



City of Blaine
Anoka County, Minnesota
Signature Copy

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Ordinance: ORD 22-2514

File Number: ORD 22-2514

Second Reading

Granting Amendments to Revise and Update Sections of the Blaine Zoning Ordinance. City of Blaine (Case File No. 22-0067/EES)

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in overstrike.)

See attached ordinance.

INTRODUCED and read in full this 5th day of December, 2022.

PASSED by the City Council of the City of Blaine this 19th day of December, 2022.

Signed by

Tim Sanders, Mayor

Date

December 19, 2022

Attest by

Catherine Sorensen, CMC, City Clerk

Date

December 19, 2022

Sec. 18-261. Definitions.

Temporary Residential Storage Container means a container up to 8 feet wide, by 8 feet tall, by 16 feet long used for temporary storage of items typically found in a residential home or equipment related to an active construction project on the property the container is located on.

Sec. 18-264. Residential exterior storage limited.

Exterior residential storage is prohibited, except for temporary residential storage containers under either of the following circumstances:

- (1) Temporary residential storage containers are permitted for a period of time not to exceed 180 days during active fire or water damage repair, remodeling or additions to the home on the property.
- (2) Temporary residential storage containers are permitted for a period not to exceed 30 days when used for the purposes of moving into or out of the dwelling on the property.

Sec. 46-4. Parking outside of parks.

- (a) *Manufactured homes.* No person shall park or occupy any manufactured home on the premises of any occupied dwelling or any lot which is not part of the premises of any occupied dwelling, either of which is situated outside of an approved manufactured home park; except, the parking of only one manufactured home unoccupied in an accessory private garage building is permitted, provided that no living quarters shall be maintained or any businesses practiced in such manufactured home while such manufactured home is so parked or stored. Occupied manufactured homes installed in accordance with applicable codes are permitted in all locations where single family homes are permitted subject to the standards of the applicable zoning district.
- (c) ~~Permit for temporary use of manufactured home or recreational camping vehicle.~~ Temporary permits may be issued by the council for the temporary use of a manufactured home as a dwelling or an office when such manufactured home is located outside of an authorized manufactured home park. Such temporary permits shall be limited to periods of not more than 90 days and must be renewed at the end of each period. A fee established by action of the council must accompany each application for a temporary permit. Each temporary permit shall be displayed in a conspicuous location on the outside of the manufactured home.

- (d) ~~Administrative permit.~~ An administrative permit may be issued by the city manager;
- (1) ~~To park a manufactured home on any lot in the city, if the principal structure has been damaged by fire, winds, flood, or in the case of a declared disaster. Such permit shall have a duration of not more than 90 days. The fee for such permit shall be established by action of the council. The council shall be informed of the issuance of the permit at the first regular council meeting thereafter.~~
- (2) ~~To occupy a recreational camping vehicle on any occupied residential lot for a period of not more than seven days, provided that adequate sanitary facilities are available in the principal structure on such lot.~~

Permit for temporary use of manufactured home or recreational camping vehicle.

Temporary permits may be issued for:

- (1) Temporary Sales Office. Temporary permits may be issued by the Building Official for the temporary use of a manufactured home as a sales office for a residential subdivision following the standards listed in Section 75-100(c) or for a multifamily development (apartments) with an active building permit for a period not to exceed 90 days. Sales offices shall meet the requirements of the Minnesota Accessibility Code.
- (2) Temporary Construction Office. The use of a manufactured home as a temporary construction office may be permitted as part of a building permit for residential or commercial construction. The location and size of the office shall be specified on the approved plan set. Temporary construction offices shall be removed within 30 days of issuance of a certificate of occupancy.
- (3) Temporary Office. Temporary permits may be issued by the City Manager, or designee, for the temporary use of a manufactured home as an office when such manufactured home is located outside of an authorized manufactured home park. Such temporary permits shall be limited to periods of not more than 90 days with renewal beyond 90 days requiring approval of the City Council.
- (4) Temporary Dwelling Due to Disaster. Temporary permits may be issued by the City Manager, or designee, to park a manufactured home or recreational vehicle on any lot in the city, if the principal structure has been damaged by fire, winds, flood, or in the case of a declared disaster. Such permit shall have a duration of not more than 90 days. Renewal beyond 90 days shall be by action of the City Council. Use of a recreational camping vehicle for this purpose shall only be permitted

when adequate sanitary facilities are available in the principal structure on such lot.

