

CHAPTER 74. ZONING

ARTICLE V. District Regulations.

DIVISION 5. Mixed Use Districts.

Section 74-265. Main Street Mixed Use District. (MS).

- (a) *Purpose and Intent of District.* The purpose of the standards for the Main Street Mixed Use District (MS) is to promote harmonious development, redevelopment and rehabilitation of structures along Main Street. It is intended that the standards will:
- (1) Maintain the visual environment of the City, protect the general welfare, and ensure that the City's property values, buildings, designs, appearance, character, and economic well-being are preserved and respected through minimum design and appearance standards;
 - (2) Encourage creativity, imagination, innovation, and variety in architectural design and building composition through design principles that promote harmony in the physical relationships between structures in the City and are reflective of the river city heritage;
 - (3) Preserve the unique river city heritage, history, and architectural character of existing buildings as these buildings are renovated and re-used and as improvements are made;
 - (4) Reinforce and support a healthy development pattern in which new buildings and building modifications maintain the City's unique character through complementary and appropriate use of building materials, massing and architectural details;
 - (5) Encourage a diversity of uses and activities that promote pedestrian activity;
 - (6) Reinforce the unique character of existing Main Street facade/streetscape sightlines;
 - (7) Promote the use of quality construction;
 - (8) Enhance the visual and aesthetic appeal of Main Street;
 - (9) Protect private investors who commit to redevelopment along the Main Street corridor; and
 - (10) Inhibit criminal activity and provide a pleasant, rich and diverse experience for pedestrians through minimum façade transparency requirements.
- (b) *Definitions.* For purposes of this Section, the following words and phrases shall have the meanings ascribed to them by this section or Section 74- 2 of the City Code. Words not defined shall have the plain meaning generally ascribed to them.

Arcade is defined as a frontage wherein the façade is above a colonnade that overlaps the sidewalk to one side of the sidewalk.

Articulation is defined as architectural composition in which elements and parts of the building are expressed logically, distinctly, and consistently, with clear joints.

Awning is defined as a roof-like covering placed over a door or window to provide shelter from the elements. An awning usually consists of a metal frame covered with fabric.

Bollard is defined as a short vertical post, often used to control traffic.

Character is defined as those attributes, qualities, and features that make up and distinguish a neighborhood, street, or an individual development project and give such place or project a sense of purpose, function, definition, and uniqueness.

Colonnade is defined as a series of columns set at regular intervals and usually supporting the base of a roof structure.

Convenience store is any retail establishment offering for sale a relatively limited selection of prepackaged food products, household items, and other related goods, not necessarily including gasoline or fuel sales, and characterized by a rapid turnover of customers and high traffic generation.

Corbel is defined as a bracket of stone, wood, brick, or other building material, projecting from the face of a wall and generally used to support a cornice or arch.

Cornice is defined as any projecting ornamental molding along the top of a building or wall.

Exterior Insulation Finish System (EIFS) is a type of building product that provides exterior walls with a finished surface, insulation and waterproofing in an integrated composite system. EIFS is also known as "synthetic stucco" and "Dryvit" - a popular EIFS brand.

Facade is defined as the face or front of a building.

Foot candle is defined as the amount of light from one candle at one foot from the source of light.

Lintel is defined as a horizontal structural member, such as a beam or stone that spans an opening, as between the uprights of a door or window or between two columns or piers.

Live-work dwelling is defined as dwelling units used for both dwelling purposes and any nonresidential use permitted in that zoning district.

LEED -The Leadership in Energy and Environmental Design. The LEED Green Building Rating System™ is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings.

Loggia is defined as a space within the body of a building but open to the air on one side, serving as an open-air room or as an entrance porch.

Monolithic street facade defined as a street façade that is imposing in size or bulk or is characterized by massiveness and total uniformity.

New car sales shall have the meaning as defined in Minn. Stat. § 168.27, as amended.

Photometric is defined as the measurement of the properties of light, especially luminous intensity.

Pitched roof is defined as any of the following:

Gable roof -- a roof with a central ridge line and vertical wall ends.

Gambrel roof -- a roof with a double pitch terminating in a small gable at the ridge.

Hip roof -- a roof with sloped instead of vertical ends.

Mansard roof is a roof having a double slope, the lower pitch being longer and steeper than the upper.

Plaza is defined as an area used for public purposes, such as outdoor seating, outdoor gathering areas or landscaped courtyard but cannot be used for outdoor sales or storage or for a parking space or drive lane.

School is defined as a public or private school having a course of instruction approved by the Minnesota Board of Education for students enrolled in grades K-12, or any portion thereof.

Signs

Freestanding sign is a sign that is supported by one or more uprights, poles or braces in or upon the ground.

Monument or ground sign is a sign not supported by exposed posts or poles that is architecturally designed and located directly at grade, and where the base width dimension is fifty percent (50%) or more of the greatest width of the sign.

