires a minimum number of stories.

- a. The building must meet the minimum required height along all front street facades and for a depth of at least 30 feet into the building.
- b. All building facades located within the build-to zone must meet the required minimum building height.

(2) Maximum Height. Maximum heights specified in number of stories applies to the entire building.

- a. The maximum number of stories may not be exceeded due to sloped sites without an administrative exception.
- b. Heights must step with the grade in order to not exceed the maximum allowable height. See [Figure 17-6](#).

¹ Shed (and butterfly) roofs are limited in height in the roof types.

- (3) **Towers.** When expressly allowed in the building type tables as an allowed roof type, towers may exceed the overall maximum height of the subject building type (see [102-720 \(f\)](#)).
- (4) **Roof Type.** Roof types per [102-720](#) are allowed by building type regulations (see [Article 2](#) and [Article 3](#)).
- (5) **Half Stories.** Half stories are stories either located fully within the roof type or in a visible basement.
 - a. **Roof.** Where occupied building space is allowed within the roof type (see [102-720](#)), any space within the roof and within the floor to floor height of the building type counts as a half story towards the overall allowable height.
 - b. **Visible Basement.** See [Figure 17-4](#) for diagram and explanation of a visible basement.
 - c. **Two Half Stories.** If a building has both a half story within the roof and a half story that is a visible basement, the combined height of the 2 half stories is considered one full story.
- (6) **Basements.** See [Figure 17-4](#) for illustration of basements. See [102-1740](#) for definitions of basements and visible basements.
 - a. Any building may have a basement, unless expressly prohibited in this ordinance.
 - b. Visible basements count as a half story towards the minimum or maximum height of a building. Basements that are not visible basements do not count as a half story.
 - c. A basement may contain any use allowed within the building, including those allowed only in upper stories.
- (7) **Story Height.** Each story is measured with a range of permitted floor-to-floor heights. See [Figure 17-3](#).
 - a. **Measurement.** All story heights are measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required along a minimum of 80% of each facade's horizontal length for each story.
 - b. **Ground Story.** When noted as a separate story height, the ground-story height must extend from the front street facade into the building a minimum of 20 feet. The remainder of the ground-story may meet either the front street frontage ground-story heights or the height range permitted for all stories.

- c. **Single-Story Buildings and Top-Story Measurement.** For single-story buildings and the uppermost story of a multi-story building, the floor-to-floor height is measured from the floor of the story to the ceiling, unless a specific height is provided for a single-story building.
- d. **Mezzanines.** Mezzanines may be included within the allowed floor-to-floor height of any story. Mezzanines occupying more than 30% of the floor area below and extending above the story's allowable floor-to-floor height must count as an additional story and must comply with minimum transparency requirements for the subject building type.
- e. **Taller Spaces.** Spaces exceeding the allowable floor-to-floor heights of the building type are permitted for a maximum of 20% the length of street facades.

102-1720 (l) HEIGHT EXCEPTIONS

- (1) Applicable height limits are increased by 50% when applied to the following:
 - a. Antennas;
 - b. Belfries;
 - c. Spires and steeples;
 - d. Cooling towers;
 - e. Elevator penthouses;
 - f. Flag poles;
 - g. Smoke stacks; and
 - h. Water towers.
- (2) Heights in excess of these limits may be permitted only by approval of a conditional use permit.

102-1720 (m) TRANSPARENCY

- (1) **Definition of Transparency.** For the purposes of this zoning ordinance, transparency is the measurement of the percentage of a facade that contains highly transparent, low-reflectance glass.
 - a. **Storefront.** When transparency is required separately for front street ground-story facades, glass must be a minimum of 60% transmittance factor and a reflectance factor of not greater than 0.25.