- (5) Temporary Recreational Vehicle Use. Temporary permits may be issued by the City Manager, or designee, to occupy a recreational camping vehicle on any occupied residential lot for a period of not more than seven days in a calendar year, provided that adequate sanitary facilities are available in the principal structure on such lot.

Blaine Zoning Ordinance

25.02 – Definitions

The following words and phrases when used in this chapter shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

Assisted Living Facility: a facility that provides sleeping accommodations and assisted living services to one or more adults. Assisted living facility does not include emergency shelters, nursing homes, hospitals, adult foster care or other exemptions listed in MN Statute 144G.08 Subd 7.

Data Center: A building or tenant space with at least 50% of the floor area dedicated to the housing of networked computers, storage systems and computing infrastructure and associated components.

Livestock: Any animal or animals other than domestic pets kept for commercial sale or profit.

Lot Line, Rear: That boundary of a lot which is opposite the front lot line, except for on commercial and industrial lots with two front lots lines. If the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line ten (10) feet in length within the lot, parallel to, and at the maximum distance from the front lot line.

Meeting/Assembly Halls: A facility available for private rental for private events such as weddings, conferences, or meetings. This definition does not include rental for uses that are open to the public such as night clubs.

Practical Difficulty: Practical difficulties, as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the

landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Undue hardship as used in connection with the recommending of the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if recommended, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the Zoning Ordinance.

Senior Assisted Living Facility: A housing with services establishment that provides sleeping accommodations to one or more adult residents, at least 80 percent of which are 55 years of age or older, and offering or providing, for a fee, one or more regularly scheduled health-related services or two or more regularly scheduled supportive services, whether offered or provided directly by the establishment or by another entity arranged for the establishment, ~~as defined in Minn. Stat. 144D.01, subd. 4 and Minn. Statute 144G.~~

Taproom: An establishment with alcoholic drinks available on tap

27.06 Variances.

(a) Criteria for granting variances. A variance to the provision of the zoning ordinance may be issued by the City Council to provide relief to the land owner in those cases where the ordinance imposes practical difficulty on the property owner in the use of his land. No use variances may be issued. ~~A variance may be granted only in the event that the following circumstances exist.~~

(1) Variances shall only be permitted

(a) When they are in harmony with the general purposes and intent of the ordinance and

(b) When the variances are consistent with the comprehensive plan.

(2) Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the zoning. Practical difficulties, as used in connection with the granting of a variance, means that:

(a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;

(b) The plight of the landowner is due to circumstances unique to the property not created by the land owner; and

- (c) The variance, if granted will not alter the essential character of the locality.
- (d) Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- (e) The variance requested is the minimum variance which would alleviate the unique circumstances.
- ~~(1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of the property, since enactment of this ordinance, have had no control.~~
- ~~(2) The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.~~
- ~~(3) That the special conditions or circumstances do not result from the actions of the applicant.~~
- ~~(4) That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other owners of lands, structures or buildings within the same district.~~
- ~~(5) That the variance requested is the minimum variance which would alleviate the hardship. Economic considerations alone shall not be considered a hardship.~~
- ~~(6) A variance would not be materially detrimental to the purposes of this ordinance, or to other property in the same zone.~~
- ~~(7) The proposed variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion of public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.~~

27.10 – Appeals

An aggrieved person wishing to seek review of an action pursuant to Minnesota Statute § 462.361, subd. 1, may file an appeal with the county district court. No appeal shall be effective unless it is served and filed within 60 days as follows:

- (1) For an appeal from the adoption or amendment of an ordinance, rule, or regulation, from the effective date of the ordinance;
- (2) For an appeal from an order, from the issuance of the order;
- (3) For an appeal from any other decision governed by this section or referenced in Minnesota Statute § 462.361, subd. 1, from the decision of the city council.

