

**CITY OF PLYMOUTH
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. 2022-10

**ORDINANCE AMENDING CHAPTER 21 OF THE PLYMOUTH CITY CODE,
ENTITLED THE PLYMOUTH ZONING ORDINANCE (2022004)**

THE CITY OF PLYMOUTH ORDAINS:

Section 1. [Amendment](#). Section 21005.02 of the Plymouth City Code (RULES AND DEFINITIONS—DEFINITIONS) is amended by adding, deleting, or changing the following definitions as follows:

Building Height, Principal Building: The vertical distance from “grade plane” to the highest point of the roof for flat roofs, to the roof deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip, and gambrel roofs. *(Amended by Ord. No. 2014-12, 02/25/14)*

Fence Related:

(a) “Fence” shall mean a partition, wall, hedge, row(s) of continuous plantings, or gate erected as a dividing marker, visual or physical barrier, or enclosure.

(1) “Man made fence” shall mean a partition or wall constructed of wood, metal, masonry, brick, stone, concrete, and the like.

(2) “Natural hedge or planting” shall mean a divider or barrier comprised of vegetation materials.

(b) “Fence height” shall mean the distance from the adjoining grade to the highest projection of a fence structure including support posts.

Grade (Adjoining Ground Elevation): The finished ground elevation adjoining a structure or building at exterior walls.

Grade Plane: A reference plane representing the average of the finished ground level adjoining a structure or building at exterior walls. Where the finished ground level slopes away from exterior walls, the reference plane shall be established by the lowest points between the structure or building and the lot line, or where the lot line is more than 6 feet from the structure or

building, the reference plane shall be established by the lowest points between the structure or building and a point 6 feet away from the structure or building.

Impervious Surface: An artificial or natural surface that is highly resistant to infiltration by water. It includes surfaces such as compacted sand or clay as well as most conventionally surfaced driveways, buildings, sidewalks, stoops, patios, tennis courts, parking lots, swimming pools, and other similar structures. Impervious surface shall include cantilevered areas located less than 6 feet above the adjoining grade, and any portion of cantilevered areas that project more than 30 inches out from the wall. Impervious surface shall exclude the area covered by free-standing retaining walls, and the area covered by man-made surfaces (e.g., certain paver systems, green roofs) that are constructed to allow absorption of a 2.5 inch rain event into the soils directly below within 24 hours. For pavers to qualify as pervious, the paver system shall be designed, installed and maintained pursuant to city specifications. *(Amended by Ord. No. 2004-02, 01/13/04)*
(Amended by Ord. No. 2009-07, 05/12/09) *(Amended by Ord. No. 2019-16, 09/10/19)*

Play and Recreational Facilities: Accessory structures and/or uses that are customary and incidental to the principal use of the site, including but not limited to swing sets, play structures, sand boxes, fire pits, skateboard ramps, batting cages, tennis courts, sport courts, swimming pools and their related aprons, and the like, intended for the enjoyment and convenience of the residents of the principal use and their guests. *(Amended by Ord. No. 2002-02, 01/22/02)*
(Amended by Ord. No. 2011-05, 02/22/11)

School, Trade: See “Trade School.”

Tutoring/Learning Centers: Tutoring centers are facilities that provide remedial or additional teaching, designed to help people who need extra help with their studies. Learning centers are facilities designed to provide supplemental education to enhance or enrich the learning of concepts, skills, themes, or topics.

Zoning Administrator: The person designated by the City Manager to be the Zoning Administrator for the City of Plymouth, or the Zoning Administrator’s designee.

Section 2. [Amendment.](#) Section 21010.01, Subd. 16 of the Plymouth City Code (ADMINISTRATION - AMENDMENTS (TEXT AND MAP)—PROCEDURES) is amended as follows:

Subd. 16. Whenever an application for an amendment has been considered and denied by the City Council, a similar application for an amendment affecting substantially the same property shall not be considered again by the Planning Commission or City Council for at least six months from the date of its denial, unless the six-month waiting period is waived by a majority vote of the full city council.

Section 3. [Amendment.](#) Section 21045.04, Subd. 1 of the Plymouth City Code (SITE PLAN REVIEW—MINOR PROJECTS) is amended as follows:

Subd. 1. Qualification. Site plans may be classified as minor projects and may be administratively approved by the Zoning Administrator in lieu of Planning Commission review and City Council approval only for sites which meet the following criteria, except as otherwise expressly provided by this Chapter:

- (a) Sites shall be in non-residential zoning districts, including those within planned unit developments, and shall not be within 200 feet of any residentially used or zoned property other than vacant property in the Future Restricted Development District which the Land Use Guide Plan classifies as non-residential. (*Amended by Ord. No. 2006-04, 02/07/06*)
- (b) All sites must be legal parcels of record at the time of application.
- (c) All applications for site plan approval must be complete and in full accordance with the requirements of this Chapter. All applicable fees shall be paid.
- (d) All development proposals and site plan layouts must meet or exceed the standards of all applicable codes, ordinances, and policies and must be free of any major variances from those standards.
- (e) Only applications for uses explicitly classified as permitted uses within the respective zoning districts of this Chapter are eligible for administrative approval.

Section 4. [Amendment.](#) Section 21045.07, Subd. 2 (n) of the Plymouth City Code (SITE PLAN REVIEW—INFORMATION REQUIREMENT) is amended as follows:

- (n) Permanent stormwater management system designs, including calculations, that meet the City's Water Quality Design Standards and the Minnesota Pollution Control Agency's *General Permit to Discharge Stormwater Associated with Small Municipal Separate Storm Sewer Systems No. MNR040000*.

Section 5. [Amendment.](#) Section 21045.08, Subd. 1 (c) of the Plymouth City Code (SITE PLAN REVIEW—PLAN MODIFICATIONS) is amended as follows:

- (c) Any major variances from Ordinance and policy requirements shall be subject to the established review and public meeting procedures for a major variance.

Section 6. [Amendment.](#) Section 21105.06, Subd. 7 (b) (1) of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—EXTERIOR LIGHTING) is amended as follows:

- (1) Lighting systems not complying with the technical requirements of this Section but consistent with its intent may be installed for the following applications upon issuance of a conditional use permit. Each request for a conditional use permit

shall be evaluated based upon the standards and criteria set forth in Section 21015.02, Subd. 5 of this Chapter.

- (i) Outdoor athletic fields and recreation areas.
- (ii) Construction lighting.
- (iii) National and State flag lighting with spotlights greater than 3,400 lumens in LZ2 and LZ3 and greater than 2,000 lumens in LZ0 and LZ1.
- (iv) Floodlighting of buildings over two stories high.
- (v) Public monuments, public buildings, and religious institutions.
- (vi) Ornamental lighting in LZ0 and LZ1.

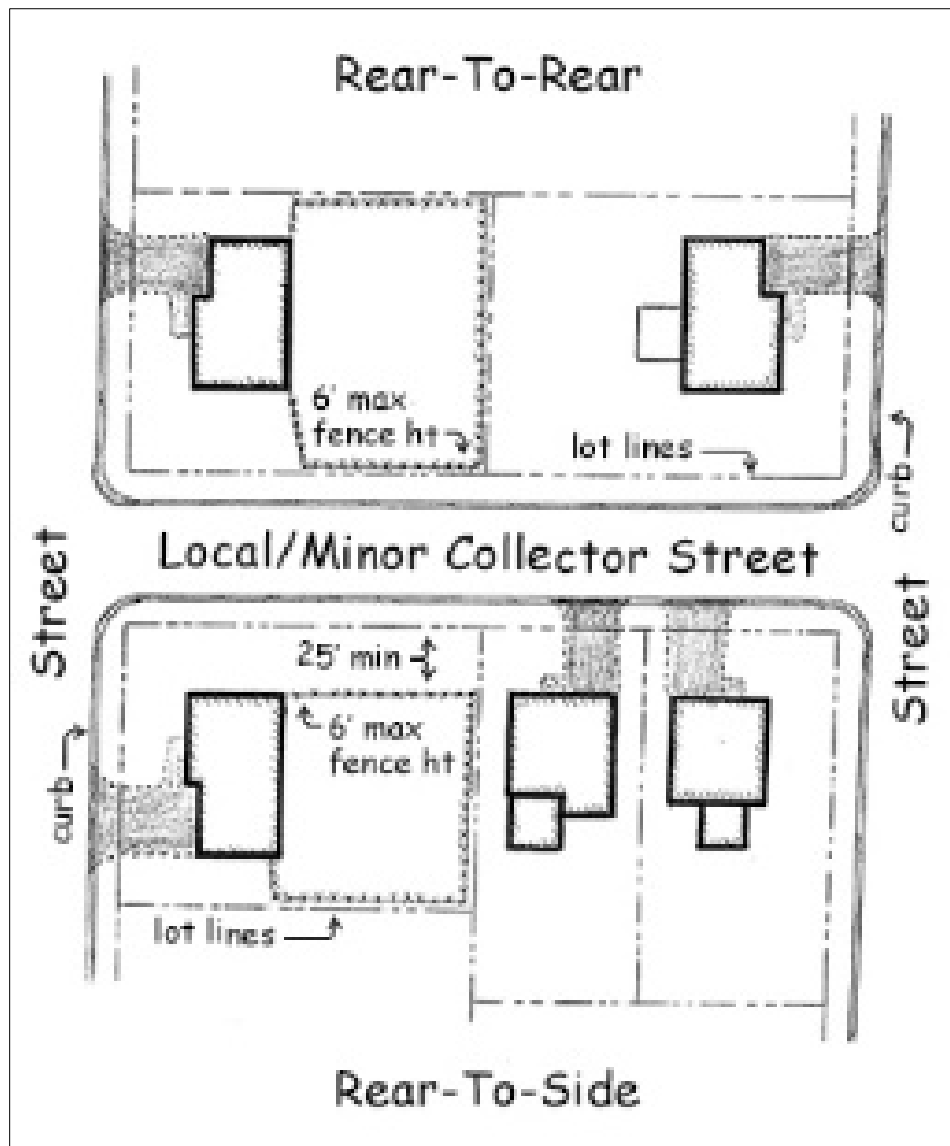
Section 7. Amendment. Section 21130.01, Subd. 4 (j) of the Plymouth City Code (FENCING/SCREENING/LANDSCAPING—FENCE/WALL REGULATIONS) is amended as follows:

- (j) No fences or walls shall be placed within a wetland or required wetland buffer, nor shall they cross over a required rain garden/filtration basin/infiltration basin or extend below the ordinary high water level of a lake, stream, or water quality/detention pond.

Section 8. Amendment. Section 21130.01, Subd. 5 of the Plymouth City Code (FENCING/SCREENING/LANDSCAPING—FENCE/WALL REGULATIONS) is amended as follows:

Subd. 5. Specific Fence Standards. Except as otherwise provided herein, fences may be allowed subject to the following specific standards:

- (a) Fences constructed of materials with an opacity of up to 100 percent and not exceeding 6.5 feet in height (measured from the adjoining grade at the bottom to the top of support posts/post caps), provided that the actual fence panels/boards do not exceed 6 feet, may be located at or behind the minimum front setback lines, as required for the principal structure on the lot. The exception is, on corner lots where the rear wall of the principal building (wall opposite the wall where the property is addressed) faces the rear wall of an abutting principal building, such fences may be located within the required front yard area that lies between the side wall of the principal building and the abutting side street, from the rear wall of the principal building to the rear lot line. Said fence may also be located within a required front yard area that qualifies as an equivalent rear or side yard as defined by this Chapter. *(Amended by Ord. No. 2000-06, 02/29/00) (Amended by Ord. No. 2001-06, 02/13/01) (Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. No. 2019-01, 02/12/19)*



(b) Except as provided in (a) above, fences constructed of materials with an opacity of 50 percent or more and not exceeding 3.5 feet in height (measured from the adjoining grade at the bottom to the top of support posts/post caps), provided that the actual fence panels/boards do not exceed 3 feet, may be located within a required front yard area. Fences constructed of materials with an opacity of under 50 percent (e.g., wrought iron, chain link, split rail) and not exceeding 4.5 feet in height (includes ground clearance at the bottom and support posts/post caps at the top), provided that the actual fence panels/boards do not exceed 4 feet, may be located within a required front yard area. *(Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. No. 2004-02, 01/13/04) (Amended by Ord. No 2019-01, 02/12/19)*

(c) Fences not exceeding 6.5 feet in height (measured from the adjoining grade at the bottom to the top of support posts/post caps), provided that the actual fence panels/boards do not exceed 6 feet, may be permitted in front yard areas of homeowner-association owned

and maintained amenity lots in order to enclose and secure a swimming pool area, provided that:

- (1) Such fencing shall be set back a minimum of three feet from front lot lines.
 - (2) Such front yard fencing shall be constructed of decorative materials with an opacity of under 50 percent (e.g., wrought iron).
- (d) Fences not exceeding 6.5 feet in height (measured from the adjoining grade at the bottom to the top of support posts/post caps), provided that the actual fence panels/boards do not exceed 6 feet, for uses other than one and two family dwellings, may be permitted in front of the front building line as established by the primary structure on the lot, when required for screening of adjacent property. In such cases, the required front setback for the fence shall be the same as for the use which it is intended to buffer.
- (e) No fence or wall shall be located within a traffic sight visibility triangle for a driveway or street intersection unless it complies with the sight clearance regulations set forth in Section 21105.05 of this Chapter.
- (f) There is no height restriction on plantings, except that any plantings located within or near a traffic sight visibility triangle shall comply with the sight clearance regulations set forth in Section 21105.05 of this Chapter.
- (g) Should the rear lot line of a lot in a residential district be common with the side lot line of an abutting lot, that portion of the rear lot line equal to the required front yard setback of the abutting lot shall be fenced in accordance with the provisions of Section 21130.01, Subd. 5.b.
- (h) Fences not exceeding 10 feet in height may be permitted without a conditional use permit to enclose tennis or other recreational courts, provided that:
- (1) All other requirements of this Chapter are met.
 - (2) Such fences shall be constructed of materials with an opacity of under 50 percent (e.g., wrought iron, chain link).
 - (3) Such fences may be located within: i) a rear or side yard provided they are set back at least 6 feet from any lot line; or ii) a front yard which qualifies as an equivalent rear or side yard (as defined by this Chapter) provided they are set back from such front lot line a distance equal to, or greater than, the minimum front setback specified for the principal building on the lot, and are set back at least 6 feet from other lot lines.
 - (4) Such fences over 7 feet in height shall require a building permit.

(Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. 2010-01, 02/23/10)

(i) Fences not exceeding 10 feet in height may be permitted without a conditional use permit to: 1) provide required screening of outside storage yards or loading areas in the industrial districts; or 2) provide screening of electrical substation enclosures in the P-I district, provided that:

(1) All other requirements of this Chapter are met.

(2) Such fences over 7 feet in height shall require a building permit.

(j) Fences which include a security gate at a point where access is provided to the property and principal building may be approved if necessary and appropriate as part of the site plan review.

(k) Temporary fencing not exceeding 6 feet in height may be installed to secure the perimeter of a construction site, upon issuance of an administrative permit pursuant to Section 21025 of this Chapter, provided any such fencing is removed upon completion of the construction project. *(Amended by Ord. No. 2004-02, 01/13/04)*

