

900.05 DISTRICT REGULATIONS

Subd. 1. General Provisions.

A. Establishment of Districts.

For the purposes of this Ordinance, the City shall be divided into the following districts.

- A. R-1 Single-Family Residential District
- B. R-2 Single-Family Residential District
- C. R-3 Medium-Density Residential District
- D. R-4 Mixed Residential District
- E. R-5 High Density Residential District
- F. B-1 Highway Business District
- G. B-2 General Business District
- H. B-3 Central Business District
- I. B-4 Health Care Business District
- J. I-1 Industrial Park District
- K. I-2 General Industrial District
- L. P Public District
- M. C Conservation District
- N. A Agricultural District
- O. PUD Planned Unit Development District
- P. F-1 Fairgrounds District

B. Zoning Districts Map.

The boundaries of these districts are hereby defined and established as shown on the Zoning Districts Map which accompanies this Ordinance. Said map with all explanatory matter thereon is hereby made a part of this Ordinance.

C. Interpretation of District Boundaries.

Where uncertainty exists with respect to the boundaries of any zoning district indicated on the Zoning Districts Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets or highways shall be construed as following the center lines of streets or highways.
2. Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following City boundary lines shall be construed as following such City boundaries.
4. Boundaries indicated as approximately parallel to the center lines of streets or highways shall be construed as being parallel thereto and at such distance therefrom as may be indicated on the Zoning Districts Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Zoning Districts Map.
5. Boundaries following the shoreline of a stream, lake or other body of water shall be construed to follow the ordinary high water elevation (OHWE) and in the event of change in the shoreline shall be construed as moving with the OHWE. Boundaries indicated as approximately following the center line of streams, rivers, channels or other bodies of water shall be construed to follow such centerlines.
6. Where the application of the aforementioned rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the City Board of Adjustments after recommendation from the City Planning Commission.

D. Annexation.

Areas annexed to the City of Waconia shall be placed in a zoning district most like that which the area was zoned prior to annexation provided said zoning is consistent with the City's Comprehensive Plan. Where inconsistent, the zoning classification of such areas shall not be designated pending study of the area by the Planning Commission and approval by the City Council. In cases where the Planning Commission deems it appropriate that a study be made of an area to be annexed to the City of Waconia, the Planning Commission shall recommend a permanent zoning classification to the City Council within six (6) months of the date of annexation of said area. The actual zoning classification shall be designated by the City Council within nine (9) months of such annexation.

Subd. 2. Scope of Regulations.

A. R-1 Single-Family Residential District.

1. Intent and Purpose: The purpose of this district is to provide for areas within the City primarily intended for low density residential development as designated by the Comprehensive Plan.
2. Permitted Uses: Single-family dwellings.
3. Permitted Accessory Uses: Gazebos, decks, private garages, utility buildings, fences, off-street parking, nameplate signs, residential recreation equipment subject to the restrictions imposed by Section 900.06, Supplementary Regulations.
4. Uses Permitted with Special Restrictions:
 - a. Boarding of not more than two roomers per residential unit.
 - b. Cemeteries provided there is internal road access or off-street parking and screening of residential areas equivalent to 1 tree per 50 feet of site perimeter based on City Code. Residential setbacks shall be maintained at 50 feet from cemetery property. The Cemetery shall have accessibility to a major thoroughfare.
 - c. Day care facilities licensed by the State of Minnesota serving ten (10) or fewer persons.
 - d. Gardening and other horticultural uses where no sale of products is conducted on the premises.
 - e. Garage sales, estate sales, yard sales, rummage sales and other casual sales of personal property, subject to the following restrictions:
 1. No such sale shall exceed a period of 72 consecutive hours, including periods when the sale is temporarily closed (e.g., at night).
 2. No more than two such sales shall be held on the same lot in any 12-month period.
 3. No items offered for sale shall have been purchased or received by gift for resale or received on consignment for the purposes of resale.

- f. Golf courses provided that it is maintained and operated from a central clubhouse location and adequate off-street parking is provided. Residential setbacks shall be maintained at 75 feet from golf course property. The golf course shall have access to a major thoroughfare.
- g. Home occupations may be carried on by a member of the immediate family residing on the premises in connection with which there is no sign, other display, or other condition permitted that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling.

Also, no exterior structural modifications are made to change the residential character and appearance of the lot or any buildings or structures on the lot. All parking demands generated by the use shall be accommodated within the accessory garage and the normal driveway area. No more than 10 automobile trips weekly by individuals other than the residents of the dwelling unit shall be generated to the dwelling unit as a result of the use. No sale of products or merchandise shall occur on the lot or within any structures or buildings on the lot.

- h. Private Residential Recreational Facilities intended solely for the use and enjoyment of residents of the permitted use and their guests.
 - i. Residential facilities licensed by the State of Minnesota serving six (6) or fewer persons and being located no nearer than 1,000 feet to another such facility.
 - j. Utility buildings are allowable, but structures constructed of metal are prohibited. Setbacks within the respective zoning districts shall be met.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
- a. Churches.
 - b. Public service installations including such uses as public utility buildings, transformers, substations and lift stations.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
- a. Interim use of non-residential buildings.

- b. Parking lots without a hardcover surface.

7. Lot Requirements: The following minimum lot requirements shall apply. Refer to Section 900.06 (Supplementary Regulations) for exceptions.