29.010 – Farm Residential (FR)

- (x) Standards and requirements for private stables:
 - (5) Fences to control ~~livestock~~ domestic farm animals adjacent to single family zoning districts, excluding AG and FR, shall have a minimum setback of one hundred (100) feet.
- (y) ~~(aa)~~ Standards and requirements for churches, golf courses and golf driving ranges, schools, and garden supply stores: (Ord. No. 95-1574, added 9-21-1995; Ord. No. 98-1728, amended 6-25-1998)
 - (1) ~~(i)~~ Shall have principal access to a collector or arterial roadway.
 - (2) ~~(ii)~~ Front, rear, and side yard building and parking setbacks—Forty-five (45) feet.
 - (3) ~~(iii)~~ Maximum building height two (2) stories.
 - (4) ~~(iv)~~ Off street loading and overhead doors shall comply with Section 33.15.
 - (5) ~~(v)~~ All site improvements and landscaping shall comply with Sections 33.07 and 33.08.
 - (6) ~~(vi)~~ Underground irrigation is required for all front and corner side yards.
 - (7) ~~(vii)~~ Architectural style and building materials shall be compatible with the surrounding area and subject to Council approval.

29.030 – Single Family Residential (R-1)

29.033 – Accessory Uses

- (a) Up to two private garages/accessory buildings.

29.034 – Conditional Uses

- (f) ~~More than two (2) garage/accessory buildings.~~ Three garage/accessory buildings.

29.040 – Single Family Residential (R-1AA)

29.043 – Accessory Uses

- (a) Up to two private garages/accessory buildings.

29.044 – Conditional Uses

- (f) ~~More than two (2) garage/accessory buildings.~~ Three garage/accessory buildings.

29.050 – Single Family Residential (R-1A)

29.053 – Accessory Uses

- (a) Up to two private garages/accessory buildings.

29.054 – Conditional Uses

- (c) ~~More than two (2) garage/accessory buildings.~~ Three garage/accessory buildings.

29.080 – Low Density Multi-family (R-3A)

29.081 – Intent

The district is intended to allow the development of townhouses or quads, create low density areas, with a maximum density of five (5) dwelling units per acre. These districts shall be located on the fringe of established one and two-family residential neighborhoods.

29.085 – Standards – quad, townhouse.

- (a) ~~Minimum area to be zoned R-3A – Ten (10) acres. Reserved.~~
(g) ~~Maximum density – Five (5) units per acre. Reserved.~~

29.090 – Medium Density Multifamily Residential (R-3B)

29.091 Intent.

The district is intended to allow the development of townhouses, quads, and other types of medium density multi-family units ~~at ten (10) dwelling units per acre~~ located adjacent to major collector streets and served by public services and facilities.

29.095 Standards – quad, townhouse.

- (a) ~~Minimum area to be zoned R-3B – Ten (10) acres. Reserved.~~
(g) ~~Maximum density – Ten (10) units per acre. Reserved.~~

29.096 Standards – multiple dwelling.

- (a) ~~Minimum area to be zoned R-3B – Ten (10) acres. Reserved.~~
(h) ~~Maximum density – Ten (10) units per acre. Reserved.~~

29.100 – High Density Multifamily Residential (R-3C)

29.101 Intent.

The district is intended to create, preserve, and enhance areas for multi-family use at higher densities ~~up to twenty (20) units per acre~~ for both permanent and more transient families. It is appropriate only in areas served by public utilities, with good accessibility to thoroughfares, ~~public community centers, libraries, retail and other services shopping centers.~~

29.105 Standards – quad, townhouse.

(a) ~~Minimum area to be zoned R-3C – Ten (10) acres. Reserved.~~

(g) ~~Maximum density – Twenty (20) units per acre. Reserved.~~

29.096 Standards – multiple dwelling.

(a) ~~Minimum area to be zoned R-3C – Ten (10) acres. Reserved.~~

(h) ~~Maximum density – Twenty (20) units per acre. Reserved.~~

30.00 – Neighborhood Business (B-1)

30.05 – Standards

(a) ~~Minimum lot area – One (1) acre. Reserved.~~

30.10 – Community Commercial (B-2)

30.12 – Permitted Uses

(i) Personalized instructional services and fitness centers, total floor area limited to 4,000 square feet without a conditional use permit.