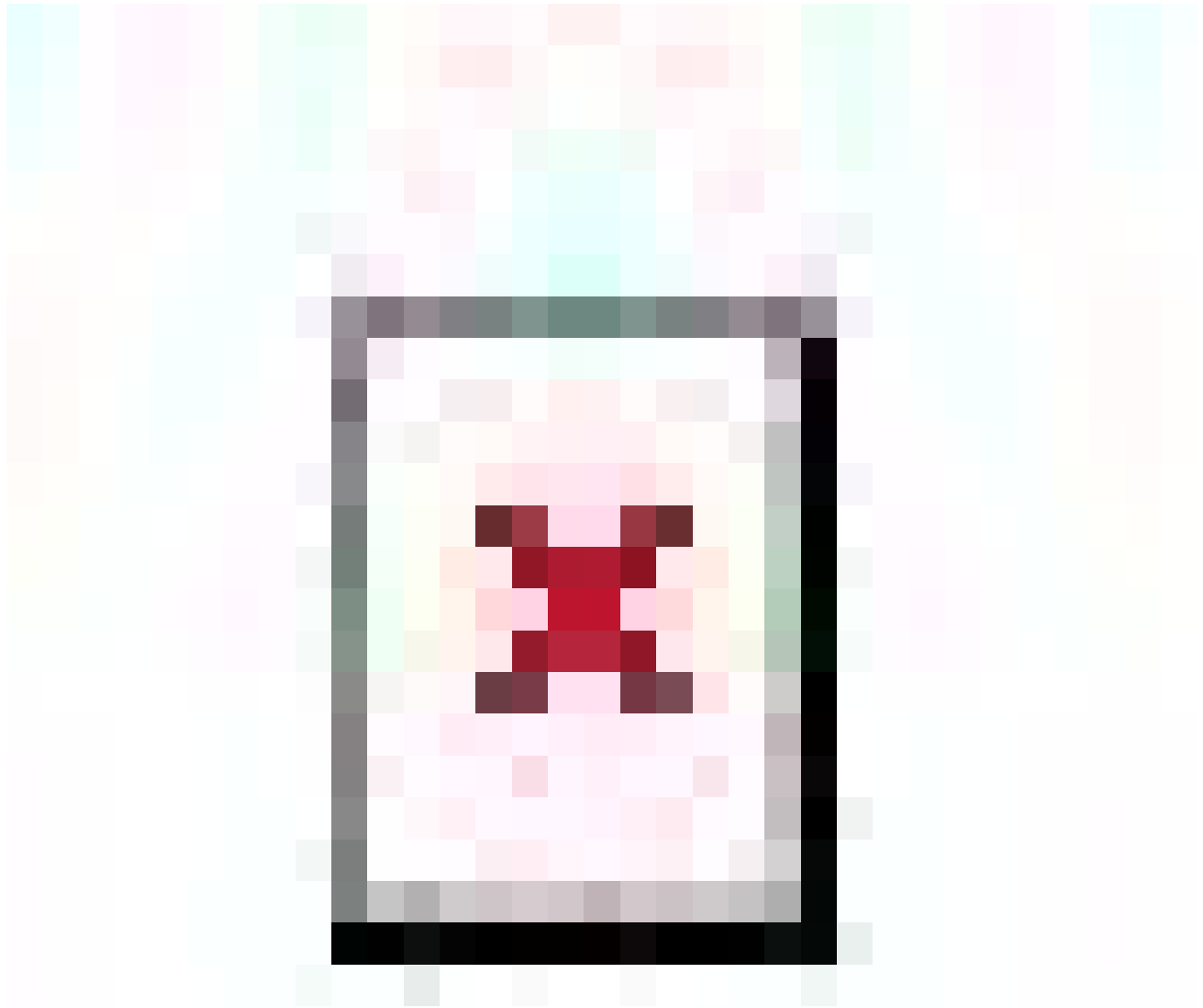
Section 9. [Amendment](#). [Section 21130.02 of the Plymouth City Code \(FENCING/SCREENING/LANDSCAPING—GENERAL LANDSCAPING AND MAINTENANCE\)](#) is amended as follows:

21130.02. GENERAL LANDSCAPING AND MAINTENANCE: All exposed ground areas within the lot that are not devoted to off-street parking, drives, sidewalks, patios, or other such improvements shall have or shall be covered with topsoil with an average depth of at least four inches and landscaped with grass, shrubs, trees, or other ornamental landscape materials on the date of building occupancy or within one year after the building permit is issued, whichever occurs first. All exposed ground areas within the street boulevard abutting the lot that are not devoted to driveways, sidewalks, or trails shall have or shall be covered with topsoil with an average depth of at least four inches and landscaped with grass on the date of building occupancy or within one year after the building permit is issued, whichever occurs first. The Zoning Administrator may alter the schedules in the case of demonstrated hardship due to sources beyond the control of the permittee or property owner (including weather conditions, reasonably unforeseen material, equipment or labor shortages; continuing presence of large construction equipment actively involved in the project) upon request of the permittee or property owner. In the event the time period defined above falls between November 1 and May 30, the permittee or property owner shall have until the upcoming July 1 to complete the landscaping. All landscaped areas shall be kept neat, clean and uncluttered, and where landscaping is required as part of City approvals, any plant material which is diseased or dies shall be replaced with like kind of the original size. No landscaped area shall be used for the parking of vehicles or for the storage or display of materials, supplies or merchandise, unless otherwise authorized by this Chapter. Fences and/or plantings placed upon utility easements are subject to removal by the City or utility company if required for maintenance or improvement of the utility. In such case, costs for removal and replacement shall be the responsibility of the property owner. Trees on utility easements containing overhead wires shall not exceed 15 feet in height, and such trees shall be the property owner's responsibility to maintain. *(Amended by Ord. No. 2004-02, 01/13/04) (Amended by Ord.*

No. 2008-24, 10/14/08) (Amended by Ord. No. 2013-11, 04/23/13) (Amended by Ord. No. 2014-12, 02/25/14)

Section 10. Amendment. Section 21135.07, Subd. 5 (e) of the Plymouth City Code (OFF-STREET PARKING AND LOADING—PARKING AREA DESIGN) is amended as follows:

(e) **Dimensional Requirements.** Unless otherwise specified in this Chapter, stall, aisle and driveway design for required off-street parking shall comply with the following standards:



(Amended by Ord. No. 2001-06, 02/13/01)

Dimension	Diagram	45°	60°	75°	90°
Stall width parallel to aisle*	A	12.7	10.4	9.3	9.0
Stall length of line	B	25.0	22.0	20.0	18.5
Stall depth	C	17.5	19.0	19.5	18.5
Aisle width between stall lines	D	12.0	16.0	23.0	26.0
Stall depth, interlock	E	15.3	17.5	18.8	18.5
Module, edge of pavement to interlock	F	44.8	52.5	61.3	63.0
Module, interlocking	G	42.6	51.0	61.0	63.0
Module, interlock to curb face	H	42.8	50.2	58.8	60.5
Bumper overhang (typical)	I	2.0	2.3	2.5	2.5
Offset	J	6.3	2.7	0.5	0.0
Front yard setback of parking to lot line	K**	R Districts - Residential Uses (excludes 1 & 2 Family Uses)			20
		R Districts - Non Residential Uses			20
		Commercial and P/I Districts			20
		Industrial Districts			25
Side and rear yard setback of parking to lot line	K**	R Districts - 1 & 2 Family Uses			3**
		R Districts - Other Residential Uses			10
		R Districts - Non Residential Uses			20
		Commercial and P/I Districts			20****
		Industrial Districts			20****
Cross aisle, one-way	L	14.0	14.0	14.0	14.0
Cross aisle, two-way	--	24.0	24.0	24.0	24.0
Front lot line to drive	M	R Districts - All Residential Uses			10
		R Districts - Non Residential Uses			20
		Commercial and P/I Districts			10
		Industrial Districts			25
Side and rear lot line to drive	N	R Districts - 1 & 2 Family Uses			3****
		R Districts - Other Residential Uses			10
		R Districts - Non Residential Uses			30
		Non-Residential Districts			15****
Parallel parking, stall width	--	9.0			
Parallel parking, stall length	--	23.0			
Parking or drive aisle setback to principal structure	O	All Districts			10*****
Minimum inside turning radius for fire lanes	--	All Districts – As required to comply with minimum turning radii for fire apparatus equipment			

* Required handicap stalls and ramps shall be per State Code.

** Except that parking shall not occur within any established drainage or utility easement – refer to Section 21135.08, Subd. 5.

*** Joint or combined parking facilities on separate lots as authorized and when constructed adjacent to a common lot line separating two or more parking lot areas are not required to observe the parking/drive aisle setback from such common lot line.

**** Except that the setback for lots with frontage on cul-de-sac turnarounds may be less than three feet for that portion of the lot located within 15 feet of such cul-de-sac turnaround.

***** Except that entry vestibules containing less than 120 square feet may encroach up to seven feet into this setback provided there are no exit doors on the vestibule wall that directly faces toward the parking area, and except that drive aisles do not need to be set back from walls containing bank teller or drive-thru drop-off/pickup windows.