- a. Minimum lot area 10,500 sq. ft.
- b. Minimum lot width 75 ft.
- c. Maximum hardcover surface 35%
- d. Maximum structure height 35 ft.
- e. Minimum yards

| | Front | Street Side | Interior Side | Rear |
|----------------------|-------|-------------|---------------|------|
| Principal Structures | 25' | 25' | 10' | 30' |
| Accessory Structures | 25' | 25' | 10' | 10' |

B. R-2 Single-Family Residential District.

1. Intent and Purpose: The purpose of this district is to establish reasonable standards of development for neighborhood conservation areas designated by the Comprehensive Plan since much of this district encompasses residential areas of the City that were developed at densities that are generally higher than contemporary development standards.
2. Permitted Uses: Single-family dwellings.
3. Permitted Accessory Uses: Same as the R-1 District.
4. Uses Permitted with Special Restrictions:
 - a. All uses permitted with special restrictions in the R-1 District.
 - b. Accessory apartments provided such use is in compliance with Uniform Building Code and provisions for off-street parking are met.
 - c. Two family dwellings subject to the following: off street parking requirements are met and second dwelling meets uniform building code requirements.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. All uses permitted by CUP in the R-1 District.
 - b. Bed and Breakfasts.
 - c. Funeral homes and mortuaries.
 - d. Guest Cottages.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. All uses permitted by IUP in the R-1 District.
 - b. Above ground, portable fuel systems.

7. Lot Requirements: The following minimum lot requirements shall apply. Refer Section 900.06 (Supplementary Regulations) for exceptions.

- a. Minimum lot area 7850 sq. ft.
- b. Minimum lot width 50 ft.
- c. Maximum hardcover surface 35%
- d. Maximum structure height 35 ft.
- e. Minimum yards

| | | Front | Street Side | Alley Side | Interior Side | Rear |
|----|---|-------|-------------|------------|---------------|------|
| 1. | Principal Structures (Lot greater than 55' wide) | 25' | 15' | 10' | 10' | 30' |
| 2. | Principal Structures (Lot less than 55' wide) | 25' | 15' | 5' | 5' | 30' |
| 3. | Accessory Structures (Lot greater than 55' wide) | 25' | 15' | 10' | 10' | 10' |
| 4. | Accessory Structures | 25' | 15' | 5' | 5' | 5'* |

*** 10' if abutting an alley**

C. R-3 Medium Density Residential District.

1. Intent and Purpose: The purpose of this district is to provide for a broad range of housing types that will generally be located adjacent to more active business areas with direct access to collector streets. These areas are found in or near developing residential areas distant from downtown Waconia where non-single family housing is a desirable alternative.
2. Permitted Uses: Multiple family dwellings, two-family dwellings, townhouse dwellings, boarding houses of more than two roomers per residential units.
3. Permitted Accessory Uses: Same as the R-1 District.
4. Uses Permitted with Special Restrictions:
 - a. All uses permitted with special restrictions in the R-1 District, but not including golf courses and cemeteries.
 - b. Day care facilities licensed by the State of Minnesota serving between 13 and 16 persons.
 - c. Residential facilities licensed by the State of Minnesota serving between 7 and 16 persons and being located no nearer than 1,000 feet to another State licensed facility.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Churches.
 - b. Mortuaries.
 - c. Public Utility Installation.
 - d. Garden Center Uses
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. All uses permitted by IUP in the R-1 District.
7. Lot Requirements: The following minimum lot requirements shall apply. Refer to Section 900.06 (Supplementary Regulations) for exceptions.
 - a. Minimum lot area:

- 14,000 sq. ft. for two-family dwellings and uses 4B and 4C of the R-3 District.
- 30,000 sq. ft. for multi-family dwellings. For multi-family dwellings a minimum of 10% of the gross project area shall be in private recreational uses for project residents. Such area shall be for recreational uses suited to the needs of the residents including swimming pools, tennis courts, tot lot areas, nature areas, etc.

- b. Minimum lot width 150 ft.
- c. Maximum hardcover surface 70%
- d. Maximum structure height 40 ft.
- e. Minimum yards

1. Front yard setback will be a minimum of 35 ft. from the right-of-way of local streets or 50 ft. from the right-of-way of collector or arterial roadways as identified in the Comprehensive Plan.
2. Sideyard setback will be a minimum of 15 feet plus two feet for every foot by which the building exceeds 25 feet in height. Sideyard setbacks may be reduced to zero feet along the common property line when dwellings share common walls and are subject to site and building plan review.
3. Rear yard setback will be a minimum of 40 feet from exterior property lines. Rear yard setbacks may be reduced for townhouse dwellings located within cluster developments which are subject to site and building plan review.
4. Building spacing for multi-family dwellings shall be the average of the height of the buildings.

D. R-4 Mixed Residential District.

1. Intent and Purpose: This is an historic area of the City that lies along the Lake Waconia shoreline and already has an element of mixed residential use ranging from multi-family dwellings to single-family housing. It is intended that uses within this area continue to be predominantly residential in the range of four to six units per acre. Higher densities must be applied for by Conditional Use Permit.
2. Permitted Uses: Single family dwellings, two-family dwellings, boarding houses of more than two (2) roomers per residential unit.
3. Permitted Accessory Uses: Same as the R-1 District.
4. Uses Permitted with Special Restrictions:
 - a. All uses permitted with special restrictions in the R-3 District.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Churches.
 - b. Mortuaries.
 - c. Bed and Breakfasts.
 - d. Public Utility Installations.
 - e. Marinas
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. All uses permitted by IUP in the R-1 District.
7. Lot Requirements: The following minimum lot requirements shall apply. Refer to Section 900.06 (Supplementary Regulations) for exceptions.