(l) Taproom.

30.14 – Conditional Uses

(c) Fitness center not meeting the requirements of 30.12 (i).

30.15 Standards

(a) ~~Minimum lot size—One (1) acre. Reserved.~~

(d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts—One hundred (100) feet.

(1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)

30.20 – Regional Commercial (B-3)

30.22 – Permitted Uses

(i) Personalized instructional services and fitness centers, total floor area limited to 4,000 square feet without a conditional use permit.

(l) Taproom.

30.24 – Conditional Uses

(c) Fitness center not meeting the requirements of 30.12 (i).

30.25 – Standards

- (a) ~~Minimum lot size—One (1) acre. Reserved.~~
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts – one hundred (100) feet.
 - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts – one hundred (100) feet.
 - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (h) ~~When a regional shopping center district is adjacent to any residential district, all building setbacks shall be one hundred (100) feet along any side adjacent to a residential district. (Ord. No. 85-898, amended 8-15-1985)~~
 - (1) ~~A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986) Reserved.~~

30.30 – Office Park (B-4)

30.35 – Standards

- (a) ~~Minimum lot size – One (1) acre. Reserved.~~

30.50 – Planned Business District

30.52 – Land Uses

- (s) ~~Brewer tap room, as defined by Section 6-33 [of the Blaine Code] associated with and on the same site as a licensed brewery. Taproom or brewery with brewer taproom.~~
- (w) Liquor Stores

30.54 – Standards

- (j) Outside Display. Outside display in PBD retail sites is allowed provided the following standards are met:
 - (1) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000

square feet and not to exceed 400 square feet for buildings over 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.

(2) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.

(3) Outside display shall not exceed a height of sixty (60) inches.

(4) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.

(5) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.

(6) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.

(7) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.

(8) Products shall be able to be sold from the display.

30.80 – Town Commercial (B-5)

30.83 – Conditional Uses

(i) ~~Brewery with taproom.~~ Taproom or brewery with brewer taproom.

30.90 – 105th Avenue Redevelopment District (RD)

30.905 – Conditional Uses

(l) Taproom.

31.00 – Light Industrial (I-1)

31.02 – Permitted Uses

(k) Data Center

(k) (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided

these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance.

31.03 – Accessory Uses

(g) Cars, vans, pickup trucks, and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation parked in the side and rear yard outside of the required parking stalls.

31.04 – Conditional Uses

- (e) Outdoor storage of passenger vehicles or vans, other than those specified in 31.03 (g), provided such storage shall be screened with one hundred percent (100%) opaqueness. Such outdoor storage shall be related specifically to a permitted or approved conditional use.
- (k) Indoor commercial dog kennel with or without dwelling for night ~~watchperson~~ watchman.

31.08 – Storage/refuse facilities.

- (a) There shall be no outdoor storage of any kind within this district. For purposes of this zoning district, cars, vans ~~and~~ pickup trucks and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation will not be construed to be outdoor storage, when parked in the side and rear yard outside of the required parking stalls. Further, outside parked trucks, semi-trailers and any other vehicles larger than 10,000 GVW used in the normal business' commerce will not be construed to be outdoor storage provided a) total number of vehicles over 10,000 GVW, including but not limited to box trucks, semi cab, and semi-trailers does not exceed the number of docks and/or bay doors; and b) such use is not construed as an operation listed as a conditional use in any industrial zone.

31.10 – Light Industrial (I-1A)

31.12 – Permitted Uses

(k) Data Center

- ~~(k)~~ (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance.

31.13 – Accessory Uses

(g) Cars, vans, pickup trucks, and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation parked in the side and rear yard outside of the required parking stalls.