(Amended by Ord. No. 2001-06, 02/13/01) (Amended by Ord. No. 2006-04, 02/07/06)
(Amended by Ord. No. 2008-09, 03/25/08) (Amended by Ord. No. 2011-05, 02/22/11) (Amended
by Ord. No. 2016-11, 04/26/16) (Amended by Ord. No. 2019-01, 02/12/19)

Section 11. Amendment. Section 21135.11 of the Plymouth City Code (OFF-STREET
PARKING AND LOADING—NUMBER OF OFF-STREET PARKING SPACES REQUIRED) is amended as follows:

USE	NUMBER OF PARKING SPACES REQUIRED
Subd. 1. Residential:	
Single Family Dwelling	2
Two Family Dwellings	2 per unit
Townhouses and Manor Homes	2.5 fee free spaces per unit, of which 2 must be enclosed, plus 1 guest parking space for every 4 units
Apartment Dwellings	1.8 fee free spaces per unit, of which 1 must be enclosed
Housing for Elderly	1.5 per unit
Subd. 2. Institutional/Educational/Cultural:	
Auditoriums, Theaters, Religious Institutions, Sports Arenas	1 per 3 permanent seats based on the design capacity of the main assembly hall. Facilities provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Chapter.
Community Centers, Libraries, Museums	1 per 300 square feet of floor area
Nursing Homes/Memory Care Homes	1 per 3 beds, plus 1 per employee on the major shift
Private or Private Non-Profit Baseball Fields	1 per 8 seats of design capacity
Schools, Elementary and Junior High (Public or Private)	3 per classroom. This requirement may be reduced at the Zoning Administrator's discretion to reflect facility use and/or parking policy. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the Zoning Administrator.
Schools, Senior High (Public or Private)	1 per 2 students based on the design capacity. This requirement may be reduced at the Zoning Administrator's discretion to reflect facility use and/or parking policy. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the Zoning Administrator.
Subd. 3. Non-Residential:	
Animal Hospitals or Kennels	5, plus 1 per 500 square feet of floor area over 1,000 square feet
Automobile Washes:	Determined by the type of automobile wash as listed below:
Automatic Drive Through Service	5 total or 1 per employee on maximum shift, whichever is greater
Self-Service Car Wash	1 per bay
Motor Fuel Station Automobile Washes	1 in addition to that required for the station
Beauty Shops	2 per beauty chair/station

Bowling Alleys	5 per bowling lane, plus additional spaces as may be required herein for related uses contained within the principal structure
Day Care Facilities	1 per employee, plus 1 per 6 individuals of licensed capacity
Drive-In or Drive-Through Restaurants	1 per 2.5 seats, plus 1 per 15 square feet of public service and counter area
Furniture Sales	1 per 400 square feet of floor area for the first 25,000 square feet, plus 1 per each 600 square feet thereafter
Laboratories	1 per 350 square feet of floor area
Manufacturing	1 per employee on the major shift or 1 per 350 square feet, whichever is less, plus 1 per company motor vehicle on the premises
Medical, Chiropractic, or Dental Offices or Clinics	1 per 200 feet of floor area
Motels, Hotels, Lodging or Boarding Houses	1 per sleeping unit, plus 1 per day shift employee, plus 1 per 40 square feet devoted to meeting or banquet rooms
Motor Fuel Stations	4, plus 2 per service stall. Those facilities designed for sale of other items than strictly automobile products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this Chapter.
Office Buildings (Administrative/Commercial) and Banks	1 per 250 square feet of floor area for the first 100,000 square feet, plus 1 per 350 square feet of floor area thereafter
Restaurants, Private Clubs, Food Dispensing Establishments (Except Drive-In or Drive-Through Restaurants)	1 per 40 square feet of floor area of dining and bar area, plus 1 per 80 square feet of kitchen area.
Retail Commercial Uses, Except as Prescribed Herein	1 per 200 square feet of floor area for the first 100,000 square feet, plus 1 per 350 square feet of floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, unless authorized under Section 21135.12.
Retail Sales and Service Business with 50 Percent or More of Gross Floor Area Devoted to Storage, Warehouses, and/or Industry	8 total, or 1 per 200 square feet devoted to public sales/service plus 1 per 500 square feet of storage area, whichever is greater

Shopping Centers	1 per 200 square feet of leasable floor area for the first 100,000 square feet, plus 1 per 350 square feet of leasable floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, unless authorized under Section 21135.12.
Sports and Fitness Clubs	1 per 300 square feet of floor area
Warehousing	1 per 2 employees on the largest shift or 1 per 2,000 square feet of floor area, whichever is greater.
Wholesale Showrooms	1 per 500 square feet of floor area
Subd. 4. Non-Specified Uses:	
For uses not specifically listed above, off-street parking requirements shall be computed by the Zoning Administrator on the same basis as required for the most similar listed uses. In such cases, the Zoning Administrator shall also consult off-street parking reference materials including, but not limited to, manuals prepared by the American Planning Association, and Institute of Transportation Engineers.	

Section 12. Amendment. Section 21155.06, Subd. 1 (b) (2) e. of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

- e. The off-site directional sign shall not exceed 4 square feet in surface area and shall not project higher than 5 feet above grade, unless otherwise approved by the Zoning Administrator to accommodate the address for an affected location, as may be required.

Section 13. Amendment. Section 21155.06, Subd. 1 (d) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

(d) Dynamic Display Billboards. No new dynamic display billboard shall be erected within the City unless a permit has been issued for such installation on or after March 9, 2021. Dynamic display billboards erected on or after March 9, 2021, may be permitted, subject to the following:

(1) The property where the dynamic display billboard is proposed shall have frontage abutting either Interstate 494 or State Highway 169.

(2) The property shall have an existing static billboard.

(3) The proposed dynamic display billboard shall not exceed dimensions of 14 feet high by 50 feet wide.

(4) The proposed dynamic display billboard shall not exceed a height of 70 feet from grade.

(5) Only one billboard structure is permitted per property, whether static or dynamic display. One structure may have up to 2 faces.

(6) Dynamic display billboards shall be constructed with the use of light-blocking technology. As measured from a point on the sign face furthest from the right-of-way, the area on the ground more than 22.5 degrees from the roadway must be Light Protected by light-blocking technology. "Light Protected" is defined as having a reduction of brightness/luminance (and visibility) of over 90%, or equivalently, a remaining brightness of less than 10% as compared to the nominal forward brightness of the sign.

(7) The minimum distance between dynamic display billboards shall be 5,280 feet as measured on either side of the roadway, and the minimum distance between a dynamic display billboard and an existing static billboard shall be 1,320 feet as measured on the same side of the roadway.

(8) Any new dynamic display billboard structure shall replace 2 existing static billboard structures, including:

a. The static billboard on the property where the dynamic display billboard is proposed; and

b. One other static billboard structure. The other static billboard structure must be located in the City of Plymouth, and must be owned or leased by the applicant.

(9) All billboards must comply with Minnesota Department of Transportation standards and permitting requirements.

(10) Applicants for a Dynamic display billboard permit shall enter into an agreement with the City to provide the City with 6,000 8-second spots per month per Dynamic display sign face for community and public service messages. These City messages shall be put into the billboard owner's regular sign copy rotation and shall be displayed between the hours of 6:00 a.m. and 9:00 p.m.

Section 14. Amendment. Section 21170.01, Subd. 4 of the Plymouth City Code (ANIMALS—KEEPING ANIMALS) is amended as follows:

Subd. 4. Except as provided in the FRD district and except as allowed under Section 21170.02 of this Chapter, farm animals (including miniatures) are prohibited in the City. In the FRD district, any pen, pasture, paddock, feedlot or building designed to confine a farm animal shall be located not less than one hundred (100) feet away from any residential dwelling that is not owned or leased by the person owning the farm animal.

Section 15. Amendment. Section 21175 of the Plymouth City Code (ANTENNAS) is amended as follows:

SECTION 21175 - ANTENNAS

21175.01. PURPOSE AND INTENT: The purpose of this Chapter is to establish predictable and balanced regulations for the siting and screening of towers and communications equipment while protecting the public health, safety, and general welfare of the community.

The provisions of the Chapter are intended to maximize the use of existing and approved towers, structures, and buildings to accommodate new wireless telecommunication antennas while minimizing the number of towers needed to serve the community.

21175.02. GENERAL STANDARDS: The following standards shall apply to all cellular telephone, public utility, microwave, radio and television broadcast transmitting, radio and television receiving, satellite dish, short-wave radio transmitting and receiving antennas, and other personal wireless service antennas. Wireless telecommunication facilities located in public rights-of-way are exempt from this section, except otherwise specifically provided by this Chapter.

Subd. 1. All abandoned, obsolete or unused towers, antennas, foundations, supports, and related facilities shall be removed within 12 months of cessation of operation at the site, unless an exemption is granted by the Zoning Administrator. Upon removal, the site shall be restored to its original state or to an improved state. Towers, antennas, and related facilities not removed within 12 months of cessation of operation may be removed by the City. In such case, the costs of removal and site restoration shall be assessed against the property.

Subd. 2. All antennas shall comply with City building and electrical code requirements and as applicable shall require related permits.

Subd. 3. Structural design, mounting and installation of the antenna shall comply with manufacturer's specifications and as may be necessary, as determined by the Zoning Administrator, shall be verified and approved by a professional engineer.

Subd. 4. When applicable, written authorization for antenna erection shall be provided by the property owner.

Subd. 5. No advertising message shall be affixed to the antenna structure or tower.

Subd. 6. The height of the antenna shall be the minimum necessary to function satisfactorily, as verified by an electrical engineer or other appropriate professional.

Subd. 7. Antennas shall not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety.

Subd. 8. When applicable, proposals to erect new antennas shall be accompanied by any required federal, state, or local agency licenses.