Pylon sign is a sign supported by a column-type structure that is firmly set in or below ground surface and finished in a material consistent with the sign.

Sandwich board sign is a sign not supported in the ground, nor attached to or erected against a permanent structure and is capable of being moved.

State licensed residential facility or housing with services establishment is defined as a residential facility registered under Minnesota Statutes Chapter 144 D.

State licensed day care facilities is defined as a day care facility licensed by the State of Minnesota.

Group family day care facilities are day care facilities licensed under Minnesota Rules 9502.0315 to 9502.0445.

Used car sales shall have the meaning as defined in Minn. Stat. § 168.27, as amended.

Vehicle.

1. The definitions in Minn. Stat. § 168.011, as amended, are hereby adopted by reference.
2. Midsize vehicle means any motorized vehicle or trailer more than twenty-two (22) feet and up to twenty-five (25) feet in length, or more than 12,000 pounds and up to 15,000 pounds gross vehicle weight.
3. Oversized vehicle means any motorized vehicle or trailer more than twenty-five (25) feet in length or more than 15,000 pounds gross vehicle weight.
4. Stored vehicle means a parked vehicle that has remained in the same location for seven (7) consecutive days or more. Any vehicle moved less than 300 feet shall be deemed to have remained in the same location.

Wall pak is defined as a wall mounted light fixture, often used for outdoor security lighting and small general area lighting.

- (c) District and Sub-District Boundaries. The Main Street Mixed Use District (MS) shall include the Main Street Corridor from TH 10 to the eastern boundary of the City as shown on the official zoning map. The Main Street Mixed Use District (MS) shall be further divided into the following sub-districts:
- (1) West Main Street (WM) – from TH 10 to the Main Street Rum River Bridge.
 - (2) East Main Street Sub-District 1 (EM-1) – Historic Downtown Core – from immediately east of the Main Street Rum River Bridge to 5th Avenue.
 - (3) East Main Street Sub-District 2 (EM-2) – East of 5th Avenue to and including all properties that abut the intersection of 7th Avenue and Main Street.
 - (4) East Main Street Sub-District 3 (EM-3) – East of the East Main Street Sub-District 2 (EM-2) boundary as shown on the official zoning map.
- (d) Application of Standards. The Main Street Mixed Use District (MS) standards apply to the following within the Main Street Mixed Use District (MS):
- (1) All newly constructed buildings, structures or additions.
 - a. New additions may use exterior materials that are similar to the existing structure materials.
 - (2) All exterior improvements or renovations.
 - (3) Changes in exterior color to any building within East Main Street Sub-District 1 and 2 (EM-1 and EM-2).

- (4) Sign changes that require a building and/or sign permit.
- (5) All new or reconstructed parking areas with five (5) or more spaces.
- (6) Temporary signage.
- (e) Exemptions. The following are exempt from this Section:
 - (1) Projects involving only work, maintenance or repairs to the interior of a building or structure.
 - (2) Projects involving only ordinary maintenance or the replacement of similar or identical materials of an existing building.
- (f) Pre-existing structures. Any building, structure, parking area or sign that lawfully exists on the effective date of this Ordinance, which is otherwise not permitted under this Ordinance, may be continued in the same manner as existed before the effective date of this Ordinance. Buildings that are destroyed by an act of nature may be reconstructed with similar materials as existed prior to being destroyed. All redevelopment of properties shall be subject to the requirements of this Section.
- (g) Compliance. No conditional use permit, interim use permit, site plan approval, building permit, or sign permit shall be issued until the requirements of this Section have been met. It is the applicant's responsibility to provide the necessary information to City staff to determine compliance with this Section.
- (h) Permitted, Conditional, Interim, Accessory and Prohibited Uses.
 - (1) West Main Street Sub-District (WM).
 - a. Permitted Uses. The following uses are permitted uses in the West Main Street Sub-District (WM):
 - 1. Any permitted uses in the East Main Street Sub-District 1 (EM-1)
 - 2. Mortuaries, funeral homes and chapels
 - 3. Health, athletic or fitness clubs
 - 4. Veterinary clinics
 - 5. Pawn shops
 - 6. Tattoo parlors
 - 7. Group family daycare facilities serving fourteen (14) or fewer children
 - 8. Taxi, mini-bus service and facilities
 - b. Conditional Uses. The following uses are permitted in the West Main Street Sub-District (WM) upon obtaining a conditional use permit