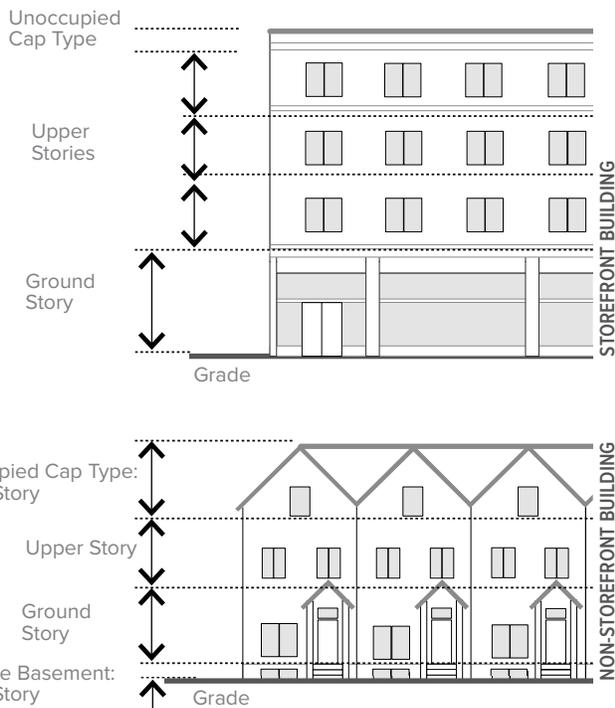


Figure 17-3. Measuring Building Height

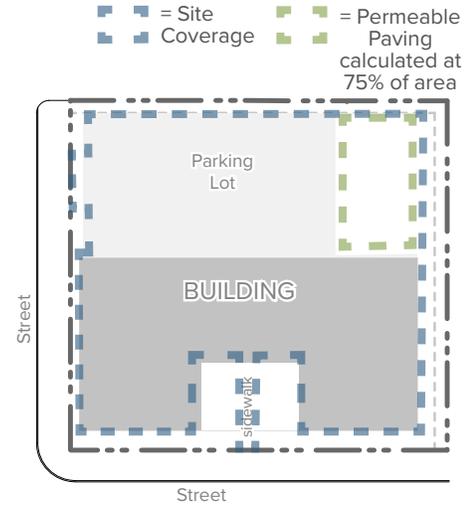


Figure 17-5. Site Coverage



Figure 17-6. Measuring Height along a Sloped Street

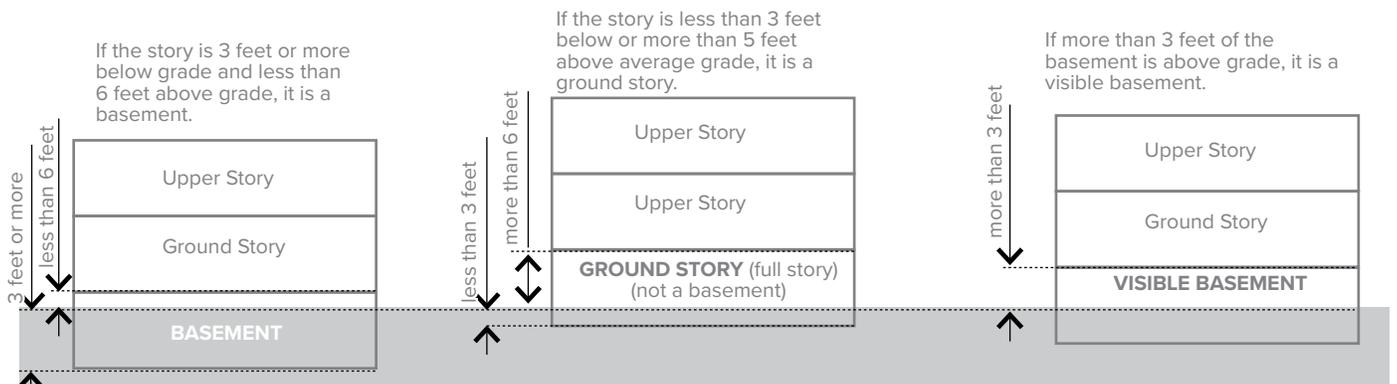


Figure 17-4. Basements & Visible Basements

- b. All Other Windows.** Transparency for all window, door glass, and other storefront glass must be a minimum of 50% transmittance factor and a reflectance factor of not greater than 0.25.
 - c. False Windows.** The use of false or faux windows, where the window is visible from the exterior with no opening from the interior, to meet the transparency requirement is not allowed.
- (2) Measurement.** Minimum facade transparency is measured from floor-to-floor of each story separately, except for required minimum ground-story transparency as defined below.
 - a.** Transparency requirements must be met with windows or glass in doors that comply with applicable transmittance and reflectance factors.
 - b.** The measurement may include the frame, mullions, and muntins, but may not include trim or casing.
- (3) Blank Wall Segments.** Where applicable per the building type regulations, blank wall segments on all facades must meet the following:
 - a.** No rectangular areas greater than 30% of a story's facade, as measured floor to floor, may be blank wall, without transparency. See [Figure 17-8](#).
 - b.** No horizontal segments of a story's facade greater than 15 feet in width may be blank wall, without transparency. See [Figure 17-9](#).
- (4) Exception.** When the facade of any story is located less than 5 feet from another parallel building facade, no minimum transparency is required for that story.
- (5) Minimum Ground-Story Transparency.** When a separate minimum ground-story transparency is required per the building type regulations, ground-story transparency is measured between 2 feet and 10 feet from the average grade at the base of the facade.
- (6) Mezzanines.** Mezzanines are treated as a separate story and must include the required upper-story transparency amounts.
- (7) Tall Stories.** Stories that are 18 feet or taller in height must include additional transparency consistent with the following standards. See [Figure 17-10](#).
 - a. Separate Ground-Story Transparency Required.** When a separate minimum ground-story transparency is required per the building type, the facade design must fulfill that requirement

in addition to the minimum transparency for the remainder of the ground-story.

- b. No Separate Ground-Story Transparency Required.** Where no separate ground story transparency is required per building type, a tall story is treated as 2 separate stories, divided in half horizontally, with the minimum transparency applied to each half.

- (8) Half Stories.** All half story facades located within the roof structure and within visible basements must meet the minimum required transparency for the facade.

102-1720 (n) BUILDING ENTRANCES

Entrances must be provided consistent with the entrance location and number requirements established for the building type and consistent with [Figure 17-11](#).

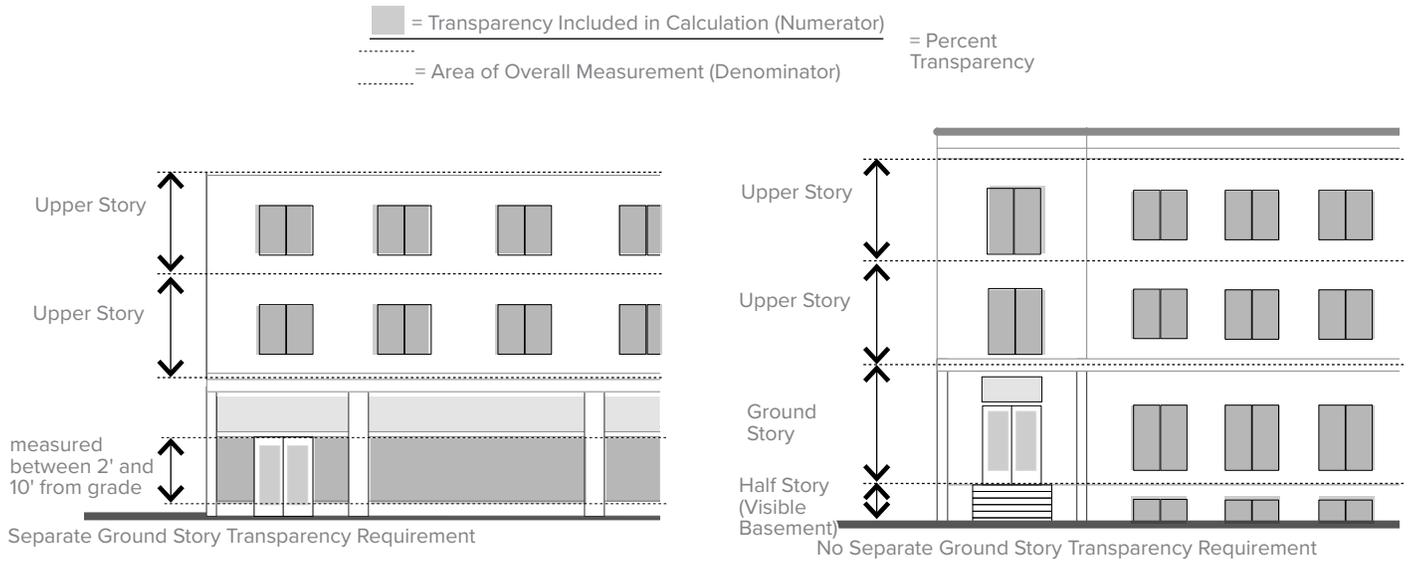


Figure 17-7. Measuring Transparency Floor-to-Floor

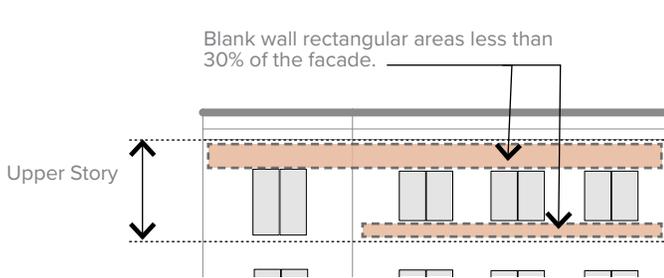


Figure 17-8. Blank Wall Segments (1)