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|------------------------------|---------------|
| a. Minimum lot area | 7,850 sq. ft. |
| b. Minimum lot width | 50 ft. |
| c. Maximum hardcover surface | 35% |
| d. Maximum structure height | 35 ft. |
| e. Minimum yards | |

| | | Front | Street Side | Alley Side | Interior Side | Rear |
|----|---|-------|-------------|------------|---------------|------|
| 1. | Principal Structures (Lot greater than 55' wide) | 25' | 15' | 10' | 10' | 30' |
| 2. | Principal Structures (Lot less than 55' wide) | 25' | 15' | 5' | 5' | 30' |
| 3. | Accessory Structures (Lot greater than 55' wide) | 25' | 15' | 10' | 10' | 10' |
| 4. | Accessory Structures (Lot less than 55' wide) | 25' | 15' | 5' | 5' | 5'* |
| 5. | Shoreland Overlay District setbacks may be more restrictive than those listed above. In that instance, the more restrictive setbacks apply. | | | | | |

*** 10' if abutting an alley**

8. Two-Family Dwellings: A two-family dwelling shall comply with all of the requirements of Section 900.06, Subd. 5, C, of this Code if it is divided into individual parcels of record.

E. R-5 High Density Residential District.

1. Intent and Purpose: The purpose of this district is to primarily fill and redevelop sites located north of Highway 5 and in relatively close proximity to downtown where land values warrant higher density development. Densities are targeted for 12 to 22 units per acre in this district. Within these areas, housing for senior citizens is intended to be permitted at considerably higher densities than would be permitted by the density range provided adequate open space is demonstrated to exist and parking demand can be justified and documented.
2. Permitted Uses: Multiple family dwellings, boarding houses serving more than two (2) roomers per residential unit, nursing homes, two-family dwellings, townhouse dwellings.
3. Permitted Accessory Uses: Same as R-1 District.
4. Uses Permitted with Special Restrictions:
 - a. All uses permitted with special restrictions in the R-3 District.
 - b. Residential facilities licensed by the State of Minnesota serving 17 or more persons and being located no nearer than 1,000 feet to another such facility.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Churches.
 - b. Mortuaries.
 - c. Public Utility Installations.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. All uses permitted by IUP in the R-1 District.
7. Lot Requirements: The following minimum lot requirements shall apply. Refer to Section 900.06 (Supplementary Regulations) for exceptions.
 - a. Minimum lot area:

- 14,000 sq. ft. for two family dwellings and uses 4B and 4C of the R-3 District.
- 30,000 sq. ft. for multi-family dwellings. For multi-family dwellings a minimum of 10% of the gross project area shall be in private recreational uses for project residents. Such area shall be for recreational uses suited to the needs of the residents including swimming pools, tennis courts, tot lot areas, nature areas, etc.

b. Minimum lot width 150 ft.

c. Maximum hardcover surface 70%

d. Maximum structure height 40 ft.

e. Minimum yards

1. Front yard setback will be a minimum of 30 feet from the right-of-way of local streets or 50 ft. from the right-of-way of collector or arterial roadways as identified in the Comprehensive Plan.
2. Sideyard setback shall equal, in footage, what the height of the structure is. Sideyard setbacks may be reduced to zero feet along the common property line when dwellings share common walls and are subject to site and building plan review.
3. Rear yard setback will be a minimum of 30 feet from exterior property lines.
4. Building spacing for multi-family dwellings shall be the average of the height of the buildings.

F. B-1 Highway Business District.

1. Intent and Purpose: The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generated from the surrounding area.
2. Permitted Uses: Retail businesses that are not large retail buildings nor large retail projects; eating and drinking establishments; banks; hotels and motels; automobile service and repair; farm equipment/implement sales and service; commercial recreation facilities; laundromats and dry cleaners; barber/beauty shops; mini-storage facilities; churches, off-sale liquor sales; microdistilleries; small breweries; taprooms; lumber yards; animal clinics; commercial kennels; outdoor theaters; bicycle sales/service; copy and printing services; medical related clinics/uses; and offices.
3. Permitted Accessory Uses: Fences, off-street parking, business signs, incidental repair, processing and storage necessary to conduct a permitted use but not exceeding 30% of the floor area of the principal building, gardening and other horticultural uses where no sale of products is conducted within a building.
4. Uses Permitted with Special Restrictions:
 - a. Day care facilities licensed by the State of Minnesota.
 - b. Drive-in Businesses (for the purpose of this section, shall mean: Drive-in restaurants, fast food businesses with a drive thru, drive-in theaters and motor fuel stations). Restrictions include:
 1. No drive in business shall be located within 300 feet of a school or church.
 2. No drive-in shall be located within 100 feet of any residentially zoned property, provided:
 - a) no public address system shall be audible from any residential zone; and
 - b) screening of the property from residential areas will be required. The City may require fencing, earthen berms and landscaping, or any other method or combination deemed appropriate to accomplish the required screening.

3. No drive in shall be located on any street other than an arterial roadway, collector roadway or business service road.
 4. No access drive shall be within 100 feet of intersecting street right-of-way lines.
 5. No less than 30% of the gross lot area shall be landscaped.
 6. Adequate area shall be designated for snow storage such that clear visibility shall be maintained from the property to any public street.
 7. A six-inch non-surmountable curb shall separate all walks and landscape areas from parking areas.
 8. Should the use be a drive-in theater, an opaque fence not less than eight (8) feet in height and extending at least to within two (2) feet of the ground shall be constructed around the property.
- c. Motor fuel stations and motor fuel station convenience stores subject to the following:
1. For architectural purposes, each side of a motor fuel station/convenience store shall be considered as a front face.
 2. The storage for items for sale outside the principal building shall be displayed in specifically designed containers.
 3. All trash, waste materials, and obsolete parts shall be stored within a separate enclosure.
 4. All goods for sale, other than those required for the operation and maintenance of motor vehicles shall be displayed within the principal structure.
 5. No sale of motor vehicles, trailers or campers shall be permitted.
 6. Open dead storage of motor vehicles shall not be permitted for a period of more than seven (7) days.
 7. All rental campers, trailers or motor vehicles shall be stored within the rear and/or sideyard not adjacent to the street.