1. New car sales or leasing, subject to the general standards for conditional uses and the following standards:
 - aa. A plan for the display of vehicles along with the required traffic circulation and parking plan, designating all vehicle storage and display areas with painted striping on a paved surface, providing widths of twelve feet (12') for one-way traffic and eighteen feet (18') for two-way traffic, and which will permit any displayed or stored vehicle to be moved off the premises without moving any other vehicle.
 - bb. Adequate employee parking, a minimum of three (3) customer parking spaces, plus one (1) additional space per 25 displayed or stored vehicles. All customer parking stalls shall be adequately signed. All parking areas shall be paved.
 - cc. Any lot used for the sale of vehicles shall have a total area of no less than one (1) acre.
 - dd. Operation of the business shall conform to the approved site plan.
 - ee. All vehicles parked or stored on-site shall be properly licensed. Open storage of automobile parts or storage of junk vehicles shall be prohibited. Vehicles shall be stored within an approved enclosed (fenced) storage area.
 - ff. The site shall have positive drainage.
 - gg. All site plans for newly-established car lots shall include a permanent building on footings, with restroom facilities, and connection with sewer and water, all in conformance with the building code, of a minimum size of four hundred (400) square feet. The exterior building walls shall consist of one or a combination of either face brick or "rock face" or "split face" concrete block.
2. Renting of vehicles, subject to the general standards for conditional use permits and the following:
 - aa. A plan for the display of vehicles along with the required traffic circulation and parking plan, designating all vehicle storage and display areas with painted striping on a paved surface, providing widths of twelve feet (12') for one-way traffic and eighteen feet (18') for two-way traffic, and which will permit any displayed or stored vehicle to be moved off premises without moving any other vehicles.
 - bb. The sale of vehicles shall be prohibited.

- cc. Any lot used for the renting of vehicles shall have a total area of no less than one-half acre.
3. Automobile service stations, gasoline and oil stations, subject to the general standards for conditional use permits and the following:
- aa. Temporary outside display of merchandise at service and gasoline stations is allowed as an accessory use. Such display shall be maintained in a neat and orderly fashion appurtenant to a permanent structure and shall not exceed 150 square feet or 5% of the gross building floor area, whichever is less.
 - bb. Pumps, pump islands, and canopies may be located in the front yard, except where located directly across from a residential zoning district, and provided they are not less than fifteen feet (15') from the property line.
 - cc. Temporary promotional signs affixed to freestanding signs, pumps, pump islands, canopies, or any structure other than the main structure shall be prohibited.
4. Automobile repair, subject to the general standards for conditional uses and the following:
- aa. All vehicles waiting for repair or pick-up shall be stored on the site within an enclosed building or in parking spaces in compliance with off-street parking regulations.
 - bb. All repairs shall be performed within a completely enclosed building.
 - cc. All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outside storage of automotive parts or storage of junk vehicles shall be prohibited except within an approved enclosed storage area.
 - dd. The sales of vehicles shall be prohibited.
 - ee. The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet (10') above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
5. Drive-up window or teller service as accessory to permitted use
6. State licensed residential facilities serving from 7 through 16 persons

7. State licensed day care facilities serving from 13 through 16 persons
 8. Group family daycare on non-residential properties
 9. Any other uses found to be of the same general character as any of the West Main permitted uses
 10. Churches, religious institutions
 11. Public or private schools, provided they do not include boarding or residential facilities
 12. Libraries
 13. Trade schools
 14. Vocational Schools
 15. Colleges, Universities, Institutions of Higher Learning
- c. Interim Uses. The following uses are permitted in the West Main Street Sub-District (WM) upon obtaining an interim use permit:
1. Rental of vehicles if accessory to a use other than new or used car sales
 2. Outside storage of more than three (3) mid-sized vehicles to allow overnight parking
- d. Accessory Uses. The following accessory uses are permitted in the West Main Street Sub-District (WM):
1. Used car sales as an accessory use to new car sales
 2. Renting or leasing vehicles as an accessory use to new car sales
 3. Transit facilities
 4. Information kiosks
- e. Prohibited Uses. The following uses are prohibited in the West Main Street Sub-District (WM):
1. Residential facilities whose purpose is to treat juveniles who have violated criminal statutes related to sex offenses or who have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses
 2. Amusement arcades
 3. Distribution buildings or beverages
 4. Yards for storage, sale and distribution of building materials

5. Multi-screen movie theatres with more than five screens
 6. Hospitals
 7. Manufacturing/warehousing facilities
 8. Any use not specifically listed as permitted, conditionally permitted, permitted with an interim use permit, or as allowed elsewhere in the City Code, shall be considered prohibited. A prohibited use may be changed to a permitted, conditionally permitted or interim use upon amendment of this Chapter.
- (2) East Main Street Sub-District 1 (EM-1) – Historic Downtown Core.
- a. Permitted Uses. The following uses are permitted in the East Main Street Sub-District 1 (EM-1):
 1. Retail stores
 2. Retail services such as eyeglass fitting, quick printing, tailor shops, etc.
 3. Dine in restaurants
 4. Fast-food restaurants without drive-through
 5. Convenience stores
 6. Offices, such as administrative, executive, professional, governmental, medical, research, without merchandising services
 7. Medical and dental clinics
 8. Hotels/motels
 9. Bakeries
 10. Dry-cleaning pick-up
 11. Live theatre
 12. Multi-family residential buildings
 13. Live/work dwellings
 14. Assisted living facilities
 15. Essential facilities and services, including electrical, gas, water, sewer distribution and collection lines, pumping facilities for water and sewer systems, rights-of-way for transportation modes, and telephone switching lines
 16. Police and fire stations
 17. Banks, savings and loan, insurance offices