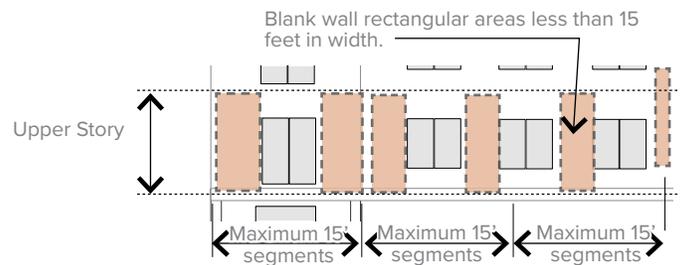


Figure 17-9. Blank Wall Segments (2)

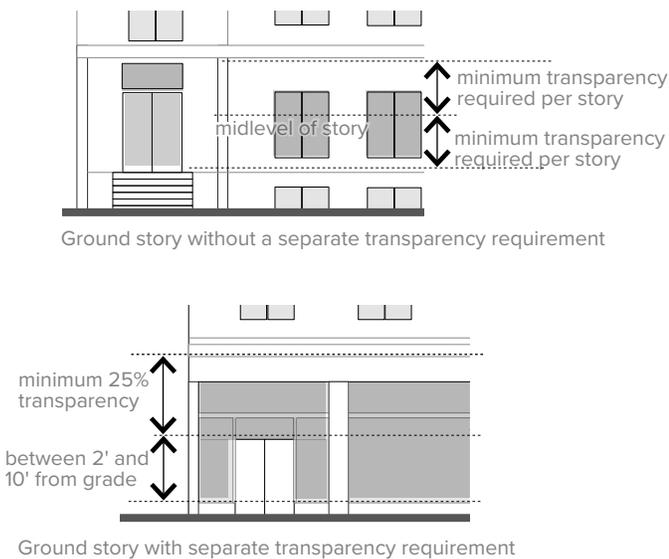


Figure 17-10. Measuring Transparency on Taller Stories

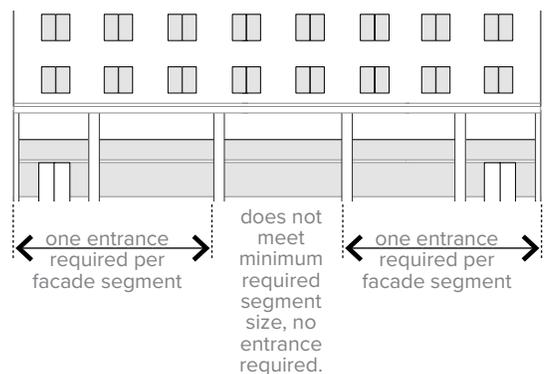


Figure 17-11. Entrances

102-1730 Terms Beginning with "A"

ABUTTING. To touch or share a contiguous boundary or border. ~~Making contact with or separated only by public rights-of-way, railroad or other public utility or navigable water that does not exceed 120 feet in width.~~

ACCESSORY STRUCTURE. A subordinate structure detached from but located on the same lot or abutting lot owned by the same person who is the owner of the principal structure the use of which is incidental and accessory to that of the principal structure.

ACCESSORY OR ANCILLARY USE. A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel.

ADDITION. A physical enlargement of an existing structure.

ADJACENT. Lying near or in the immediate vicinity.

ALLEY. Public or private right-of-way that affords only secondary access to abutting properties, typically at the rear or sides.

AMUSEMENT DEVICES. Coin-operated pinball or video and electronic games or other similar machines.

ANIMAL. Any warm-blooded mammal, inclusive of, but not limited to, dogs and cats, as well as any reptiles or birds of prey. For the purposes of this chapter, when the specific animal type is not described, such as dog, the term "animal" applies to all forms of animals as described herein.

ANTENNA. A system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves, which system is external to or attached to the exterior of any structure. See also "wireless communications antenna."

APPLICANT. Any person who wishes to obtain a building permit, zoning, or subdivision approval.

102-1740 Terms Beginning with "B"

BASEMENT. That portion of a building having more than 3 feet of its floor-to-ceiling height below the average finished grade of the adjoining ground and with a floor-to-ceiling height of 7.5 feet or more. See [Figure 17-4](#). ~~Any area of a structure, including crawl spaces, having its floor or base-subgrade (below ground level) on all 4 sides, regardless of the depth of excavation below ground level.~~

BASEMENT, VISIBLE. A basement having more than 3 feet of its floor-to-ceiling height above the average finished

grade of the adjoining ground. See [102-1720 \(k\)\(6\)](#) and [Figure 17-4](#).

BATTERY CHARGING STATION. An electrical component, assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

BATTERY ELECTRIC VEHICLE. Any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero tailpipe emissions or pollution when stationary or operating.

BLOCK. An area of land within a subdivision that is entirely bounded by streets, or by streets and the exterior boundary or boundaries of the subdivision, or a combination of the above with a river or lake.

BLOCK FACE. All lots abutting one side of a street between the two nearest intersecting streets.

BOULEVARD. That portion of any public or private right-of-way that has not been constructed or otherwise designated for traffic.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy; may be composed of multiple units. ~~A structure having a roof that provides shelter or enclosure for persons, animals, or chattel; when the structure is divided by a wall without openings, each portion of such building so separated is a separate building.~~

BUILDING, ACCESSORY. A building, the use of which is incidental or complimentary to the principal use on a lot; an accessory building is:

- (1) Detached if it is located more than 6 feet from the nearest wall of the principal building; or
- (2) Attached if located 6 feet or less therefrom.

BUILDING(S), PRINCIPAL. A building or buildings in which the principal use of a subject lot is conducted.

BUFFER AREA. A landscaped or natural area intended to separate and partially obstruct the view of 2 adjacent land uses or properties from one another.

102-1750 Terms Beginning with "C"

CARPORT. See Garage.

CELLAR. See Basement, [102-1740](#). ~~That portion of the building having more than one-half of the floor to ceiling height below the average grade of the adjoining ground.~~

CHANNEL. A natural or constructed depression with a bed and banks to confine and conduct, either continuously or periodically, the water in a creek or stream.