8. Wherever a motor vehicle fuel station/convenience store abuts residential property, a fence or compact evergreen hedge not less than 50% opaque not less than six (6) feet high shall be erected and maintained along the side and rear property line that abuts the residential property. Application of this provision shall not require a fence within 15 feet of any street right-of-wayline.
9. Minimum 15 foot landscaped yard shall be planted and maintained behind all property lines except at driveway entrances.
10. The entire site, other than the part devoted to landscaping and structures, shall be surfaced with concrete or bituminous surfacing to control dust and provide adequate drainage.
11. Driveways shall not exceed 30 feet in width nor be spaced closer than 30 feet apart measured at the property line. No more than two (2) access drives to any street shall be permitted.
12. A 6-inch non-surmountable curb shall separate all walks and landscape areas from parking and maneuvering areas.
13. The total height of any overhead canopy or weather protection shall not exceed 20 feet.

14. Setbacks:

| | |
|--------------------------------|---------|
| Lot width | 150 ft. |
| Front yard | 60 ft. |
| Adjacent to another lot | 30 ft. |
| Adjacent to street | 60 ft. |
| Rear yard | 30 ft. |
| Pump setback from right-of-way | 25 ft. |

15. The setback of any overhead canopy or weather protection, freestanding or projecting from the station structures, shall not be less than ten (10) feet from the street right-of-way nor less than 20 feet from any adjacent property line.

- d. Car washes provided there is sufficient stacking space outside the wash bay to accommodate that number of vehicles which can be washed during a 15-minute period based on the equipment rating.

- e. Motor vehicle sales lots provided that all display lots for vehicles provide curb and gutter per City specifications for storm run-off purposes and all outdoor signs meet City sign regulations.
 - f. All other uses that utilize a drive thru service convenience provided that use has sufficient stacking space to accommodate that number of vehicles which can be served during a 15 minute period.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
- a. Mortuaries.
 - b. Commercial Recreation (which would include miniature golf, driving ranges, waterslides, amusement centers).
 - c. Contractors Yard.
 - d. Large Retail Projects.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
- a. Parking lots without a hardcover surface.
7. Lot requirements:
- a. Minimum lot area 17,500 sq. ft.
 - b. Minimum lot width 100 ft.
 - c. Maximum hardcover surface 80%
 - d. Maximum structure height 35 ft.
 - e. Minimum yards

| | Front | Street Side | Interior Side | Rear |
|----------------------|-------|-------------|---------------|------|
| Principal Structures | 25' | 20' | 15'* | 20' |

***35' if adjacent to residential district.**

G. B-2 General Business District.

1. Intent and Purpose: It is intended that this district continue to serve its role as the social, cultural and commercial center of the City and its hinterland and that downtown continue to be redeveloped in a manner that will strengthen it as the market area's shopping, entertainment and office center.
2. Permitted Uses: Shopping facilities that are not large retail buildings nor large retail projects, clothing and apparel, restaurants, governmental buildings, hotels, indoor theaters, financial institutions, fraternal and/or service clubs, offices/office buildings, grocery stores, video stores, barber/beauty shops, commercial kennels, travel agencies, laundromats, dry cleaners, photo/art studios, indoor recreational facilities, on and off sale liquor establishments, small breweries operated in conjunction with taprooms, frozen desserts/delicatessen stores, drug stores, print shops, book stores, real estate sales, medical clinics, taverns, mixed-use buildings and multiple family dwellings, parks, churches, schools (public and private), mortuaries, public utility installations, public buildings (community center, museum, library, administrative buildings, specialty care clinics).
3. Permitted Accessory Uses: Fences, off-street parking, business signs, any incidental repair, processing, and storage necessary to conduct a permitted principal use but not exceeding 30% of the floor area of the principal building.
4. Uses Permitted with Special Restrictions:
 - a. Day care facilities licensed by the State of Minnesota.
 - b. Car washes with same restrictions as in the B-1 District.
 - c. Motor vehicle sales lots with same restrictions as in the B-1 District.
 - d. Motor fuel stations subject to restrictions in the B-1 District except provisions 4c(9) and 4c(14).
 - e. Automobile Collision Repair Facility subject to the following restrictions:
 1. All trash and waste materials shall be stored inside the main building or within a separate enclosure.
 2. There shall be no outside storage of any usable or obsolete automobile parts, junked vehicles, or other items associated with the business.

3. There shall be no vehicle access to a building that directly faces a residential zoning district.
4. All other regulations (Uniform Building Code, State, etc.) guiding the use of equipment related to collision repair shall be followed.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Large Retail Projects.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. Parking lots without a hardcover surface.
7. Lot Requirements:
 - a. Uses in the B-2 District are exempt from all setback and lot-size requirements except the noted provisions below. Provisions shall be made for meeting parking and on-site loading requirements.
 - b. Maximum Structure Height 45 ft.
 - c. Side and rear yard setback adjacent to residential district 10 ft.

H. B-3 Central Business District.

1. Intent and Purpose: It is intended that this district continue to serve its role as the social, cultural and commercial center of the City and its hinterland and that downtown continue to be redeveloped in a manner that will strengthen it as the market area's shopping, entertainment and office center.
2. Permitted Uses: Same as B-2 District.
3. Permitted Accessory Uses: Fences, off-street parking, business signs, any incidental repair, processing, and storage necessary to conduct a permitted principal use but not exceeding 30% of the floor area of the principal building.
4. Uses Permitted with Special Restrictions:
 - a. Day care facilities licensed by the State of Minnesota.
 - b. Auto Service Repair subject to the following conditions:
 1. All trash, recyclable and waste materials shall be stored inside the main building or within a separate, screened enclosure as approved by the City.
 2. There shall be no outside storage of any usable or obsolete parts, junked vehicles as defined by City Code.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Large Retail Projects.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. Parking lots without a hardcover surface.
7. Lot Requirements:
 - a. Uses in the B-3 District are exempt from all setback and lot size requirements except consideration shall be given to providing on-site parking.
 - b. Maximum structure height 45 ft.