31.14 – Conditional Uses

(n) Brewer taproom as defined by Section 6-33 associated with and on the same site as a licensed brewery.

(o) Personal care, health care, recreation, fitness, or education related commercial services. Sites must be able to demonstrate adequate on-site parking. Uses must be destination based and not generate traffic volumes measurably above the range normally expected by the other allowed industrial uses. With the exception noted in 31.13 (c), general retail sales is not permitted under this section.

(p) Commercial dog kennel with or without dwelling for night watchperson.

31.15 – Standards

(l) Limited outside storage:

(8) Storage shall be located in the rear or side yards.

31.18 – Storage/refuse facilities.

(e) There shall be no outdoor storage of any kind within this district except as authorized by a conditional use permit. For purposes of this zoning district, cars, vans and pickup trucks and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation will not be construed to be outdoor storage, when parked in the side and rear yard outside of the required parking stalls. Further, outside parked trucks, semi-trailers and any other vehicles larger than 10,000 GVW used in the normal business' commerce will not be construed to be outdoor storage provided a) total number of vehicles over 10,000 GVW, including but not limited to box trucks, semi cab, and semi-trailers does not exceed the number of docks and/or bay doors; and b) such use is not construed as an operation listed as a conditional use in any industrial zone.

31.20 – Heavy Industrial (I-2)

31.22 – Permitted Uses

(k) Data Center

(k) (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance.

31.23 – Accessory Uses

(i) Cars, vans, pickup trucks, and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation parked in the side and rear yard outside of the required parking stalls.

31.24 – Conditional Uses

(b) Waste transfer facility (subject to the standards listed in Chapter 62, Article IV of the Blaine Code of Ordinances)

(j) ~~Public~~ Transportation terminal- privately owned.

(l) Semi-tractor, trailer, farm implement, or boat ~~marine assembly,~~ manufacturing, or repair without outside storage of trucks or trailers exceeding the number of dock and/or bay doors on the building.

31.29 – Storage/refuse facilities

(a) Outdoor storage shall be allowed within this district meeting all conditions imposed under a conditional use permit. All outdoor storage shall be located in the rear or side yard. Additional screening may be required as part of the required conditional use permit for outdoor storage in the side yard.

31.30 – Heavy Industrial (I-2A)

31.32 – Permitted Uses

(k) Data Center

(k) (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance.

31.33 – Accessory Uses

(h) Cars, vans, pickup trucks, and utility trailers no longer than 15 feet in length parked outside and used by employees and/or visitors in the normal course of the business operation parked in the side and rear yard outside of the required parking stalls.

31.34 – Conditional Uses

- (b) Waste transfer facility (subject to the standards listed in Chapter 62, Article IV of the Blaine Code of Ordinances)
- (l) Public-Transportation terminal- privately owned.
- (m) Semi-tractor, trailer, farm implement, or boat ~~marine assembly~~, manufacturing, or repair with or without outside storage of trucks or trailers exceeding the number of dock and/or bay doors on the building.
- (v) Brewer taproom as defined by Section 6-33 associated with and on the same site as a licensed brewery.
- (w) Personal care, health care, recreation, fitness, or education related commercial services. Sites must be able to demonstrate adequate on-site parking. Uses must be destination based and not generate traffic volumes measurably above the range normally expected by the other allowed industrial uses. With the exception noted in 31.33 (c), general retail sales is not permitted under this section.

31.39 – Storage/refuse facilities

- (a) Outdoor storage shall be allowed within this district meeting all conditions imposed under a conditional use permit. All outdoor storage shall be located in the side or rear yard. Additional screening may be required as part of the required conditional use permit for outdoor storage in the side yard.