18. Personal service and repair establishments such as barber, beauty shops, shoe repair, etc.
19. Hardware and craftsman shops
20. Grocery stores
21. Parking ramps or lots
22. Coffee shops
23. Brew pubs
24. Liquor stores
25. Attorneys
26. Professional portrait studios and film shops
27. Specialty food markets
28. Employment agencies
29. Dance and music studios, martial arts, judo, boxing
30. Laundromats
31. Clubs, lodges
32. Wellness centers
33. Parks
34. Microbrewery with taproom, subject to the following standards:
 - aa. The establishment must include a taproom that is open a minimum of 2 days or 8 hours per week.
 - bb. The malt liquor sold for consumption at the business must be produced by the brewer on the licensed premises.
 - cc. The malt liquor may be sold to other bars, restaurants or wholesalers for distribution on a limited scale according to Federal and State regulations.
 - dd. The bottling process shall be manual or semi-automated, not fully automated.
 - ee. The establishment shall obtain all applicable Federal, State, and City licenses.
 - ff. A microbrewery located at street level shall provide at least 50% of the total floor space at the front one-half of the building to be used for sales, tasting, or restaurant purposes.
35. Microdistillery with tasting room/cocktail room, subject to the following standards:

- aa. The establishment must include a tasting room/cocktail room that is open a minimum of 2 days or 8 hours per week.
 - bb. The distilled spirits sold for consumption at the business must be produced by the brewer on the licensed premises.
 - cc. The distilled spirits may be sold to other bars, restaurants or wholesalers for distribution on a limited scale according to Federal and State regulations.
 - dd. The bottling process shall be manual or semi-automated, not fully automated.
 - ee. The establishment shall obtain all applicable Federal, State, and City licenses.
 - ff. A microdistillery located at street level shall provide at least 50% of the total floor space at the front one-half of the building to be used for sales, tasting, or restaurant purposes.
- b. Conditional Uses. The following uses are permitted in the East Main Street Sub-District 1 (EM-1) upon obtaining a conditional use permit:
- 1. Fast food restaurants with drive through
 - 2. Drive-up windows or teller service as accessory use to permitted use
 - 3. Churches, religious institutions
 - 4. Libraries
 - 5. Public or private schools provided they do not include boarding or residential facilities
 - 6. Trade schools
 - 7. Vocational schools
 - 8. Colleges, Universities, Institutions of Higher Learning
 - 9. A State licensed residential facility serving from seven (7) through sixteen (16) persons as allowed under Minnesota Statutes 462.357 Subd. 8, as amended.
 - 10. A State licensed daycare facility serving from thirteen (13) through sixteen (16) persons allowed under Minnesota Statutes 462.357 Subd. 8, as amended.
 - 11. Any other uses found to be of the same general character of the East Main 1 permitted uses
- c. Accessory Uses. The following are permitted accessory uses in the East Main Street Sub-District 1 (EM-1) sub-district:

1. Transit facilities
 2. Information kiosks
 3. Farmer's markets
- d. Prohibited Uses. The following uses are prohibited in the East Main Street Sub-District 1 (EM-1):
1. Amusement arcades
 2. Distribution station for beverages
 3. Manufacturing/warehousing facilities
 4. Yards for storage, sale and distribution of building materials
 5. Multi-screen movie theatres with more than five screens
 6. Hospitals
 7. Gas or service stations
 8. Tobacco Shops.
 9. Any Commercial Use Selling Drug Paraphernalia.
 10. Medical or Recreational Marijuana Dispensaries.
 11. Tattoo shops.
 12. Body Piercing Shops.
 13. Pawn Shops.
 14. Electronic Cigarette/Vaporizer Shops.
 15. Any uses not specifically listed as permitted, conditionally permitted, permitted with an interim use permit, or as allowed elsewhere in the City Code, shall be considered prohibited. A prohibited use may be changed to a permitted, conditionally permitted or interim use upon amendment of this Chapter.
- (3) East Main Street Sub-District 2 (EM-2)
- a. Permitted Uses. The following uses are permitted in the East Main Street Sub-District 2 (EM-2):
1. All permitted uses listed in the East Main Street Sub-District 1 (EM-1)
 2. Medical or dental laboratories
 3. Mortuaries, funeral homes and chapels