CHARGING LEVELS (ELECTRIC VEHICLE). The standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms 1, 2, and DC are the most common charging levels, and include the following specifications:

- (1) Level 1 is considered slow charging with 120v outlets.
- (2) Level 2 is considered medium charging with 240v outlets, charging head and cord hard-wired to the circuit.
- (3) DC is considered fast or rapid charging. Voltage is greater than 240.

CITY. The City of Hopkins, Minnesota.

COLLOCATION. The use of a wireless communications facility by more than one wireless telecommunications provider.

COMMERCIAL RECREATION. A private business enterprise offering facilities for participatory physical, cultural or entertainment purpose or related leisure time activities.

COMMERCIAL VEHICLES. Any of the following:

- (1) A dump truck, a step van, a tow truck, a semi-tractor or trailer, a tank truck, a tractor, a bus, a construction vehicle or equipment, an earth moving vehicle or equipment, van or pickup with a manufacturer’s nominal rated carrying capacity of more than one ton;
- (2) Commercial equipment has been added to the vehicle such as winches or snow plows;
- (3) A pickup with a non-standard pickup box; or
- (4) A trailer loaded with another commercial vehicle or commercial equipment.

COMPREHENSIVE PLAN. That compilation of material, statements, goals, standards and maps adopted by the planning and zoning commission and used by the planning and zoning commission in making recommendations for guiding the orderly development of the private and public sectors of the city.

CONDITIONAL USE PERMIT. A permit specially and individually granted by the council after public hearing thereon by the planning and zoning commission for the purposes specified in this development code.

CONTINUOUS SCROLLING. To move electronic text across a display screen.

CONTROL MEASURE. A practice or combination of practices to control erosion and attendant pollution.

COURTYARD. A courtyard is any open air, uncovered landscape, sidewalk, patio, terrace, or deck area, enclosed on at least 3 sides and with a maximum opening of 50% of any street facade.

102-1760 Terms Beginning with "D"
.....

DRIVE-IN PR DRIVE-THROUGH. A facility, structure or use affording transactions of a business or service while occupying a vehicle.

DRIVEWAY. An improved access that connects an off-street parking space to the public right-of-way.

DUMPSTER. A container with a capacity of 1 cubic yard or more that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck.

DWELLING UNIT. That part of a building intended to be occupied for residence purposes, but not including rooms in motels, hotels, nursing homes, boarding houses, trailers, cabins or mobile homes.

~~Attached. A dwelling joined to another dwelling at one or more abutting walls.~~

~~Detached. A single dwelling having a yard on all sides.~~

~~Group. A home approved by the state where not more than 10 persons live that are not a family as defined in this development code.~~

~~Multiple. A structure or portion thereof intended and designed for 3 or more dwellings.~~

~~Townhouse. A single structure consisting of 3 or more dwelling units having one or more walls abutting with another dwelling and designed to have all exits open directly to the outside.~~

~~Zero-lot line. A single-family dwelling attached by party walls with other single-family dwellings in such a manner that the common party walls is located on the common lot lines, including, but not limited to, such common references as twin homes.~~

~~Dwelling unit. A single-family dwelling having permanently installed cooking and sanitary facilities.~~

102-1770 Terms Beginning with "E"
.....

EASEMENT. A grant by a property owner of the use of a strip of land, for the purpose of constructing and maintaining, utilities, including, but not limited to, wetlands, ponding areas, sanitary sewers, water mains, electric line, telephone lines, storm sewer drainage way and gas lines.

ELECTRIC VEHICLE. A vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes. "Electric vehicle" includes:

- (1) Battery electric vehicle; and
- (2) Plug-in hybrid electric vehicle.

ELECTRIC VEHICLE CHARGING STATION (EVCS). A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

ELECTRIC VEHICLE CHARGING STATION, ACCESSIBLE. An electric vehicle charging station in which the battery charging station is located within accessible reach of a barrier-free access aisle and a parked electric vehicle.

ELECTRIC VEHICLE CHARGING STATION, PRIVATE RESTRICTED USE. An electric vehicle charging station that is not accessible to the general public.

ELECTRIC VEHICLE CHARGING STATION, PUBLIC USE. An electric vehicle charging station that is accessible to the general public.

ELECTRIC VEHICLE, PLUG-IN HYBRID. An electric vehicle that:

- (1) Contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor;
- (2) Charges its battery primarily by connecting to the grid or other off-board electrical source;
- (3) May additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and
- (4) Has the ability to travel powered by electricity.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). Any equipment or electrical component used in charging electric vehicles at a specific location. EVSE does not include equipment located on the electric vehicles themselves.

ELECTRIC VEHICLE INFRASTRUCTURE. Conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.

ELECTRIC VEHICLE PARKING SPACE. Any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

ELECTRICAL CAPACITY. Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger or conduit from an electric panel to future EVCS locations.

EQUAL DEGREE OF ENCROACHMENT. A method determining the location of encroachment lines so that the hydraulic capacity of floodplain lands on each side of a stream are reduced by an equal amount when calculating the increases in flood stages due to floodplain encroachment.

EQUIPMENT SHELTER OR CABINET/GROUND EQUIPMENT. An enclosed structure at the base of or near a tower or antennae within which are housed, among other things, batteries, wireless communications facilities or electrical equipment, which may be connected to the antenna or tower by cable.

102-1780 Terms Beginning with "F"
.....

FACADE, SIDE STREET. A building facade generally parallel to and facing the right-of-way line along a non-front street.

FACADE, FRONT. A building facade generally parallel and facing the right-of-way line along a front street.

FACADE, REAR. Any facade of a building generally parallel to and facing the rear lot line.

FACADE, SIDE. Any facade of a building generally parallel to and facing a side or interior side lot line.

FACADE, STREET. Any facade of a building generally parallel to and facing any street right-of-way and including bays or minor walls perpendicular to the facade. The facade may be a front or non-front street facade, depending on whether it is facing a front or non-front street, respectively.

FACE BRICK. A masonry building block or clay baked in a kiln until hard.

FENCE. A structure serving as a barrier or boundary, usually made of posts or stakes joined together by board, wire, or rails.

FLOOD. A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.

FLOOD FREQUENCY. The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.

FLOOD FRINGE. That portion of the floodplain outside of the floodway. The term "flood fringe" is synonymous with the term "floodway fringe" used in the flood insurance study for the city.

FLOODPLAIN. The beds proper and the areas adjoining a wetland, lake or watercourse that have been or hereafter may be covered by the regional flood.

FLOODPROOFING. A combination of structural provisions, changes or an adjustment to properties and structure, subject to flooding, primarily for the reduction or elimination of flood damage.

FLOODWAY. The channel and those portions of the floodplain adjoining the channel that are reasonably required to carry and discharge the regional flood.