Subd. 9. If a new tower is to be constructed, it shall be designed structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least one additional user, including but not limited to other cellular communication companies, local police, fire and ambulance companies. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights. A pole or tower that is integrated into an existing or proposed structure, such as a light pole, power line support device, or similar structure is exempt from this provision.

Subd. 10. Towers shall be painted a non-contrasting color consistent with the surrounding area such as: blue, gray, brown, or silver, or have a galvanized finish to reduce visual impact.

Subd. 11. Except as may be applicable in cases where a conditional use permit is required, antennas and support structures for federally licensed amateur radio stations and used in the amateur radio service are exempt from Subdivisions 3, 6, and 9 above and Section 21175.03, and must comply with Subd. 12 below.

Subd. 12. Amateur radio towers must be installed in accordance with the instructions furnished by the manufacturer of that tower model. Because of the experimental nature of amateur radio service, antennas mounted on such a tower may be modified or changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.

Subd. 13. All towers shall be reasonably protected to prevent unauthorized climbing.

(Amended by Ord. No. 2000-08, 02/29/00)

21175.03 TOWER DESIGN: All proposed or modified towers and antennas (including antenna cables) shall be designed to blend into the surrounding environment to the extent possible, as determined by the City, through the use of building materials, colors, texture, screening, landscaping, and other camouflaging architectural treatment, unless the color is otherwise dictated by the Federal Aviation Administration or other federal or state authorities.

Subd. 1. Towers.

(a) Wireless communication towers shall be of a monopole design unless the City Council determines that an alternative design requested by the applicant would better blend into the surrounding environment. This provision does not apply to amateur radio towers or commercial and public radio or television towers.

(b) If a new tower is to be constructed, it shall be designed structurally, electronically, and in all other respects, to accommodate both the applicant's antennas and comparable antennas for: at least one additional user if the tower would be 75- to 100-feet high; or at least two additional users if the tower would be over 100-feet high. The additional users may include, but are not limited to, other cellular communication companies, police, fire, and ambulance services. Towers shall be designed to allow for future rearrangement of antennas and to accept antennas mounted at various heights. A pole or tower that is integrated into an existing or proposed structure, such as a light standard, power pole, or similar structure is exempt from this provision.

(c) New towers shall be located on City-owned property unless the Zoning Administrator finds that there is no acceptable City-owned property in the necessary area, or the City declines the use of City property.

(d) Extension over public right-of-way is prohibited. Except for necessary electric or telephone service connection lines approved by the City, and except for public utility towers that support wireless antennas that conform to this code pursuant to a lease or master agreement with the City, no part of any tower, antenna, brace, cable, wire, or related facilities shall extend across or over any right-of-way, public street, highway, sidewalk, or property line.

(e) All towers shall be designed to comply with accepted electrical engineering methods and practices and with the National Electrical Code.

(f) All towers shall be constructed to comply with requirements of the Occupational Safety and Health Administration.

(g) All towers shall be constructed of corrosive-resistant metal material.

(h) Communication tower owners shall maintain a general liability insurance policy that provides coverage from any damage to property or injuries to person caused by collapse or failure of the tower. Said insurance policy shall provide coverage on an occurrence basis in an amount not less than \$1,000,000.

Subd. 2. Antennas. The applicant shall demonstrate by via a coverage or capacity analysis prepared by a professional engineer that the proposed antennas are necessary to meet the frequency reuse and spacing needs of the personal wireless service system and to provide adequate wireless coverage and capacity to areas which cannot be adequately served by locating the antennas in a less restrictive zoning district.

Subd. 3. Related Facilities (accessory equipment, utility buildings, etc.).

(a) All related facilities shall be architecturally designed to blend in with the surrounding environment and shall meet the minimum setback requirements for accessory structures of the underlying zoning district.

(b) Ground-mounted equipment shall be screened except where a design of non-vegetative screening would better reflect and complement the architectural character of the surrounding neighborhood.

(c) Transmitting, receiving, and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving, or switching equipment, it shall be located in the rear or side yard of the principal use and shall be screened from view by landscaping where appropriate.

21175.04. CO-LOCATION REQUIREMENT: A proposal for a new personal wireless service tower shall not be approved unless the City Council finds that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower, building, or structure within a one mile search radius of the proposed tower due to one or more of the following reasons:

Subd. 1. The planned equipment would exceed the structural capacity of the existing or approved tower, building, or structure as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.

Subd. 2. The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified engineer and interference cannot be prevented at a reasonable cost.

Subd. 3. Existing or approved towers, buildings, or structures within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer.

Subd. 4. Other unforeseen reasons that make it unfeasible to locate the antennas upon an existing or approved tower or structure.

Subd. 5. Existing or approved towers, buildings, or other structures do not exist in the service area, or do not meet the needs of the user. Documentation shall be provided at the time of application clearly demonstrating why existing structures do not meet the needs of the users.

Subd. 6. The applicant shall demonstrate that a good faith effort to co-locate on existing towers or structures was made, but an agreement could not be reached.

21175.05. SETBACKS: All towers and accessory equipment shall comply with each of the minimum setback requirements:

Subd. 1. Towers and accessory equipment shall meet the setbacks of the underlying zoning district with the exception of industrial zoning districts, where the tower may encroach into the rear setback area, provided that the rear property line abuts another industrial zoning district and the tower does not encroach upon any easements.

Subd. 2. The setback for a tower or accessory equipment may be reduced or its location in relation to a public street varied, at the discretion of the City, to allow the integration of the structure into an existing or proposed structure, such as a light standard, power line support device, or similar structure.

(Amended by Ord. No. 2000-08, 02/29/00)

21175.06. TOWERS IN RESIDENTIAL DISTRICTS. Towers in residential zoning districts are subject to the following restrictions:

(a) Towers supporting amateur radio antennas that conform to all applicable provisions of this Code shall be allowed in rear yards only of residentially zoned properties.

(b) Towers supporting personal wireless service antennas that conform to all applicable provisions of this Code shall be allowed in only the following residentially zoned locations with a conditional use permit:

1. Religious institution sites;
2. Park sites, when compatible with the nature of the park;

3. Apartment sites; and
4. Government, school, utility, or institutional sites.

(c) Public utility towers supporting wireless antennas that conform to all provisions of this Code allowed pursuant to a lease or master agreement with the City shall be permitted in public rights-of-way and in drainage and utility easements adjacent to public rights-of-way.

(d) Not more than one tower shall exist at any one time on a residential parcel, unless additional towers or antennas are incorporated into existing structures such as steeples, light poles, power poles, or similar structures. This provision shall not apply to public utility towers supporting wireless antennas that conform to all provisions of this Code located in public rights-of-way or within drainage and utility easements adjacent to public rights-of-way that are allowed pursuant to a lease or master agreement with the City.

21175.07. ACCESSORY AND SECONDARY USE ANTENNAS: The following standards shall apply to all accessory and secondary use antennas including radio and television receiving antennas, satellite dishes, TVROs 2 meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers.

Subd. 1. Accessory or secondary use antennas shall not be erected in any required yard (except a rear yard) or within public or private utility and drainage easements, and shall be set back a minimum of 3 feet from all lot lines.

Subd. 2. Guy wires or guy wire anchors, either above or below ground, shall not be erected within public or private utility and drainage easements, and shall be set back a minimum of 1 foot from all lot lines.

Subd. 3. Accessory or secondary use antennas and necessary support structures or towers may extend a maximum of 15 feet above the normal height restriction for the affected zoning district, except support structures and antennas used in amateur radio service may extend a maximum of 2 times the normal height restriction for the affected zoning district.

Subd. 4. The installation of more than 1 tower per property shall require the approval of a conditional use permit.

21175.08. PERSONAL WIRELESS SERVICE ANTENNAS:

Subd. 1. Residential District and Public/Institutional District Standards.

(a) Antennas Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas located upon an existing structure or existing tower shall require the processing of an administrative permit and shall comply with the following standards:

(1) The applicant shall demonstrate by providing a coverage or capacity analysis prepared by a professional engineer that location of the antennas as proposed is necessary to meet the frequency reuse and spacing needs of the personal wireless service system and to provide adequate wireless coverage and capacity to areas which cannot be adequately served by locating the antennas in a less restrictive zoning district.

(2) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving and switching equipment, it shall be situated in the rear or side yard of the principal use and shall be screened from view by landscaping where appropriate.

(3) An administrative permit is issued in compliance with the provisions of Section 21025 of this Chapter.

(4) The maximum height for antennas to be placed upon an existing structure (includes buildings and light standards) shall be regulated by Section 21115.02, Subd. 1 of this Chapter.

(5) Antennas mounted upon an existing high voltage transmission tower shall not extend more than 20 feet above such high voltage transmission tower.