- b. Conditional Uses. The following uses are permitted in the East Main Street Sub-District 2 (EM-2) upon obtaining a conditional use permit:
 - 1. All conditional uses listed in the East Main Street Sub-District 1 (EM-1).
 - 2. Group family daycare on non-residential properties
 - 3. Any other use found to be of the same general character of the East Main Street Sub-District 2 permitted uses
- c. Interim Uses. The following uses are permitted in the East Main Street Sub-District 2 (EM-2) upon obtaining an interim use permit:
 - 1. Overnight parking of more than three (3) mid-sized vehicles
- d. Accessory Uses. The following accessory uses are permitted in the East Main Street Sub-District 2 (EM-2):
 - 1. Transit facilities
 - 2. Information kiosks
- e. Prohibited Uses. The following uses are prohibited in the East Main Street Sub-District 2 (EM-2):
 - 1. Residential facilities whose purpose is to treat juveniles who have violated criminal statutes related to sex offenses or who have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use under subsection (1) above.
 - 2. Amusement arcades
 - 3. Distribution buildings for beverages
 - 4. Manufacturing facilities
 - 5. Motor vehicle repair businesses
 - 6. Gas or service stations
 - 7. Yards for storage, sale and distribution of building materials
 - 8. Multi-screen movie theatres with more than five screens
 - 9. Hospitals
 - 10. Any use not specifically listed as permitted, conditionally permitted, permitted with an interim use permit, or as allowed elsewhere in the City Code, shall be considered prohibited. A prohibited use may be changed to a permitted, conditionally permitted or interim use upon amendment of this Chapter.

- (4) East Main Street Sub-District 3 (EM-3).
- a. Permitted Uses. The following uses are permitted in the East Main Street Sub-District 3 (EM-3):
1. Medical and dental clinics.
 2. Live/work dwellings.
 3. Mortuaries, funeral homes.
 4. Offices: administrative, executive, professional, governmental, medical, research, without merchandising services.
 5. Personal service and repair establishments such as barber and beauty shops, shoe repair, etc.
 6. Professional portrait studio and film shop.
 7. Retail services such as eyeglass fitting, quick printing, tailor shops, photo pick-up stations, etc.
 8. Single family residential dwellings.
 9. Multiple family residential dwellings.
 10. Libraries.
 11. Professional art or photo gallery.
 12. Parks.
 13. Essential facilities and services, including electrical, gas, water, sewer distribution and collection lines, pumping facilities for water and sewer systems, rights-of-way for transportation modes, and telephone switching lines.
 14. Assisted living facilities.
 15. Craft and artisan shops such as model making, rug weaving, woodworking, and similar activities.
 16. Mail order business.
 17. Antique shops
 18. Artist, author, composer, sculptor.
 19. Music and art teachers or other tutoring services.
 20. Coffee shops.
 21. Ice Cream Parlor.
 22. Sign making.

23. Bed and breakfast facilities.
 24. Book Store.
 25. Specialty Bakery.
 26. Flower Shop.
 27. Catering.
 28. Wellness Center.
 29. Boutiques, dress, and designer clothing shops.
 30. Candy store.
 31. Gift shop.
 32. Kitchen supply store.
 33. Cheese store.
 34. Specialty cigar shop.
 35. A State licensed residential facility or a housing with services establishment registered under Minnesota State Statutes Chapter 144 D, serving six (6) or fewer persons under Minnesota Statutes 462.357 Subd. 7, as amended.
 36. A State licensed day care facility serving twelve or fewer persons as allowed under Minnesota Statutes 462.357 Subd. 7, as amended.
- b. Conditional Uses. The following uses are permitted in the East Main Street Sub-District 3 (EM-3) upon obtaining a conditional use permit:
1. A state licensed residential facility serving from seven (7) through sixteen (16) persons as allowed under Minnesota Statutes 462.357 Subd. 8, as amended
 2. A State licensed daycare facility serving from thirteen (13) through sixteen (16) persons allowed under Minnesota Statutes 462.357 Subd. 8, as amended.
 3. Any other use found to be of the same general character of the East Main Street Sub-District 3 permitted uses.
- c. Prohibited Uses. The following uses are prohibited in the East Main Street Sub-District 3 (EM-3):
1. Residential facilities whose purpose is to treat juveniles who have violated criminal statutes related to sex offenses or who have been adjudicated delinquent on the basis of conduct in

violation of criminal statutes relating to sex offenses shall not be considered a permitted use under subsection (1) above.

2. Amusement arcades
3. Distribution buildings for beverages
4. Manufacturing facilities
5. Motor vehicle repair businesses
6. Gas or service stations
7. Yards for storage, sale and distribution of building materials
8. Multi-screen movie theatres
9. Hospitals
10. New or used car sales
11. Any use not specifically listed as permitted, conditionally permitted, permitted with an interim use permit, or as allowed elsewhere in the City Code, shall be considered prohibited. A prohibited use may be changed to a permitted, conditionally permitted or interim use upon amendment of this Chapter

(i) Bulk and Dimensional Standards.