FLOOR AREA. That part of the gross floor area devoted to that portion of the structure designed and used for the business and services offered, available and accessible to the public and to those employees directly involved.

FRONTAGE, NON-FRONT STREET. The portion of a lot or building abutting or directly adjacent to a non-front street right-of-way.

FRONTAGE, FRONT STREET. The portion of a lot or building abutting or directly adjacent to a front street right-of-way.

FRONTAGE, STREET. The portion of a lot or building abutting or directly adjacent to a street right-of-way.

102-1790 Terms Beginning with "G"
.....

GARAGE. A detached or attached accessory building or carport, used primarily for covered storage of passenger vehicles or one truck of a rate capacity not exceeding 9,000 pounds. Carports are considered garages within this definition.

GARAGE, ATTACHED. A garage, the roof of which is attached to the principal building.

GARAGE SALE. The irregular display and purveyance of goods, wares, and merchandise in or on any residential area.

GRADE, AVERAGE. The vertical locations of the ground surface of a site after completion of all site preparation work.

GRADE, SLOPE, OR GRADIENT. The vertical rise or drop from any fixed horizontal line or point.

GREEN ROOF. Vegetated roof covers, with growing media and plants taking the place of bare membrane, gravel ballast, shingles or tiles. The number of layers and the layer placement may vary from system to system and green roof type, but at a minimum all green roofs include a single to multi-ply waterproofing layer, drainage, growing media and the plants, covering the entire roof deck surface. There are 2 main types of green roofs, extensive or intensive, although a green roof is often designed with features of both and then referred to as either semi-extensive or semi-intensive.

102-17100 Terms Beginning with "H"
.....

HARDSCAPE. Non-living materials, and their use and design, that constitute one component of landscaping. Hardscape includes paving, walls or fences, concrete, asphalt, stone, or other hard surface that may be used to construct retaining walls, paths, walkways, decks, terraces, accent features, and enclosures.

HOME OCCUPATION. An accessory use of a dwelling unit for business or commercial purposes. Home occupations are subject to the regulations of [102-650](#).

HOURS, DAYTIME. Daytime hours are those from 6:00 a.m. to 9:00 p.m.

HOURS, NIGHTTIME. From 9:00 p.m. to 6:00 a.m.

HOUSEHOLD. An individual or 2 or more persons each related to the other by blood, marriage, adoption, or foster care, or a group of not more than 4 persons not so related maintaining a common household and using common cooking and sanitary facilities.

HYDRIC SOILS. Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part.

HYDROPHYTIC VEGETATION. Macrophytic plant life growing in water, soil or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content.

102-17110 Terms Beginning with "I"
.....

ICE FISHING HOUSE. A shelter on ice for the catching of fish. An ice fishing house may also be referred to as a dark house.

IMPROVEMENTS. The construction or installation of public or private utilities, including, but not limited to, potable water, sanitary sewer system, storm sewer, roads and other thoroughfares, sidewalk, curb and gutter, paving, barricades, trees and other plantings, lighting, fuel or energy and the transmission thereof, power, transportation systems or facilities connected therewith, communication systems that are necessary, desirable or convenient in the maintenance of the health, safety and the general welfare.

INTERIM USE. A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

102-17120 Terms Beginning with "J"
.....

JUNK VEHICLE. Any motor vehicle that is not in operable condition, partially dismantled, used for sale of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling, or salvage of any kind or that is not properly licensed for operation.

102-17130 Terms Beginning with "K"
.....

RESERVED

102-17140 Terms Beginning with "L"
.....

LAND DISTURBING OR DEVELOPMENT ACTIVITIES. Any change of the land surface including removing vegetative cover, excavation, filling grading, and the construction of any structure.

LAND RECLAMATION. The depositing of 400 cubic yards or more of earth material so as to elevate the grade.

LANDSCAPE (OR LANDSCAPED) AREA. The area on a site that is landscaped with the installation and maintenance typically of a combination of trees, shrubs, and groundcover plants to improve the site's aesthetic quality. Does not include bare soil, uncultivated vegetation, impervious surfaces, and gravel.

LIVABLE SPACE. An area that is habitable for the entire year.

LOADING BERTH (OR SPACE). An unobstructed area provided and maintained for the temporary parking of

trucks and other motor vehicles for the purpose of loading and unloading goods, wares, materials and merchandise.

LOT. A contiguous area of land as recorded in a deed, or on a recorded plan, as in a duly filed A-2 survey.

LOT. A designated parcel of land separately established and described by plat, subdivision, registered land survey or as otherwise permitted by law. The term "lot" also. And refers to any single parcel of land that is assigned an individual property identification number for real estate taxation purposes.

LOT AREA. See [102-1720 \(c\)](#).

LOT, CORNER. A lot situated at the junction of, and abutting on 2 or more intersecting streets, or a lot at the point of deflection in alignment of a continuous street, the interior angle of which does not exceed 135 degrees.

LOT, DEPTH. The mean horizontal distance between the front and the rear lot lines of a lot.

LOT, FLAG. Lots or parcels with less frontage on a public street than is normally required. The panhandle is an access corridor to lots or parcels located behind lots or parcels that normally required street frontage.

LOT LINE. A property line of record bounding one lot from another lot or from a public or private street or any other public or private space, except that where any portion of the lot extends into any proposed or existing public right-of-way the right-of-way limit between the center and lot itself is the lot line.

LOT LINE, FRONT. The boundary of a lot that abuts an existing or proposed front street.

LOT LINE, REAR. The boundary line of a lot that is typically opposite the front lot line and abutting rear lot lines of other lots.

LOT LINE, SIDE. Any boundary of a lot that is not a rear, side street, or front lot line.

LOT LINE, SIDE STREET. Any boundary of a lot that abuts an existing or proposed side street.

STREET LOT LINE. A line dividing a lot from a public right-of-way.

LOT OF RECORD. A lot, the legal description of that was lawfully established prior to August 11, 1966, in the office of the county recorder or registrar of titles, and that has lot lines identical to those described as of August 11, 1966.

LOT, THROUGH. Also called a double frontage lot. A lot, not a corner lot, that has a pair of opposite lot lines that abut upon street other than alleys.

LOT WIDTH. See [102-1720 \(d\)](#).

102-17150 Terms Beginning with "M"

MANUFACTURED HOME. A structure, transportable in one or more sections, that in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, when erected on-site, is 320 or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term "manufactured home" includes any structure that meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under this chapter.

MANUFACTURED HOME LOT. A parcel of land for the placement of a single manufactured home and the exclusive use of its occupants.