(6) There is no maximum height limitation for antennas to be co-located upon an existing wireless communication tower, provided the height of such existing tower is not increased.

(Amended by Ord. No. 2011-05, 02/22/11)

(b) Antennas Not Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas not located upon an existing structure or existing tower (includes replacement of an existing light standard for purposes of supporting the antennas) shall require the processing of a conditional use permit and shall comply with the following standards:

(1) The applicant shall demonstrate by providing a coverage or capacity analysis prepared by a professional engineer that location of the antennas as proposed is necessary to meet the frequency reuse and spacing needs of the wireless system and to provide adequate coverage and capacity to areas which cannot be adequately served by locating the antennas in a less restrictive district.

(2) If no existing structure which meets the height requirements for the antennas is available for mounting purposes, the antennas may be mounted on a new monopole tower provided that:

a. The antennas and monopole does not exceed 75 feet in height.

b. The setback of the antennas and monopole from the nearest residential structure is not less than the height of the antennas and monopole. Exceptions to such setback may be granted if a structural engineer licensed in the State of Minnesota specifies in writing that any collapse of the pole will occur within a lesser distance under all foreseeable circumstances.

(3) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving and switching equipment, it shall be situated in the rear or side yard of the principal use and shall be screened from view by landscaping where appropriate.

(4) At the discretion of the City, a security fence not greater than 8 feet in height with a maximum opacity of 50 percent shall be provided around the support structure.

(5) The conditional use permit provisions of Section 21015 of this Chapter are considered and determined to be satisfied.

(c) Temporary Mobile Towers: Existing personal wireless service antennas located in the Public/Institutional District may be located upon a temporary mobile tower on a temporary basis (e.g., in conjunction with repainting of a water tower) and shall comply with the following standards:

1. Temporary mobile towers are exempt from co-location and permanent tower structure design standards contained in this Chapter.
2. Temporary mobile towers that would be located on a site longer than 120 days shall require the processing of an Administrative Permit.
3. Guyed towers are prohibited.
4. Mobile units shall have a minimum tower design wind load of 80 miles-per-hour, or shall be set back from all structures a distance equal to the height of the tower.
5. The height of the tower shall not exceed 90 feet.

(Amended by Ord. No. 2019-01, 02/12/19)

Subd. 2. Commercial or Business District Standards:

(a) Antennas Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas located upon an existing structure or co-located on an existing tower shall require the processing of an administrative permit.

(1) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving and switching equipment, it shall be situated in the rear or side yard of the principal use and shall be screened from view by landscaping where appropriate.

(2) An administrative permit is issued in compliance with the provisions of Section 21025 of this Chapter and the following standards.

a. Antennas mounted on public structures shall not extend more than 15 feet above the height of the structure to which they are attached.

b. Building-mounted antennas shall not extend more than 10 feet above the roof, and shall be set back at least 5 feet from the roof edge.

c. Wall or facade mounted antennas may not extend more than 5 feet above the cornice line and must be constructed of a material or color which matches the exterior of the building.

d. Antennas mounted upon an existing high voltage transmission tower shall not extend more than 20 feet above such high voltage transmission tower.

e. There is no maximum height limitation for antennas to be co-located upon an existing wireless communication tower, provided the height of such existing tower is not increased.

(Amended by Ord. No. 2011-05, 02/22/11)

(b) Antennas Not Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas not located upon an existing structure (includes replacement of an existing light standard for purposes of supporting the antennas) shall require the processing of a conditional use permit and shall comply with the following standards:

(1) The applicant shall demonstrate by providing a coverage or capacity analysis prepared by a professional engineer that location of the antennas as proposed is necessary to meet the frequency reuse and spacing needs of the wireless

system and to provide adequate coverage and capacity to areas which cannot be adequately served by locating the antennas in a less restrictive zoning district.

(2) If no existing structure which meets the height requirements for the antennas is available for mounting purposes, the antennas may be mounted on a new monopole tower provided that:

a. The antennas and monopole does not exceed 75 feet in height.

b. The setback of the antennas and monopole from the nearest residential structure is not less than the height of the antennas and monopole. Exceptions to such setback may be granted if a structural engineer licensed in the State of Minnesota specifies in writing that any collapse of the pole will occur within a lesser distance under all foreseeable circumstances.

(3) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving and switching equipment, it shall be situated in the rear or side yard of the principal use and shall be screened from view by landscaping where appropriate.

(4) At the discretion of the City, a security fence not greater than 8 feet in height with a maximum opacity of 50 percent shall be provided around the support structure.

(5) The conditional use permit provisions of Section 21015 of this Chapter are considered and determined to be satisfied.

(c) Temporary Mobile Towers: Personal wireless service antennas located upon a temporary mobile tower used on an interim basis until a permanent site is constructed shall require the processing of an administrative permit and shall comply with the following standards:

1. Temporary mobile towers are exempt from co-location and permanent tower structure design standards contained in Section 21175.02, Subd. 9 and Subd. 10, Section 21175.03, and Section 21175.10.
2. Temporary mobile towers shall require an administrative permit. The permit application shall provide the time frame requested, and a tower located on a site longer than 120 days shall require approval from the Zoning Administrator.
3. Guyed towers are prohibited.

4. Mobile units shall have a minimum tower design wind load of 80 miles-per-hour, or shall be set back from all structures a distance equal to the height of the tower.
5. The height of the tower shall not exceed 90 feet.

Subd. 3. Industrial District Standards.

(a) Antennas Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas located upon an existing structure or co-located on an existing tower shall require the processing of an administrative permit and shall comply with the following standards:

1. An administrative permit is issued in compliance with the provisions of Section 21025 of this Chapter.
2. Building-mounted antennas shall not extend more than 10 feet above the roof, and shall be set back at least 5 feet from the roof edge.
3. Wall or facade mounted antennas may not extend more than 5 feet above the cornice line and must be constructed of a material or color which matches the exterior of the building.
4. Antennas mounted upon an existing high voltage transmission tower shall not extend more than 20 feet above such high voltage transmission tower.
5. There is no maximum height limitation for antennas to be co-located upon an existing wireless communication tower, provided the height of such existing tower is not increased.

(Amended by Ord. No. 2011-05, 02/22/11)

(b) Antennas Not Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas not located upon an existing structure or tower shall require the processing of an administrative permit and shall comply with the following standards:

(1) If there is no existing structure which meets the height requirements for mounting the antennas, the antennas may be mounted upon a monopole tower not exceeding 100 feet in height. The tower shall be located on a parcel having a dimension equal to the height of the tower measured between the base of the tower located nearest the property line and said property line, unless a structural engineer licensed in the State of Minnesota specifies in writing that the collapse of the tower will occur within a lesser distance under all foreseeable circumstances.

(2) An administrative permit is issued in compliance with the provisions of this Section and Section 21025 of this Chapter.

(c) Temporary Mobile Towers: Personal wireless service antennas located upon a temporary mobile tower used on an interim basis until a permanent site is constructed shall require the processing of an administrative permit and shall comply with the following standards:

1. Temporary mobile towers are exempt from co-location and permanent tower structure design standards contained in Section 21175.02, Subd. 9 and Subd. 10, Section 21175.03, and Section 21175.10.
2. The termination date of the permit shall not exceed 120 days. Temporary mobile towers located on a site longer than 120 days shall require the processing of an interim use permit subject to the standards contained in Sections 21020 and 21175.
3. Guyed towers are prohibited.
4. Mobile units shall have a minimum tower design wind load of 80 miles-per-hour, or shall be set back from all structures a distance equal to the height of the tower.
5. The height of the tower shall not exceed 90 feet.

(Amended by Ord. No. 2000-08, 02/29/00)

(Amended by Ord. No. 2009-07, 05/12/09)

21175.09. SATELLITE DISHES:

Subd. 1. Residential District and Public/Institutional District Standards. Single satellite dish TVROs greater than 1 meter in diameter may be allowed as a conditional use within the residential zoning districts of the City and shall comply with the following standards:

- (a) All accessory and secondary use provisions of Sections 21175.02 and 21175.06 of this Chapter are satisfactorily met.
- (b) The lot on which the satellite dish antenna is located shall be of sufficient size to assure that an obstruction-free receive window can be maintained within the limits of the property ownership.
- (c) Except where the antenna is screened by a structure exceeding the antenna height, landscape buffering and screening shall be maintained on all sides of the satellite dish antenna in a manner in which growth of the landscape elements will not interfere with the receive window.

- (d) The satellite dish antenna is not greater than 3 meters in diameter.
- (e) The conditional use permit provisions of Section 21015 of this Chapter are considered and determined to be satisfied.