- (1) The following tables establish bulk and dimensional standards for the Main Street Mixed-Use District:

West Main Street Sub-District (WM)

	Minimum	Maximum
Building height	----	40 feet
Building coverage	----	50%
Impervious surface	----	85%

Residential Setbacks

Front	30 feet	45 feet
Side	15 feet	----
Rear	20 feet	----

Commercial/Mixed Use

Front	10 feet	25 feet
Side	10 feet	----
Rear	20 feet	----

Parking setback and
Landscape area

Front	10 feet	----
Side	5 feet	----
Rear	5 feet	----

East Main Street Sub-Districts 1 and 2 (EM-1 and EM-2)

	Minimum	Maximum
EM - 1		
Commercial and Mixed Use Structures		
Front	0 feet	15 feet
Side	0 feet	15 feet
Rear	---	---
EM - 2		
Impervious Surface	----	75%
Multiple Family Residential Setbacks		
Front	15 feet	35 feet
North Side of Main Street	28 feet	48 feet
Side	0 feet	----
Rear	0 feet	----
Commercial/Mixed Use		
Front	15 feet	35 feet *
North Side of Main Street	28 feet	48 feet
Side	0 feet	----
Rear	0 feet	----

* The front yard setback abutting Main Street may be used as a plaza but no parking or drive lanes are allowed between a building and Main Street.

East Main Sub-District 3 (EM-3).

	Minimum	Maximum
Building height	----	40 feet
Building coverage	----	40%
Impervious surface	----	85%
Single Family Residential		35%
Residential Setbacks		
Multiple Family:		
Front	15 feet	35 feet
Side	10 feet	----
Rear	20 feet	----
Single Family:		
Front	25 feet	----
Side	10 feet	----
Rear	25 feet	----
Commercial/Mixed Use		
Front	15 feet	35 feet

Side	10 feet	----
Rear	20 feet	----

Parking setback and
Landscape area

Front	15 feet	----
Side	5 feet	----
Rear	5 feet	----

- (2) Density standards. Multiple family residential developments in the Main Street Mixed Use District (MS) shall be consistent with the density standards set forth in the R-4 High Density Residential standards. Density bonuses may be granted, in the sole discretion of the City Council, for developments that are consistent with this Section of the Ordinance.
- (3) Floor Area Ratios. Residential floor area ratios required in Chapter 74, Article V, Division 2, Section 74-211(b) shall apply to this Section.
- (4) Lot Area Requirements. Any single family residential lot in the Main Street Mixed Use District (MS) shall be consistent with the lot area requirements set forth in the R-4 High Density Residential standards.
- (5) Garages and Accessory Buildings. Any garage or accessory building located in the EM-3 sub-district shall be consistent with the garage and accessory building dimensional standards set forth in the R-4 High Density Residential district.

(j) Architectural Standards

(1) Facades.

- a. Visual breaks. The exterior of new buildings shall be designed with visual breaks through the use of decorative tile work, masonry (but not flat concrete block), belt courses of a different texture and color, projecting cornices, medallions, opaque or translucent glass, artwork, vertical articulation, lighting fixtures, or architectural elements not listed above as approved by the City Council.
- b. Width. A building more than 45 feet in width will be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of the following techniques:
 1. Division or breaks in materials
 2. Window bays
 3. Special treatment at entrances
 4. Subtle variation in rooflines and parapet detailing
 5. Building setbacks
 6. Awnings
 7. Repetitive increments
- c. Color Schemes. In the East Main Street Sub-District 1 (EM-1) sub-district, all exterior finish colors shall be consistent with the

acceptable color palettes then currently on file with the city department charged with such oversight.

- (2) Materials and Detailing.
- a. New buildings and structures, additions and renovations must be constructed of durable materials.
 - b. Where the original façade has been removed and replaced with an unsympathetic alteration, the reinstatement of earlier styles in keeping with the character of the building is encouraged.
 - c. In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of a combination of the following:
 1. An intermediate cornice line
 2. A difference in building materials or detailing
 3. An offset in the facade
 4. An awning, trellis, loggia or arcade
 5. Special window lintels
 6. Brick/stone corbels
 - d. In the East Main Street Sub-Districts 1 and 2 and West Main Street Sub-district (EM-1, EM-2 and WM), the primary exterior opaque materials on each elevation of a building, except for the service side, must be brick, stone, decorative masonry or similar materials or a combination thereof.
 - e. In the East Main Street Sub-Districts 1 and 2, and West Main Street Sub-district (EM-1, EM-2 and WM), no more than twenty-five percent (25%) of the building exterior opaque materials on each elevation, except for the service side of the building, shall be comprised of the following accent materials:
 1. Cast stone
 2. Wood shingles (cedar shingles 6 inch maximum exposure) for trim
 3. Lap siding, cedar or redwood (6 inch maximum width)
 4. Tongue and groove paneling cedar or redwood (6 inch width, no diagonal siding)
 5. Copper (untreated)
 6. Stucco and EFIS is not permitted in the underlying Historic Downtown Core District in East Main Street Sub-District 1 (EM-1).
 7. Cement board
 8. Glass (does not include windows)
 9. Dark anodized aluminum
 10. Materials that are similar in character to those listed above.
 - f. In the East Main Street Sub-District 3 (EM-3) the primary exterior opaque materials on each elevation of a building, except for the service side, must be brick, stone, decorative masonry, lap siding (cedar or redwood), aluminum, vinyl or fiberglass siding, or similar materials or a combination thereof.