MANUFACTURING. To bring something into being by forming, shaping, combining, or altering materials.

MASSAGE THERAPY OR THERAPEUTIC MASSAGE. A scientific health care or health maintenance technique or procedure carried out by a massage therapist involving the massaging, kneading, rubbing, stroking, tapping, pounding, vibrating, or stimulating of the human skin, muscles and tissues for no other purpose than physical fitness, health-care referral, healing, relaxation, or beautification.

MASSAGE THERAPIST. A person, other than a person licensed as a medical doctor; chiropractor; osteopath; podiatrist; licensed nurse; physical therapist; athletic director or trainer; or beautician or barber who confines his treatment to the scalp, face and neck; who for compensation practices and provides therapeutic massage; and who can prove completion of a minimum of 500 hours of class credits of course work from a recognized message therapy school.

MEDICAL MARIJUANA. Any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins and is delivered in the form of a liquid, but not limited to, oil; pill; or vaporized delivery method with use of liquid or oil but that does not require the use of dried leaves or plant form that has been approved by the planning and zoning commissioner of

the state department of health under Minnesota Statutes section 152.25.

MOTOR VEHICLE. Every vehicle that is self-propelled. The term "motor vehicle" does not include lawn mowers or snow blowers.

102-17160 Terms Beginning with "N"

NONCONFORMING LOT. See [102-1620](#).

NONCONFORMING STRUCTURE. See [102-1640](#).

NONCONFORMING USE. See [102-1640](#).

NON-PASSENGER VEHICLE. A commercial, military, or recreational vehicle or trailer.

NOXIOUS MATTER OR MATERIAL. Material that is capable of causing detrimental effects to the physical or economic well-being of individuals, animals or other living organisms.

102-17170 Terms Beginning with "O"

OBSTRUCTION. A dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into the floodplain, water course, or regulatory flood hazard area that may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow or water might carry same downstream to the damage of life or property. The term does not include trees in an upright and natural growing position located in the channel.

OCCASIONAL SALES. Sales of tangible property at retail occurring no more than 7 days per calendar month in an industrial zone.

OCCUPIED BUILDING SPACE. Interior building space occupiable by people, not including storage, mechanical, utility, or garage space.

OPEN SALES LOT. Land devoted to the display of goods for sale, rent, lease, advertising or trade where such goods are not enclosed within a building.

OUTDOOR STORAGE. Exterior depository, stockpiling, or safekeeping of all merchandise, materials, supplies, products (finished or unfinished), equipment, vehicles or trailers, or the like.

OUTLOT. A parcel of land, included in a plat, that is smaller than the minimum size permitted for lots and that is thereby declared unbuildable until combined through platting with

102-17180 Terms Beginning with "P"

additional land; or a parcel of land that is included in a plat and that is at least double the minimum size and that is thereby subject to future platting prior to development; or a parcel of land that is included in a plat and that is designated for public or private open space, right-of-way, utilities or other similar purposes. An outlot is unbuildable and no permits to construct upon or improve an outlot may be issued.

102-17180 Terms Beginning with "P"

PARAPET. A low wall or railing at the edge of a platform, roof, or bridge.

PARKING AREAS. Those structures or parcels of land set aside, maintained and available for vehicle parking.

PARKING SPACE. An improved paved or gravel area on a lot or within a building intended for parking of a motor vehicle and that has a means of access to a public street. This term is used interchangeably with parking stall and parking facility.

PARKS AND PLAYGROUNDS. Public lands and open spaces in the city dedicated for and usable for recreation purposes.

PASSENGER VEHICLE. An automobile, station wagon, van, sports utility vehicle, minivan, pickup truck, or motorcycle designed and primarily intended for on-street operation. Passenger vehicles do not include commercial vehicles, military, recreational vehicles, racing cars, limousines, or stock cars.

PEDESTRIAN AREA. The area behind the back of curb designed for pedestrian travel, including the sidewalk and streetscape area between the sidewalk and street for street planting and/or street furnishings.

PEDESTRIAN WAY. A public or private right-of-way within a block to provide access for pedestrians and that may be used for utilities.

PERSON. Any individual, firm, corporation, partnership, franchisee, association, or governmental entity.

PINBALL MACHINE. See Amusement devices.

PLAIN CONCRETE BLOCK. A building block of cast concrete that has no additional surface texturing.

PORCH. A one story, covered area adjoining an entrance to a building, with a separate roof, that may or may not have a railing or partial wall extending no more than 42 inches from the floor, and that is not used for livable space.

PORTABLE STORAGE UNIT. A self-contained unit that is used for temporary storage.

PRECAST PANEL. A building wall section of concrete poured into a form at the manufacture facility and shipped to the construction site for installation.

PRELIMINARY PLAT. The temporary map, drawing or chart indicating the proposed layout of the subdivision to be submitted hereunder in compliance with the city plan and these regulations including required supporting data.

PUBLIC IMPROVEMENT, REQUIRED. Those improvements in any proposed subdivision, including streets, concrete curb and gutter, water and sewer systems and stormwater drainage systems, that are required in connection with the approval of any plat or other subdivision.

PUBLIC WATERS. A body of water capable of substantial beneficial public use; the term does not mean any body of water that has the potential to support any type of recreational pursuit or water supply purpose; a body of water created by a private user where there was no previous shore land for a designated private use authorized by the planning and zoning commissioner is not included.

102-17190 Terms Beginning with "Q"

RESERVED

102-17200 Terms Beginning with "R"

RAILROAD RIGHT-OF-WAY. A strip of land with tracks and auxiliary facilities for track operations but not including depots, loading platforms, LCL tracks, train sheds or other support structures.

REACH. A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or manmade obstruction. In an urban area, the segment of a stream or river between 2 consecutive bridge crossings would most typically constitute a reach.

RECREATIONAL VEHICLE. Any of the following:

- (1) Travel trailers, including those that telescope or fold down, chassis-mounted campers, house cars, motor homes, tent trailers, slip-in campers and converted vans that are motor homes as defined herein.
- (2) Vehicles that provide temporary living quarters. A vehicle provides temporary living quarters if it:
 - a. Is not used as the residence of the owner or occupant;

- b. Is used for temporary living quarters by the owner or occupant while engaged in recreation or vacation activities; and
 - c. Is self-propelled or capable of being towed on public roads.
- (3) Non-motorized trailers intended and generally used for transporting boats.
- (4) Snowmobiles, all-terrain vehicles, boats and any type of watercraft. When such vehicles that are placed on a utility trailer, the vehicle and the trailer combined are considered a single recreational vehicle.