33.07 Landscaping.

- (c) Number of plant materials required. In order to achieve an appropriate and complete quality landscaping of a site, the following minimum number of plant materials shall be provided as indicated below:
 - (1) One (1) overstory deciduous shade tree for every two thousand (2,000) square feet of building footprint ~~total building floor area~~ or one (1) tree for every one hundred (100) feet of site perimeter, whichever is greater.
 - (2) One (1) coniferous tree for every two thousand (2,000) square feet of building footprint or one (1) coniferous tree for every two hundred (200) feet of site perimeter, whichever is greater.
 - (3) One (1) understory shrub for every three hundred (300) square feet of building footprint or one (1) shrub for every thirty (30) feet of site perimeter, whichever is greater. (Ord. No. 86-956, amended 7-10-1986)

- (4) One (1) ornamental tree for every two thousand (2,000) square feet of building footprint or one (1) ornamental tree for every two hundred (200) feet of site perimeter, whichever is greater.
- (6) One (1) overstory deciduous shade tree, one (1) coniferous tree, and one (1) ornamental tree is required for each townhome unit

33.08 Fences

(b) Definitions.

- (4) Farm Fence: A fence located on a property zoned FR or AG and constructed to contain livestock domestic farm animals and located a minimum of 300 feet from any residentially zoned property.

(h) Special Purpose Fences:

- (1) Fences for special purpose and fences differing in construction, heights, or location, may be permitted in any multifamily residential, commercial or industrial district in the city, only by issuance of a conditional use permit approved by the City Council after a recommendation by the Planning Commission, and upon evidence that such special purpose fence is necessary to protect, buffer, or improve the premises for which such fence is intended. Conditional use permits are not required for fences surrounding recreational areas, such as tennis courts or baseball fields, on publicly owned properties.
- (2) ~~Residential fences, higher than 6 (six) feet and up to 10 (ten) feet in height, built for screening and noise attenuation, that are placed on private property adjacent to county, state or federally designated roadways, shall be allowed in the rear and corner side yards, only by issuance of a conditional use permit. (Ord. No. 08-2164, added 8-7-2007)~~ Fences higher than 6 (six) feet and up to 10 (ten) feet in height may be permitted in any single or two family residential district in the city, only by issuance of a conditional use permit approved by the City Council after a recommendation by the Planning Commission, and meets at least one of the following criteria.
 - a. Said fence is built for screening and noise attenuation and is placed on private property adjacent to county, state or federally designated roadways in the rear or corner side yard.
 - b. Due to unusual topography a taller fence is necessary to provide adequate screening from neighboring properties. The fence height shall be the minimum necessary to achieve six feet of screening. The additional fence height beyond six feet shall be no greater than

the difference in grade between the subject lot and the neighboring lot.

33.13 Parking

(h) *Design, Maintenance, and Installation.*

- (1) All open off-street parking areas or areas traveled by vehicles shall be of four-inch MnDOT Class 5 base and a minimum two-inch bituminous surface.
- ~~(2) All open automobile parking areas, in commercial and industrial districts, containing more than four (4) parking spaces shall be effectively screened on each side adjoining or fronting on any residential property by a wall or fence that conforms with existing ordinances.~~
- ~~(3) Illumination of an off-street parking area shall be arranged so as not to project or reflect rays of light into adjacent and residential districts, and so as not to create a traffic hazard on adjacent streets.~~

(i) Required Parking Spaces

- ~~(3) Apartments: 2 spaces per apartment unit other than studio apartments, a minimum of one of which must be underground. Studio units require one space per unit. Half of the parking spaces for studio apartments shall be underground. One space per studio apartment, one and one half spaces per one-bedroom apartment, and two spaces per unit for all other units. Half of the required parking stalls must be underground.~~
- (9) *Business and professional offices or public administration buildings:* At least one (1) parking space for each two-hundred-fifty (250) ~~two hundred (200)~~ square feet of floor area.
- ~~(18) Manufacturing, fabricating, general industrial building, and processing plants not engaged in retail trade: Six (6) off-street parking spaces plus~~ At least one (1) parking space for each five hundred (500) square feet of floor area.

33.22 Standards for Rear Yard Chickens

- (h) Chicken waste must be removed from the coop so as to not cause a nuisance and be properly disposed of ~~or composted.~~ On site composting is prohibited.