- g. In the East Main Street Sub-District 3 no more than twenty-five percent (25%) of the building exterior opaque materials on each elevation, except for the service side of the building, shall be comprised of the following accent materials:
 - 1. Cast stone
 - 2. Wood shingles (cedar shingles 6 inch maximum exposure) for trim
 - 3. Tongue and groove paneling (cedar or redwood 6 inch width, no diagonal siding),
 - 4. Copper (untreated)
 - 5. Stucco
 - 6. Cement board
 - 7. Glass (does not include windows)
 - 8. Dark anodized aluminum
 - 9. Materials that are similar in character to those listed above.
- h. The following materials are not allowed as exterior opaque materials on new buildings in the East Main Street Sub-Districts 1 and 2, and West Main Street Sub-district:
 - 1. Painted or unpainted concrete block
 - 2. Aluminum, vinyl or fiberglass siding or roofing materials
 - 3. Precast concrete panels
 - 4. Painting of previously unpainted brick
 - 5. Wooden exteriors
- i. The following materials are not allowed as exterior opaque materials on new buildings in the East Main Street Sub District -3:
 - 1. Painted or unpainted concrete block
 - 2. Painting of previously unpainted brick
 - 3. Precast concrete panels
- j. For buildings in the downtown Historic Core as defined in Chapter 20, Heritage Preservation Regulations, exterior building material regulations set forth in said Chapter shall apply to this section.
- k. LEED (Leadership in Energy and Environmental Design) Standards. The City encourages the use of sustainable building materials and construction techniques in Main Street projects through programs such as the US Green Building's Council's LEED program.
- l. Alternative Designs or Materials. To encourage creativity, imagination, innovation, and variety in architectural design, the Planning Commission may recommend modifications of the requirements of this Section and the City Council may approve such modifications upon determining that the proposed

architectural design or exterior facade material(s) meets all of the following conditions:

1. The proposed design or material is consistent with the purposes of this section.
 2. The proposed design or material would enhance the architectural appearance of the building, and would be equal or superior to designs or materials permitted by this section.
 3. The proposed design or material would be in harmony with the character of adjacent buildings and the surrounding district.
- m. The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.

(3) Franchise or National Chain Architecture.

- a. Franchises or national chains with standardized architecture and signage shall comply with the standards contained in this Section. Aggressive and bright signage must be altered and scaled down to meet the intentions of these standards.

(4) Exterior Lighting.

- a. Exterior lighting shall be used to provide illumination for the security and safety of entry drives, parking, service and loading areas, pathways, courtyards and plazas, without intruding on nonadjacent properties and shall comply with the following standards:
 1. Poles and fixtures shall be architecturally compatible with structures and lighting on-site and on adjacent properties.
 2. Security lighting shall be adequate for visibility, but not overly bright.
 3. Metal halide lighting shall be used with a concealed light source of the “cut-off” variety to prevent glare and “light trespass” onto adjacent buildings and sites.
 4. Poles within landscaped areas and plazas shall have a maximum height of twenty feet (20’), measured from grade, and shall be coordinated with city standards.
 5. Poles in parking lots shall have a maximum height of 24 feet (24’) measured from finished grade.
 6. Lighting fixtures mounted directly on structures shall be permitted when utilized to enhance specific architectural elements or to help establish scale or provide visual interest.
 7. “Wall paks” shall be permitted only in loading and service areas and shall be down-lit and shielded from view.

8. Shielded illumination or fixtures shall be permitted to light building mounted signage, building facades, or pedestrian arcades if they are integrated into a building's architectural design.
9. Lighting should highlight entrances, art, terraces, and special landscape features.
10. Separate pedestrian scale lighting or other low level fixtures, such as bollards, shall be incorporated for all pedestrian ways through parking lots and drop-off areas at entrances to buildings.
11. All primary walkways, steps or ramps along pedestrian routes shall be illuminated.

b. Light intensity.