Subd. 2. Business District Standards. Satellite dish antennas within business districts of the City shall be limited to those listed as permitted accessory and secondary uses in the applicable zoning district subject to the provisions of Sections 21175.02 and 21175.06 of this Chapter.

Subd. 3. Industrial District Standards. Commercial, private and public satellite dish transmitting or receiving antennas in excess of 2 meters may be allowed as a conditional use within industrial districts of the City and shall comply with the following standards:

- (a) All accessory and secondary use provisions of Sections 21175.02 and 21175.06 of this Chapter are satisfactorily met.
- (b) The lot on which the satellite dish antenna is located shall be of sufficient size to assure that an obstruction free transmit-receive window or windows can be maintained within the limits of the property ownership.
- (c) Except where the antenna is screened by a structure exceeding the antenna height, landscape buffering and screening shall be maintained on all sides of the satellite dish antenna in a manner in which growth of the landscape elements will not interfere with the transmit-receive window.
- (d) The conditional use permit provisions of Section 21015 of this Chapter are considered and determined to be satisfied.

21175.10. COMMERCIAL AND PUBLIC RADIO AND TELEVISION TRANSMITTING ANTENNAS, AND PUBLIC UTILITY MICROWAVE ANTENNAS:

Commercial and public radio and television transmitting and public utility microwave antennas shall comply with the following standards:

Subd. 1. Such antenna shall be considered an allowed conditional use within an Industrial District and the Public/Institutional District as provided by each district of the City and shall be subject to the regulations and requirements of Section 21015 of this Chapter.

Subd. 2. The antennas, transmitting towers, or array of towers shall be located on a continuous parcel having a dimension equal to the height of the antenna, transmitting tower, or array of towers measured between the base of the antenna or tower located nearest a property line and said property line, unless a qualified structural engineer specifies in writing that the collapse of any antenna or tower will occur within a lesser distance under all foreseeable circumstances.

Subd. 3. Unless the antenna is mounted on an existing structure, at the discretion of the City, a fence not greater than 8 feet in height with a maximum opacity of 50 percent shall be provided around the support structure and other equipment.

21175.11. ADDITIONAL SUBMITTAL REQUIREMENTS: In addition to the information required elsewhere in this Chapter, development applications for towers, excluding amateur radio towers, and for antennas and related equipment shall include the following supplemental information:

Subd. 1. A letter of intent committing the tower owner and his or her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.

Subd. 2. A copy of the relevant portions of a signed lease which requires the applicant to remove the tower and associate facilities when they are abandoned, unused or become hazardous shall be submitted to the City.

Subd. 3. A statement indicating whether battery backup power will be provided, and if so, the applicable Material Safety Data Sheets shall be provided.

(Amended by Ord. No. 2008-09, 03/25/08)

Section 16. [Amendment.](#) Section 21350.11, Subd. 3 of the Plymouth City Code (FRD, FUTURE RESTRICTED DEVELOPMENT DISTRICT—USES BY ADMINISTRATIVE PERMIT) is amended as follows:

Subd. 3. Essential service structures (as defined by Section 21005 of this Chapter) that do not exceed 5 feet in height or 20 square feet in area, necessary for the health, safety and general welfare of the City, excluding public works type facilities and uses, provided that:

- (a) Equipment is completely enclosed in a permanent structure with no outside storage.
- (b) Landscaping is provided to screen any such structure.

Section 17. [Amendment.](#) Section 21355.05, Subd. 4 of the Plymouth City Code (RSF-1, SINGLE FAMILY DETACHED DWELLING DISTRICT 1—ACCESSORY USES) is amended as follows:

Subd. 4. Backup generators for residential uses, provide they comply with the placement regulations in Section 21115.04, Subd. 1 (e) of this Chapter.

Section 18. [Amendment.](#) Section 21355.07, Subd. 5 of the Plymouth City Code (RSF-1, SINGLE FAMILY DETACHED DWELLING DISTRICT 1—CONDITIONAL USES) is amended as follows:

Subd. 5. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2008-09, 03/25/08*) (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 19. [Amendment.](#) Section 21360.05, Subd. 4 of the Plymouth City Code (RSF-2, SINGLE FAMILY DETACHED DWELLING DISTRICT 2—ACCESSORY USES) is amended as follows:

Subd. 4. Backup generators for residential uses, provide they comply with the placement regulations in Section 21115.04, Subd. 1 (e) of this Chapter.

Section 20. [Amendment.](#) Section 21360.07, Subd. 3 of the Plymouth City Code (RSF-2, SINGLE FAMILY DETACHED DWELLING DISTRICT 2—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2008-09, 03/25/08*) (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 21. [Amendment.](#) Section 21365.05, Subd. 4 of the Plymouth City Code (RSF-3, SINGLE FAMILY DETACHED DWELLING DISTRICT 3—ACCESSORY USES) is amended as follows:

Subd. 4. Backup generators for residential uses, provide they comply with the placement regulations in Section 21115.04, Subd. 1 (e) of this Chapter.

Section 22. [Amendment.](#) Section 21365.07, Subd. 3 of the Plymouth City Code (RSF-3, SINGLE FAMILY DETACHED DWELLING DISTRICT 3—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 23. [Amendment.](#) Section 21370.05, Subd. 4 of the Plymouth City Code (RSF-4, SINGLE AND TWO FAMILY DWELLING DISTRICT—ACCESSORY USES) is amended as follows:

Subd. 4. Backup generators for residential uses, provide they comply with the placement regulations in Section 21115.04, Subd. 1 (e) of this Chapter.

Section 24. Amendment. Section 21370.07, Subd. 3 of the Plymouth City Code (RSF-4, SINGLE AND TWO FAMILY DWELLING DISTRICT—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 25. Amendment. Section 21375.05, Subd. 4 of the Plymouth City Code (RMF-1, MULTIPLE FAMILY DWELLING DISTRICT 1—ACCESSORY USES) is amended as follows:

Subd. 4. Backup generators for residential uses, provide they comply with the placement regulations in Section 21115.04, Subd. 1 (e) of this Chapter.

Section 26. Amendment. Section 21375.07, Subd. 3 of the Plymouth City Code (RMF-1, MULTIPLE FAMILY DWELLING DISTRICT 1—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 27. Amendment. Section 21380.05, Subd. 4 of the Plymouth City Code (RMF-2, MULTIPLE FAMILY DWELLING DISTRICT 2—ACCESSORY USES) is amended as follows:

Subd. 4. Backup generators for residential uses, provide they comply with the placement regulations in Section 21115.04, Subd. 1 (e) of this Chapter.

Section 28. Amendment. Section 21380.07, Subd. 3 of the Plymouth City Code (RMF-2, MULTIPLE FAMILY DWELLING DISTRICT 2—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 29. Amendment. Section 21385.07, Subd. 3 of the Plymouth City Code (RMF-3, MULTIPLE FAMILY DWELLING DISTRICT 3—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 30. Amendment. Section 21390.07, Subd. 4 of the Plymouth City Code (RMF-4, MULTIPLE FAMILY DWELLING DISTRICT 4—CONDITIONAL USES) is amended as follows:

Subd. 4. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 2020-11, 10/13/20*)

Section 31. Amendment. Section 21395.03, Subd. 1 of the Plymouth City Code (RMF-5, MULTIPLE FAMILY DWELLING DISTRICT 5—PERMITTED USES) is amended as follows:

Subd. 1. Apartment buildings.