I. B-4 Health Care Business District.

1. Intent and Purpose: The purpose of this district is to provide for areas that will accommodate medical and health related uses.
2. Permitted Uses: Hospitals, nursing homes, public utility installations, emergency care facilities, extended care facilities, medical research facilities, adult day care service facilities, drug stores with pharmacy departments, pharmacies, health clubs, medical and other human physical and mental health care clinics, laboratories.
3. Permitted Accessory Uses: An area not exceeding 10% of the total gross floor area of the building may be used for facilities providing convenience goods and services for the occupants, business invitees, and visitors. Said accessory uses shall include those listed below and such other accessory uses. These include: restaurants, cafes, coffee shops, bakeries, related professional shops, newsstands and barber/beauty shops.
4. Uses Permitted with Special Restrictions:
 - a. Day care facilities licensed by the State of Minnesota.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Heliports.
 - b. Incineration.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. Parking lots without a hardcover surface.
7. Lot Requirements:

| | | |
|----|---------------------------|----------------|
| a. | Minimum lot area | 20,000 sq. ft. |
| b. | Minimum lot width | 100 ft. |
| c. | Maximum hardcover surface | 75% |
| d. | All structure setbacks | 25 ft. |

J. I-1 Industrial Park District.

1. Intent and Purpose: The purpose of this district is to provide for higher quality employment areas within the City where light manufacturing and related compatible uses can be accommodated in a value enhancing park-like setting. Uses intended to be accommodated include those which generate a minimum of noise, glare, dust, odor, vibration, air and water pollution, fire and safety hazard, and obtrusive views.
2. Permitted Use: Manufacturing, compounding, processing (except live animals), packaging, treatment and assembly of products and materials; warehousing and wholesaling; mini-storage facilities; printing; trade schools; indoor health and recreation clubs; scientific research laboratories; veterinary clinics; public utility installations; microdistilleries; small breweries; taprooms; service establishments catering exclusively to business and industry including linen supply, business machine services, business supply services, business incentive tour/vacation packages, vending machine maintenance/distributing and similar uses.
3. Permitted Accessory Uses: Signs, off-street parking and loading, and offices which are incidental to the principal use.
4. Special Requirements: All uses shall comply with following:
 - a. Compliance with all performance standards as required by Section 900.08 of this Ordinance.
 - b. All storage shall be in completely enclosed buildings.
 - c. Off-street loading shall not be located on the side of a building which faces a public street or a residential district. Docks shall be screened so as not to be visible from streets or residential areas.
5. Uses Permitted with Special Restrictions:
 - a. Day care centers licensed by the State of Minnesota.
 - b. Sexually Oriented Businesses with a minimum separation of 500 feet, as measured in a straight line from the closest point of the property line of the building upon which the sexually oriented business is located, from the property line of:
 1. Any church or church related facility or organization;

- 2. A public or private educational facility classified as a preschool, elementary, middle, junior high or senior high school;
 - 3. Residential zoned property;
 - 4. A public park;
 - 5. An on-sale liquor establishment;
 - 6. Another sexually oriented business;
 - 7. A public library; or
 - 8. A licensed day care center.
6. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
- a. Incineration.
 - b. Towers.
7. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Sections 900.11.
- a. Parking lots without a hardcover surface.
8. Lot Requirements:
- a. Minimum lot area 43,560 sq. ft.
 - b. Minimum lot width 200 ft.
 - c. Maximum hardcover surface 85%
 - d. Maximum structure height 50 ft.

| | Front | Street Side | Interior Side | Rear |
|------------------|-------|-------------|---------------|------|
| e. Minimum yards | 50 | 50 | 20 | 30'* |

*** 50' where adjacent to a residential district.**

K. I-2 General Industrial District.

1. Intent and Purpose: The intent of this district is to primarily fill or redevelop sites that exist in the City's first industrial park and Sudheimer's Industrial Park.
2. Permitted Uses: Manufacturing, compounding, processing (except live animals), packaging, treatment and assembly of products and materials, warehousing and wholesaling, printing, trade schools, indoor health and recreation clubs, microdistilleries, small breweries, taprooms, scientific research laboratories, veterinary clinics, public utility installations, and service establishments catering to business and industry including linen supply, business machine services, business supply services, business incentive tour/vacation packages, building inspection services, vending machine maintenance/distributing, rental facilities and similar uses.
3. Permitted Accessory Uses: Signs, off-street parking and loading, and offices which are incidental to the principal use.
4. Special Requirements: All uses shall comply with the following:
 - a. Compliance with all performance standards as required by Section 900.08 of this Ordinance.
 - b. Off-street loading shall not be located on the side of a building which faces a public street or a residential district. Docks shall be screened so as not to be visible from streets or residential areas.
5. Uses Permitted with Special Restrictions:
 - a. Day care facilities licensed by the State of Minnesota.
 - b. Sexually Oriented Businesses with a minimum separation of 500 feet, as measured in a straight line from the closest point of the property line of the building upon which the sexually oriented business is located, from the property line of:
 1. Any church or church related facility or organization;
 2. A public or private educational facility classified as a preschool, elementary, middle, junior high or senior high school;
 3. Residential zoned property;