REGIONAL FLOOD. A flood that is representative of large floods known to have occurred generally in the state and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100 year recurrence interval. The term "regional flood" is synonymous with the term "base flood" used in the flood insurance study.

REGULATORY FLOOD PROTECTION ELEVATION. An elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.

RETENTION FACILITY. A permanent natural or manmade structure that provides for the storage of stormwater runoff by means of a permanent pool of water.

RIGHT-OF-WAY. An area or strip of land, either public or private, on which an irrevocable right-of-passage has been recorded for the use of vehicles or pedestrians or both.

102-17210 Terms Beginning with "S"
.....

SEDIMENT. Solid matter carried by water, sewage, or other liquids.

SETBACK. The minimum distance from any lot line that an improvement may be placed, measured perpendicularly from the lot line to the closest point of the improvement.

SETBACK LINE. A line that is the specified setback distance from and parallel to any lot line.

SHADOW LINE. An architectural feature consisting of a typically decorative, 3-dimensional, linear element, horizontal or vertical, protruding or indented at least 1.5 inch in depth from the exterior facade of a building, and creating a shadow on the facade with light overhead, and extending, with limited interruption, the length or height of the

designated story. Examples may include cast stone cornices or lintels, pilasters, or stepped brick coursing.

SIGN. See the sign-related definitions in [102-1010 \(f\)](#).

STEALTH DESIGN. A wireless communication facility that is designed to be screened or to blend in with its surroundings and appropriately models or mimics the size, shape and color of something in the immediately surrounding area that could be legally placed there at the time the application is submitted. Examples of stealth design include architecturally screened and roof-mounted antennas, facilities integrated into architectural elements, and facilities designed to blend with or be integrated into light poles, utility poles, trees, steeples, or flag poles.

STORY. That portion of a building included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above; ~~a basement is counted as a full story; a cellar is not counted as a story.~~

STORY, GROUND. Also called ground floor. The story closest to the ground level that does not meet the definition of a basement.

STORY, HALF. See measuring of building height, [102-1720 \(k\)\(5\)](#).

STREET. Any category of a public right-of-way the width of which conforms to the standards set forth in the minimum subdivision design standards set forth in this section and includes the following classes:

- (1) **Collector street.** A street that carries traffic from minor streets to thoroughfares: the term includes the principal entrance streets of a residential development and streets for circulation within such a development;
- (2) **Cul-de-sac.** A street with only one outlet and having a turnaround;
- (3) **Minor street.** A street used primarily for access to the abutting properties;
- (4) **Service street, lane or road.** A street that is parallel and adjacent to a thoroughfare and that provides access to abutting properties and protection from through traffic;
- (5) **Thoroughfare.** A street primarily designed to carry large volumes of traffic: a thoroughfare has considerable continuity and is used primarily as a major traffic artery for travel between large areas.

102-17220 Terms Beginning with "T"

STREET, FRONT. A primary street designated as a front street where principal building entrances and fronts of buildings face the street.

STREET, SIDE. A minor street designated as a side street that is not a front street or an alley.

STREETWALL. The portion of the building facade that is located generally parallel and facing the street right-of-way line.

STREET WIDTH. The shortest distance between the lines delineating the right-of-way of a street;

STRUCTURE. Anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, travel trailers/vehicles not meeting the exemption criteria.

SWIMMING POOL. Any permanent or temporary structure, basin, chamber, or tank containing water used for swimming, diving, or recreational bathing and having a depth of more than 2 feet at any point and a surface area exceeding 250 square feet, or a total volume in excess of 3,000 gallons.

SWIMMING POOL, PRIVATE. Any swimming pool permanent or temporary located on private property and under the control of the owner of a single-family dwelling or owner-occupant of a 2 dwelling unit and for the exclusive use by his family or invited guests.

SUBDIVIDER. A person having sufficient proprietary interest in land in order to subdivide the same under this development code.

SUBDIVISION. Any arrangement, revision, rearrangement, or other division of land by platting, registered land survey or conveyance, on the part of any subdivider, into 2 or more separate parcels, each of which has an area as defined and regulated in Minnesota Statutes §§ 462.351 through 462.365.

102-17220 Terms Beginning with "T"

TECH. A business that produces or manufactures a technical product.

TELECOMMUNICATIONS TOWER OR TOWER. A self-supported lattice, guyed or monopole structure constructed from grade that supports wireless communication facilities.

THOROUGHFARE, MAJOR. Those streets as shown on the city major thoroughfare plan.

TRAILER. Any vehicle designed for carrying property on its own structure and for being drawn by a motor vehicle.

TRAILER BED. That portion of a trailer that is designed to make contact with and bear the weight of the load to be carried.

TRANSIT STATIONS. Passenger stations for vehicular and rail mass transit systems.

TRANSMISSION TOWER, COMMERCIAL. A structure situated on a nonresidential site on which transmitting and/or receiving antennas are located, excluding those use exclusively for public safety communications. An AM radio tower is its own transmitting antenna.

TRANSMISSION TOWER, HEIGHT. The height of a transmission tower is the total maximum to which it is capable of being raised and is measured from the highest point of the finished grade adjacent to the structure if ground-mounted or roof-mounted.

102-17230 Terms Beginning with "U"

UNBUNDLED PARKING. Off-street parking spaces that are provided for residential uses as an optional, fee-based amenity, rather than "bundling" the cost of such parking spaces into the rental or sales price of dwelling units.

USE, ACCESSORY. A use subordinate to the principal use on a lot and exclusively used for the purposes incidental to those of the principal or conditional use.

USE, PERMITTED. A use that may be lawfully established in a particular zone, provided it conforms with all requirements, regulations and performance standards if any of the zone.

USE, PRINCIPAL. The main use of land or buildings as distinguished from subordinate or accessory uses; a principal use may be either permitted or conditional.

102-17240 Terms Beginning with "V"

RESERVED

102-17250 Terms Beginning with "W"

WETLANDS. Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For the purposes of this definition, wetlands must have the following 3 attributes:

- (1) Have a predominance of hydric soils;

- (2) Are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and
- (3) Under normal circumstances support a prevalence of such vegetation.

WIRELESS COMMUNICATION FACILITY. A facility for the provision of wireless communications services, as defined by the Telecommunications Act of 1996, including all hardware that provides wireless communication services including antennas, towers and all associated equipment.

WIRELESS COMMUNICATIONS ANTENNA. A physical device attached to and supported by a building or structure other than a tower through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from the term "wireless communications antenna."

102-17260 Terms Beginning with "X"
.....

RESERVED

102-17270 Terms Beginning with "Y"
.....