Section 32. Amendment. Section 21450.03, Subd. 17 of the Plymouth City Code (O, OFFICE DISTRICT—PERMITTED USES) is deleted as follows, and subsequent subdivisions shall be re-numbered accordingly:

Section 33. Amendment. Section 21450.07, Subd. 6 of the Plymouth City Code (O, OFFICE DISTRICT—CONDITIONAL USES) is amended as follows:

Subd. 6. Educational facilities including, and limited to, public and private nursery, elementary, middle, junior high, and senior high schools. (*Amended by Ord. No. 99-15, 05/18/99*) (*Amended by Ord. No. 2008-09, 03/25/08*)

Section 34. Amendment. Section 21455.03, Subd. 13 of the Plymouth City Code (C-1, CONVENIENCE COMMERCIAL DISTRICT—PERMITTED USES) is deleted as follows, and subsequent subdivisions shall be re-numbered accordingly:

Section 35. Amendment. Section 21460.03, Subd. 34 of the Plymouth City Code (C-2, NEIGHBORHOOD COMMERCIAL DISTRICT—PERMITTED USES) is deleted as follows, and subsequent subdivisions shall be re-numbered accordingly:

Section 36. Amendment. Section 21465.03 of the Plymouth City Code (C-3, HIGHWAY COMMERCIAL DISTRICT—PERMITTED USES) is amended as follows:

21465.03. PERMITTED USES: The following are permitted uses in the C-3 District:

- Subd. 1.** Amusement centers.
- Subd. 2.** Auto accessory stores (not including service).
- Subd. 3.** Automobile Detailing Shops.
- Subd. 4.** Banks, credit unions, and other financial institutions (excluding currency exchanges) with or without drive up tellers. (Drive up teller service is regulated by Section 21120.04, Subd. 3 of this Chapter.)
- Subd. 5.** Beauty salons and day spas.
- Subd. 6.** Bicycle sales and repair.
- Subd. 7.** Breweries with a taproom.
- Subd. 8.** Brewpub restaurants (no drive-in or drive-through service).
- Subd. 9.** Bus/transit stations or terminals without vehicle storage.
- Subd. 10.** Candy, ice cream, popcorn, nuts, frozen desserts, and soft drink sales.
- Subd. 11.** Commercial recreation, indoor (e.g., bowling alleys, roller rinks).
- Subd. 12.** Convenience grocery markets (without motor fuel facilities or delicatessen food service).
- Subd. 13.** Copy/printing services (excludes printing presses and publishing facilities).
- Subd. 14.** Delicatessens/coffee houses without drive-through service.
- Subd. 15.** Dining restaurants (no drive-in or drive-through service).
- Subd. 16.** Dry cleaning pick up and laundry pick up stations including incidental repair but not including processing.
- Subd. 17.** Essential services not including structures, except those requiring administrative permits or conditional use permits pursuant to Section 21160 of this Chapter.
- Subd. 18.** Furniture stores containing less than 5,000 square feet of gross floor area.
- Subd. 19.** Governmental and public utility (essential service) buildings and structures, including public works type facilities, excluding outdoor storage.
- Subd. 20.** Hotels.
- Subd. 21.** Liquor, off sale, pursuant to the required liquor license.
- Subd. 22.** Locksmiths.
- Subd. 23.** Offices, administrative/commercial.
- Subd. 24.** Offices/clinics for medical, dental, or chiropractic services.
- Subd. 25.** Pet sales, supplies and grooming.
- Subd. 26.** Prepared food restaurants: delivery and/or take out only, with no interior seating.

- Subd. 27.** Private clubs (may serve food and beverages).
- Subd. 28.** Reception halls/event centers, with or without catering services.
- Subd. 29.** Religious institutions such as churches, chapels, temples, synagogues, mosques limited to worship and directly related social events.
- Subd. 30.** Sexually oriented businesses – accessory or principal (as regulated by Section 21195 of this Chapter).
- Subd. 31.** Shoe repair.
- Subd. 32.** Sporting goods and recreational equipment sales, not including motorized vehicles or boats.
- Subd. 33.** Sports and fitness clubs.
- Subd. 34.** Tailoring services.
- Subd. 35.** Tanning salons.
- Subd. 36.** Therapeutic massage.
- Subd. 37.** Tutoring/learning centers
- Subd. 38.** Veterinary clinics and related indoor kennel.

Section 37. Amendment. Section 21470.03, Subd. 19 of the Plymouth City Code (C-4, COMMUNITY COMMERCIAL DISTRICT—PERMITTED USES) is amended as follows:

- Subd. 19.** Carpet, rugs, and tile and flooring retail sales.

Section 38. Amendment. Section 21470.03, Subd. 57 of the Plymouth City Code (C-4, COMMUNITY COMMERCIAL DISTRICT—PERMITTED USES) is deleted as follows, and subsequent subdivisions shall be re-numbered accordingly:

Section 39. Amendment. Section 21475.05, Subd. 2. (oo) of the Plymouth City Code (CC, CITY CENTER DISTRICT—PERMITTED USES) is deleted as follows, and subsequent items shall be re-lettered accordingly:

Section 40. [Amendment](#). Section 21650.03, Subd. 2 of the Plymouth City Code (P-I, PUBLIC/INSTITUTIONAL DISTRICT—PERMITTED USES) is amended as follows:

Subd. 2. Educational facilities including, and limited to, public and private elementary, middle, junior high, and senior high schools.

Section 41. [Amendment](#). Section 21655.75 of the Plymouth City Code (PUD, PLANNED UNIT DEVELOPMENT DISTRICT—PARKERA PLYMOUTH PUD) is added as follows:

21655.75. PARKERA PLYMOUTH PUD:

Subd. 1. Legal Description. This PUD is legally described as Lots 1-3, Block 1, and Outlot A, Parkera Plymouth Addition, Hennepin County, Minnesota.

Subd. 2. Incorporated herein by reference are the plans received by the City on April 30, 2021, with additional information on May 14, 2021, May 18, 2021, May 28, 2021, June 1, 2021, June 7, 2021, June 22, 2021, June 29, 2021, July 6, 2021, July 8, 2021, and July 12, 2021, except as may be amended by City Council Resolution 2021-228, on file in the office of the Zoning Administrator under file 2021032.

Subd. 3. Allowable Uses. The uses permitted in this PUD shall include the following:

- One market rate four-story apartment building with 210-units and a 429-stall parking garage.
- One 70,000 square foot medical office building.
- One previously existing church.

Subd. 4. Development Standards. Development standards shall be as indicated on the PUD general plan approved by City Council Resolution 2021-228, on file in the office of the Zoning Administrator under file 2021032.

Section 42. [Amendment](#). Section 21655.76 of the Plymouth City Code (PUD, PLANNED UNIT DEVELOPMENT DISTRICT—BASSETT CREEK APARTMENTS PUD) is added as follows:

21655.76. BASSETT CREEK APARTMENTS PUD:

Subd. 1. Legal Description. This PUD is legally described as Lot 1, Block 1, Groves Office Park, according to the recorded plat thereof, Hennepin County, Minnesota. (Abstract and Torrens property, Certificate of Title No. 1330612). The registered portion of the land is described as follows: That part of Lot 1, Block 1, Groves Office Park, embraced within the Southwest Quarter of the Northeast Quarter of Section 36, Township 118, Range 22, Hennepin County, Minnesota.

Subd. 2. Incorporated herein by reference are the plans received by the City on October 8, 2021, November 18, 2021, February 9, 2022, February 15, 2022, February 16, 2022, February 23, 2022, and February 24, 2022, except as may be amended by City Council Resolution 2022-098, on file in the office of the Zoning Administrator under file 2021081.

Subd. 3. Allowable Uses. The uses permitted in this PUD shall include the following:

- One seven-story apartment building with 176-units and a 238-stall parking garage.
- One 64,000 square foot office building.

Subd. 4. Development Standards. Development standards shall be as indicated on the PUD general plan approved by City Council Resolution 2022-098, on file in the office of the Zoning Administrator under file 2021081.

[Section 43. Amendment. Section 21665.06, Subd. 3 of the Plymouth City Code \(SHORELAND MANAGEMENT OVERLAY DISTRICT—SUBDIVISION REQUIREMENTS AND PROCEDURES\)](#) is added as follows:

Subd. 3. Lots for controlled access. Lots proposed to serve as controlled accesses to public waters or as recreational areas for the benefit of non-riparian lots, where allowed by this Chapter, within a subdivision, shall meet the following standards:

- (a) All area and width requirements for residential lots as provided in this section.
- (b) The suitability standards of this paragraph, in consideration of the proposed use of the lot or lots.
- (c) The width of the lot shall be increased, while retaining the lot depth, by the percent of the required width for residential lots abutting public water for each water craft over six, if docking, mooring, or over-water storage of more than six water craft is allowed. The required percentage increase in frontage is indicated (%) following the ratio of lake size in acres to shore length in miles: Less than 100 (25%); 100-200 (20%); 201-300 (15%); 301-400 (10%); greater than 400 (5%).
- (d) The lot must be owned jointly by all lot owners in the subdivision who are provided riparian access rights on the lot.
- (e) Covenants or equivalent legal instruments approved by the City Attorney shall be filed with the title for the lot and for all lots with rights to use the lot; the benefiting lots, authorized activities, limitations on the development and use of lot and special conditions imposed to ensure compliance with applicable regulations shall be specified.

(f) Lots or outlots for controlled access that existed prior to adoption of Ordinance No. 94-10 on July 7, 1994, shall be considered legally conforming and shall be exempt from the provisions set forth in this Subdivision 3.

Section 44. Effective Date. This Ordinance shall be in full force and effect upon its passage.

ADOPTED by the City Council on this 16th day of August, 2022.

Jeffry Wosje, Mayor

ATTEST:

Jodi M. Gallup, City Clerk