- 4. A public park;
 - 5. An on-sale liquor establishment;
 - 6. Another sexually oriented business;
 - 7. A public library; or
 - 8. A licensed day care center.
6. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
- a. Blacktop and Redi-mix plants.
 - b. Poultry and Livestock Processing.
 - c. Truck Stops.
 - d. Bulk liquid storage.
 - e. Incineration.
 - f. Contractors Yard.
7. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
- a. Parking lots without a hardcover surface.
8. Lot Requirements:

- a. Minimum lot area 43,560 sq. ft.
- b. Minimum lot width 200 ft.
- c. Maximum hardcover surface 85%
- d. Maximum structure height 50 ft.

| | Front | Street Side | Interior Side | Rear |
|------------------|-------|-------------|---------------|------|
| e. Minimum yards | 30' | 30' | 10'* | 30'* |

*** 50' where adjacent to a residential district**

L. P Public District.

1. Intent and Purpose: The purpose of the Public District is to provide a procedure for the orderly establishment of public facilities designated in the Comprehensive Plan.
2. Permitted Uses: Schools, parks and other major community facilities.
3. Lot Requirements:
 - a. Minimum lot area N/A
 - b. Minimum lot width N/A
 - c. Maximum hardcover surface 80%
 - d. Maximum structure height 40 ft.

| | Front | Street Side | Interior Side | Rear |
|------------------|-------|-------------|---------------|------|
| e. Minimum yards | 50' | 30' | 30' | 30' |

M. C Conservation District.

1. Intent and Purpose: The purpose of this district is to protect areas designated on the Comprehensive Plan that are labeled Environmentally Protected (EP). Environmentally Protected areas are intended to remain undeveloped and in their natural state to the extent possible though their specific boundaries will remain open to interpretation and delineation until adjacent development is planned. This district is established to preserve and perpetuate in an open state, certain areas such as wetlands, marshes, woodlands and other areas of aesthetic and economic value which, because of their unique physical characteristics, are desirable as water retention areas, natural habitat for plant and animal life, open space or other similar uses beneficial to the City.
2. Permitted Uses: Wildlife and forest management, public recreation such as hiking and fishing, public utility installations.
3. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.
 - a. Harvesting wild crops.

N. A Agricultural District.

1. Intent and Purpose: Agricultural Districts, for all intent purposes, are transition areas between what is now urbanized City limits and intense agricultural uses allowed in the surrounding townships. In nearly all cases, the Agricultural Zoning status will be given to lands recently annexed into the City for purposes of land-use development since this is the district the land was most likely in while in the township.
2. Permitted Uses: Cemeteries, public utility installations, gardening, general farming provided animal unit density is not greater than two (2) per acre, dairy farming provided animal unit density is not greater than two (2) per acre, horticultural uses and structures designed for the storage of products and machinery pertaining and necessary thereto, one (1) single-family dwelling per farm, parks and recreation areas.
3. Permitted Accessory Uses: Private garages, decks, private swimming pools and tennis courts, signs as regulated by City Ordinance, fences, off-street parking.
4. Uses Permitted with Special Restrictions:
 - a. Golf courses provided that it is maintained and operated from a central clubhouse location and adequate off-street parking is provided. Residential setbacks shall be maintained at 75 feet. The golf course shall have access to a major thoroughfare.
 - b. Garage sales provided they are in operation during daylight hours only (sunrise to sunset).
 - c. Home occupations per R-1 District restrictions.
5. Uses Permitted by Conditional Use Permit (CUP): The following uses are permitted by CUP subject to the requirements of Section 900.11.
 - a. Churches.
 - b. Mining operations.
 - c. Feed lot.
6. Uses Permitted by Interim Use Permit (IUP): The following uses are permitted by IUP subject to the requirements of Section 900.11.

a. Temporary Blacktop and Redi-Mix Plants.

b. Land Reclamation.

7. Lot Requirements:

a. Minimum lot area 43,560 sq. ft

b. Minimum lot width Depth shall be no more than three times the width, the width not being less than 125 feet.

c. Maximum structure height 35 ft.

d. Every proposed single-family dwelling will need to have City sewer and water available to the site. Private sewage treatment facilities for new sites will be prohibited.

| | Front | Street Side | Interior Side | Rear |
|------------------|-------|-------------|---------------|------|
| e. Minimum yards | * | 25' | 15' | 30' |

*Arterial 200 ft.
 Collector 100 ft.
 Local Road 60 ft.
 Other front yard 35 ft.

O. PUD Planned Unit Development District.

1. Intent and Purpose: PUD is intended to be used to achieve the following objectives:
 - a. Protection of natural and historical features including steep slopes, woodlands, wildlife habitat, wetlands and water surface areas.
 - b. Improved human habitats by allowing for greater creativity, innovation and flexibility in site planning and architectural design.
 - c. Improved human habitat variety, diversity and interest through the mixing and clustering of land uses and housing types and varied lot sizes.
 - d. A higher level of amenity than is normally achieved with traditional zoning.
 - e. The provision of affordable housing.
 - f. A more efficient use of land and public facilities and services.
 - g. The conservation of energy resources through the protection of solar access, solar orientation, earth sheltering and the clustering of development.
 - h. The creation of a sense of community by developing larger parcels of land as integrated units.

2. Eligibility: PUD may be used only under the following circumstances:
 - a. A PUD shall have a minimum of five (5) acres except that a smaller parcel may qualify for the use of PUD where total ownership is less than five acres and, in the judgment of the City, there is a benefit to the City to consider a smaller PUD for such reason as the conservation of a natural or historic feature. An exception to the minimum size may also be permitted where the PUD is an extension of an existing PUD and will essentially function as an extension of the existing PUD.
 - b. All property within a PUD shall be under the control of one owner or group of owners capable of planning and developing the PUD site as a unit.