YARD. An actual (as opposed to required) open space on any lot that is unoccupied by a building or structure from its lowest ground level indefinitely upward; a yard is measured from the lot line to the vertical wall of the principal structure or structures.

YARD, FRONT. A street yard extending along the full width of the front lot line between side lot lines and lying between the principal building and the abutting front street right-of-way line. ~~to a depth at its shallowest width required in the yard regulations for the zone in which such lot is located.~~

YARD, INTERIOR. On lots with multiple buildings, a yard between any principal buildings that does not abut any lot line.

YARD, REAR. A yard extending along the full width of the lot between side lot lines, but not including any side street yard, and lying between the rear of the principal building and the rear lot line. ~~extending toward the front lot line for a depth as specified in the yard regulations for the zone in which such lot is located.~~

YARD, SIDE. A yard extending along the side lot line between the front and rear yards, and lying between the interior side of the principal building and the side lot line.

~~having a width as specified in the yard regulations for the zone in which such lot is located.~~

YARD, SIDE STREET. A street yard extending between the principal building and a non-front street right-of-way and lying between the front yard and the rear lot line.

YARD, STREET. Any yard between the principal building and a street right-of-way.

102-17280 Terms Beginning with "Z"
.....

ZONING ADMINISTRATOR. The person appointed by the city manager as provided by this development code.

ZONE. An area or areas within the limits of the city for which the regulations and requirements governing use, lot and size of building and premises are uniform.

LEGEND

Neighborhoods

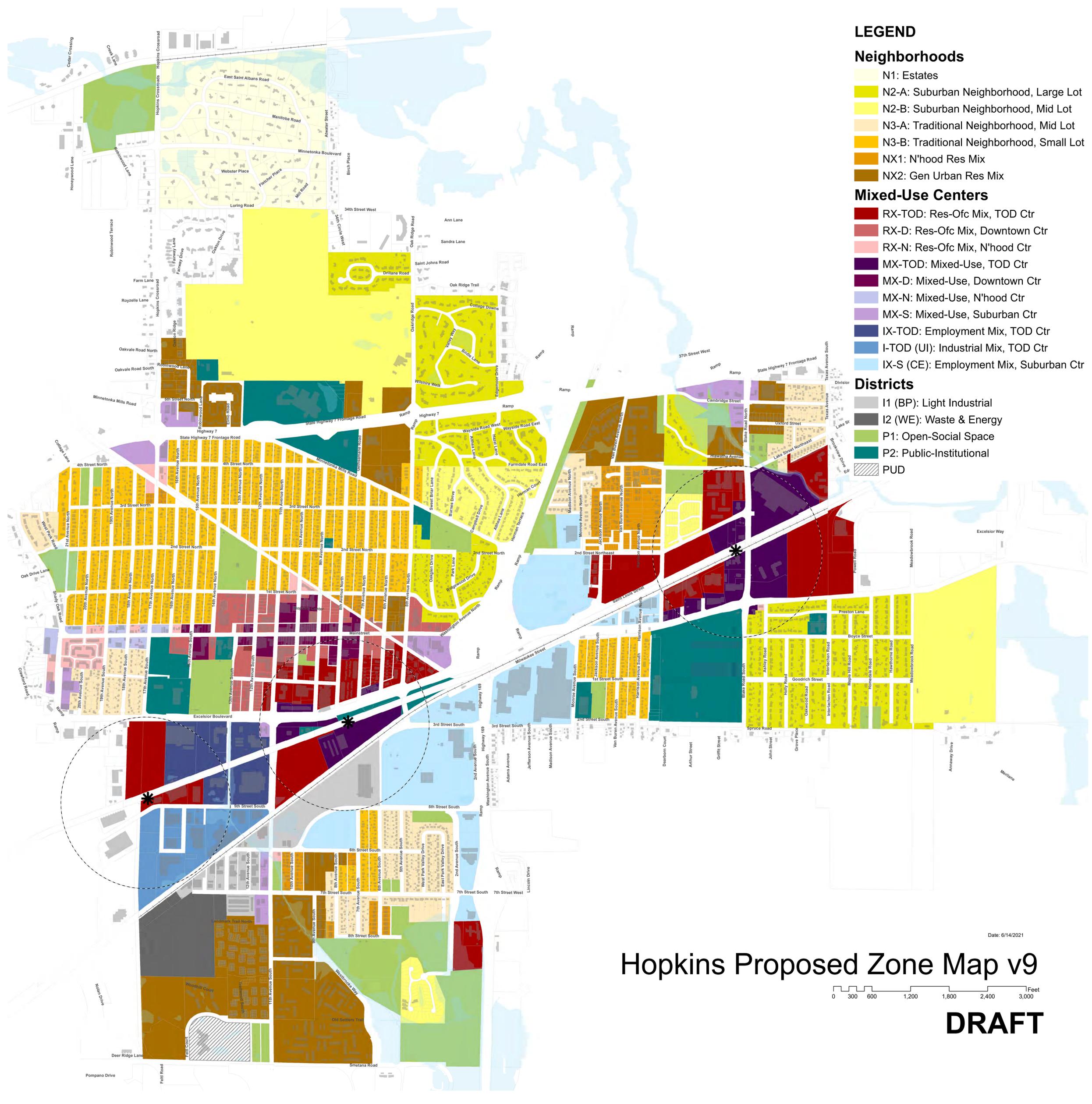
- N1: Estates
- N2-A: Suburban Neighborhood, Large Lot
- N2-B: Suburban Neighborhood, Mid Lot
- N3-A: Traditional Neighborhood, Mid Lot
- N3-B: Traditional Neighborhood, Small Lot
- NX1: N'hood Res Mix
- NX2: Gen Urban Res Mix

Mixed-Use Centers

- RX-TOD: Res-Ofc Mix, TOD Ctr
- RX-D: Res-Ofc Mix, Downtown Ctr
- RX-N: Res-Ofc Mix, N'hood Ctr
- MX-TOD: Mixed-Use, TOD Ctr
- MX-D: Mixed-Use, Downtown Ctr
- MX-N: Mixed-Use, N'hood Ctr
- MX-S: Mixed-Use, Suburban Ctr
- IX-TOD: Employment Mix, TOD Ctr
- I-TOD (UI): Industrial Mix, TOD Ctr
- IX-S (CE): Employment Mix, Suburban Ctr

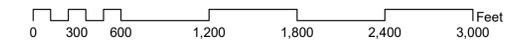
Districts

- I1 (BP): Light Industrial
- I2 (WE): Waste & Energy
- P1: Open-Social Space
- P2: Public-Institutional
- PUD



Date: 6/14/2021

Hopkins Proposed Zone Map v9



DRAFT