3. Permitted Uses: Lands within a PUD shall only be used for uses designated on the Comprehensive Plan. Conditional uses that are normally associated with a specific class of use (i.e. single-family residential) may also be permitted in a similar PUD class provided the use has been approved as part of the PUD. Upon approval of a Development Plan, the PUD shall become the zoning for the PUD site and any

change in use will require a zoning amendment. Amendments shall follow the procedures established by Section 900.12, Subd. 4 of this ordinance.

4. Required Development Standards: A PUD shall comply with all of the requirements of this ordinance except for Sections 900.05, District Regulations. In addition the following shall apply:
 - a. The minimum building and parking setback from any exterior PUD property line or abutting street shall be 40 feet. Refer to Section 900.06, Subd. 3 for required yard expansion adjacent to arterial streets.
 - b. The maximum height of structures shall not exceed 45 feet except as provided for by Section 900.06, Subd. 2 of this ordinance.
 - c. Overall gross residential PUD densities shall be in the range specified for the site by the Comprehensive Plan.
 - d. Maximum hardcover surface shall be as follows for the following classes of use:

| | | | | |
|----|--|-------|-----|-----|
| 1) | Low and Low/Medium Density Residential | 0-4 | U/A | 50% |
| 2) | Medium Density Residential | 5-12 | U/A | 60% |
| 3) | High Density Residential | 13-22 | U/A | 70% |
| 4) | Medical Services | | | 75% |
| 5) | Commercial | | | 80% |
| 6) | Industrial | | | 85% |
 - e. Where the PUD site is designated by the Comprehensive Plan for more than one land use, the approximate same ratio of land area shall be reflected in the PUD for each use as exists in the Comprehensive Plan.
 - f. Signage variances may be approved by PUD provided a sign plan is approved with the Development Plan. Generally, Section 900.10, Sign Regulations, will be used as a guide in evaluating the signage plan.

- g. Subdivision review shall be carried out simultaneously with the review of the PUD. The plans required by this Section shall be submitted in a form which will satisfy the requirements of the Subdivision Ordinance for the preliminary and final plat.

5. Procedures for Processing a PUD:

- a. Preapplication Conference. Upon filing an application for PUD, the applicant may arrange for a conference with the City Planner. The purpose of this meeting is to provide the applicant with as much background information as may be available which could have a bearing in the PUD and to obtain guidance as to the general suitability of the proposed PUD.
- b. Sketch Plan (Optional). The applicant may submit a Sketch Plan for review by the Planning Commission and City Council as a means to further establish the general suitability of the PUD prior to incurring substantial costs for planning. The Sketch Plan is optional but is highly recommended for larger PUD's.
 - 1. Sketch Plan Requirements. Twelve (12) copies of the Sketch Plan shall be submitted including the following information:
 - a. Proposed street, building and open space locations,
 - b. Height and square footage of buildings,
 - c. Proposed uses and acreages by use,
 - d. Number of dwelling units,
 - e. Generalized grading showing major cuts and fills, and
 - f. A general staging plan illustrating the sequence and approximate timing of the development phases.
 - 2. Sketch Plan Approval. The comments on the Sketch Plan by the Planning Commission and City Council shall be for guidance only and shall not be binding on the City when the formal PUD application is considered.

c. Development Plan (Rezoning)

1. Development Plan Requirements. Twelve (12) sets of the following exhibits, maps and plans at a scale of 1" = 100', and written support information shall accompany the PUD application.

a. An Existing Conditions Element including maps illustrating existing zoning and land use within 300 feet of the property, relationship to the Comprehensive Plan and existing site conditions including:

1. Existing topography and slopes.
2. Tree inventory (size, type, condition).
3. Wetland inventory.
4. Existing drainage patterns.
5. Soils conditions.
6. Existing utilities and streets.
7. Property lines and easements.

b. A Graphic and Tabular Development Plan Element including:

1. Building locations, height, bulk and square footage.
2. Areas and square footage of all land uses including parks, open space, water surface areas, and conservation areas.
3. Number of dwelling units by type.
4. Major circulation elements (streets and trails).
5. Drainage and utilities plans.
6. Grading plan.
7. A generalized landscaping plan.

8. A generalized plan for lighting and signage.
 9. A phasing plan illustrating the timing and sequence of development
 10. Elevation drawings of the entrance side of all Phase I buildings, and
 11. A Preliminary Plat in accordance with Part X, Chapter 1000, Subdivision Ordinance.
- c. A Written Element including:
1. Landowner/applicant's name and address,
 2. Evidence of ownership,
 3. Development objectives,
 4. Legal description,
 5. Proposed restrictive covenants, and
 6. Open space maintenance provisions and agreements.
2. Findings. The Planning Commission and City Council shall not approve a PUD unless they shall find as follows:
- a. The proposed development is not inconsistent with the City's Comprehensive Plan,
 - b. The development satisfies most, if not all, of the objectives of this District, and
 - c. The PUD will not be detrimental to surrounding neighborhoods.

3. Development Agreement. Upon approval of a Development Plan, the City Council shall direct the City Attorney to draft a Development Agreement in a manner so as to allow its filing with the County Recorder. The Development Agreement shall include the plan elements, findings and the conditions upon which the PUD was approved.
- d. Final Plan.
1. Final Plan Requirements. The Final Plan shall comply with all of the requirements of Section 900.12, Subd. 6, Site Plan Review.
 2. Findings. The Planning Commission shall not approve the Final Plan unless it shall find it to be in substantial compliance with the approved Development Plan. Substantial compliance shall mean:
 - a. Buildings, parking and streets are in substantially the same location,
 - b. The number of residential units has not increased or decreased by more than 5%,
 - c. The size of nonresidential structures has not increased by more than 5%,
 - d. There has been no increase in the height of structures, and
 - e. Open space has not been decreased.
- e. Notice and Hearings.
1. Development Plan. Rezoning to PUD shall follow procedures and requirements established in Section 900.12, Subd. 4 of this ordinance.
 2. Final Plan. Approval of a Final Plan shall follow the procedures and requirements established in Section 900.12, Subd. 6 of this ordinance.
 3. Applicants may combine the Development Plan and Final Plan approvals by submitting all information required for both stages simultaneously.

6. Term of Approval. If substantial development has not occurred within a reasonable time after approval of the PUD rezoning, the City Council may rezone the property to the original district and shall not have to find that the PUD zoning was in error.
7. Amendments.
 - a. The procedure for a major amendment shall be the same as for approval of the original PUD. A major amendment is an amendment which:
 1. Substantially alters the location and size of buildings, streets and parking areas,
 2. Increases or decreases the number of residential dwelling units by more than 5%,
 3. Increases the floor area of nonresidential buildings by more than 5%,
 4. Increases the number of stories of any building,
 5. Decrease the amount of open space so as to alter the original design or intent, and
 6. Does not comply with a condition attached to the approval of the Development Plan.
 - b. Other amendments may be made by a simple majority vote of the Planning Commission and City Council.

P. F-1 Fairgrounds District.

1. Intent and Purpose: The purpose of this district is to provide for an area within the City where County Fair activities can take place along with other potential activities that would not adversely affect adjacent residential properties.
2. Permitted Use: Uses associated with the County Fair (one week in August) including carnival, concession stands, arts/crafts/hobbies exhibits, animal exhibits/shows, business exhibits, music shows, demolition derby and truck/tractor pull activities, farm implement display areas and administrative office for fair activities.
3. Uses Permitted with Special Restrictions:
 - a. Use of fair buildings for storage (no outdoor storage allowed). Outdoor recreational vehicle and boat storage allowed provided 200 foot setbacks from property lines are met and screened as determined by the City and all vehicles/boats are in operable condition.
 - b. Auctions, craft sales, trade shows, farmers markets, circus and similar uses provided patrons of such events enter the grounds from the Cherry Street area on the south side of the grounds and provided activities take place between 7:00 AM and 9:00 PM. Patron parking to said events shall take place on fairground property.
 - c. Fire Department, Sheriff's Posse and Sheriff's department training provided activities take place between 7:00 AM and 9:00 PM.
 - d. Animal shows including events for dogs, horses, cattle and other livestock/poultry, provided show activities take place between 7:00 AM and 9:00 PM.
 - e. Community and corporate picnic/social events provided activities take place between 7:00 AM and 9:00 PM and all patron parking takes place on fairgrounds property.
 - f. Recreation activities including events sponsored by municipalities or school districts such as ice skating, fitness activities, youth recreation, baseball, soccer and similar activities and provided activities take place between 7:00 AM and 9:00 PM.
 - g. Community group use of building facilities including Boy/Girl Scouts, 4-H Groups, and other civic organizations.

- h. Light fixtures (free standing or building mounted) used to illuminate the property provided the fixtures are hooded or shielded and so arranged as to reflect light away from abutting residential uses.
 - i. New building construction subject to site plan review standards.
4. Lot Requirements: The following minimum lot requirements shall apply:
- a. Maximum structure height 40 feet
 - b. Minimum setbacks:
 - 1. Setbacks from public streets 50 feet
 - 2. Setbacks from private property 40 feet
 - c. Maximum hardcover surface 40%

12/16/96 Ord. 464, Amend Section 900.05, Subd. 2 J (2)
 12/16/96 Ord. 465, Amend Section 900.05, Subd. 2 G (5) and Subd. 2 J (6)
 04/07/97 Ord. 468, Amend Section 900.05, Subd. 2 G (4)
 10/20/97 Ord. 480, Amend Section 900.05, Subd. 2 J (5) and Subd. 2 K (5)
 12/13/99 Ord. 503, Adopt Revised Official Zoning Map dated November 1999
 05/15/00 Ord. 512, Amend Section 900.05, Subd. 2 K (2)
 08/07/00 Ord. 517, Amend 900.05, Subd. 2, P, Fairgrounds District
 08/21/00 Ord. 518, Amend Section 900.05, Subd. 2 K (2)
 09/05/00 Ord. 520, Amend 900.05, Subd. 2 F.
 09/04/01 Ord. 530, Amend Section 900.05, Subd. 2 H (4)
 01/20/04 Ord. 548, Amend 900.05, Subd. 2 A7c, B7c, C7c, D7c, E7c
 03/01/04 Ord. 550, Amend Section 900.04, Subd. 2 F
 01/18/05 Ord. 559, Amend 900.05, Subd. 2 D f, Marinas
 05/16/05 Ord. 567, Amend Section 900.05, Subd. 2.A.4.h
 02/06/06 Ord. 570, Amend 900.05, Subd. 2, F2, F5, G2, G5, H5
 08/20/07 Ord. 588, Amend 900.05, Subd. 2 J 2, add mini-storage facilities
 11/05/07 Ord. 591 Amend 900.05 F (2) commercial kennels
 09/02/08 Ord. 604, Amend 900.05 2 D R-4 Permitted Uses
 12/08/08 Ord. 610, Amend 900.05, Subd. 1 F 2
 12/08/08 Ord. 611, Amend 900.05 Subd. 2 A 4
 05/16/11 Ord. 644, Amend 900.05 Subd. 2, G, 2
 12/09/13 Ord.676 & 677, Amend 900.05, Subd 2, F 2; Subd 2,G,2; Subd 2, J,2; Subd 2, K 2
 12/21/20 Ord. 736, Amend 900.05 Subd. 2, C, 5 to add Garden Centers.