1. A photometric lighting plan is required for all proposed commercial developments to ensure that adequate and appropriate light levels are provided for each site condition.
2. Lighting shall not exceed 0.1 foot candle at residential property lines or 0.5 foot candle on non-residential property lines measured on a vertical plane.
3. The following minimum levels of illuminations must be maintained for each of the specific locations.*

Building entrances	5.0 foot candles
Sidewalks	2.0 foot candles
Bikeways	1.0 foot candles
Courts/Plazas/Terraces	1.5 foot candles
Ramps	5.0 foot candles
Stairways	5.0 foot candles
Underpasses	5.0 foot candles
Waiting Areas	1.0 foot candles
Parking lots	1.0 foot candles
Roadways	1.5 foot candles

* Values given are in minimum average maintained horizontal foot candles which are measured at the average point of illumination between brightest and darkest areas, 4' – 5' above the ground surface. (Source: IES Lighting Handbook – 4th Edition)

4. Site lighting should provide consistent levels of illumination, avoiding pockets of very high or low levels of illumination.

(5) Awnings.

- a. Use. Awnings may be allowed to enhance the historic character of Main Street. Awnings shall be primarily designed to protect pedestrians, display windows, and public entrances from the weather and to add color and visual interest to the street level façade. Awnings shall not be used for advertising but may contain

the name, phone number and logo. Such graphics shall be included in the overall square footage for allowed signage.

- b. Maintenance. Awnings shall be kept in good repair to maintain the original appearance and ensure public safety.
 - c. Dimensions.
 - 1. Awnings cannot extend across multiple storefronts and/or multiple buildings or exceed a width of forty feet (40') unless otherwise approved by the City Council.
 - 2. No portion of any awing shall extend nearer than four feet (4') to the face of the nearest curb measured horizontally. The pitch of the awning shall be from 10 to 40 degrees.
 - 3. All portions of any awning on the first floor of a building shall have a minimum clearance of eight feet (8') in height above the finished grade.
 - 4. No bubble type awnings are permitted unless they are used over a curved door entrance or a curved window.
 - d. Materials. Awnings must be constructed of durable, protective, water-repellent and fire-resistant fabric. The use of vinyl, plastic, rigid fiberglass, or metal panels shall be prohibited.
 - e. Color. Dark solid colors are suggested (i.e. dark brown, navy, blue, black, dark green, dark red).
 - f. Lighting. Backlit or illuminated awnings are not allowed.
 - g. Secured to Building. All awnings shall be securely attached to the building.
- (6) Signs. Signage shall be designed to be integral with the architectural character of the building to which they belong. Specifically, the scale, proportion and color shall be appropriate to the building to which the sign is attached. Elements to be considered include architectural appearance, sign size, type of illumination, sign motion, sign setback, surface colors, and message. The architectural appearance of the sign shall not be so dissimilar to the existing signage on surrounding buildings as to cause impairment in property value or constitute a blighting influence.

The following sections shall also apply to signs within the Main Street Mixed Use District (MS): Section 74.446 General Regulations; Section 74.447 Temporary Signs; and Section 74.445 Exempt Signs. If provisions of this section are in conflict with other standards in this chapter, the most restrictive shall apply. Residential signs shall be regulated by the provisions of Chapter 74, Article III related to residential signs.

- a. East Main Street Mixed Use Districts Sub-Districts 1, 2, and 3. (EM-1, EM-2, EM-3): Business signs, and nameplate signs are permitted, subject to the following regulations:

1. The total surface area of all business signs on a lot shall not exceed four (4) square feet per linear foot of lot frontage. Business nameplates shall not exceed the sum of three square feet for each lineal foot of lot frontage.
2. In the case of corner lots, the shortest length of all sides of the lot with frontage shall be used to calculate the permitted total surface area.
3. No single business sign surface shall exceed 200 square feet in area, nor shall two or more smaller signs be so arranged and integrated as to create a surface area in excess of 200 square feet.
4. Pylon signs are prohibited.
5. Monument signs are permitted. No monument sign or any part thereof may project higher than ten feet (10') above average grade at the building line. All portions of the sign must be set back a minimum of five feet (5') from the property line. Monument signs may not exceed forty (40) square feet and shall be included in the total calculation for site signage.
6. No freestanding sign shall be permitted within the sight triangle.
7. No rooftop signs shall be permitted.
8. Integral roof signs are permitted.
9. Sandwich board signs are prohibited.
10. Consistently changing, flashing, moving, rotating, traveling, or scrolling electronic variable signs are prohibited.
11. Design details. Signs cannot block or obliterate design details, windows, or cornices of the building upon which they are placed.
12. In the East Main Street Sub-District 1 (EM-1) only: One hanging sign shall be permitted per storefront and shall be limited to 4½ square feet per side. The hanging sign and decorative supporting arm shall not project more than two feet from the building, and the lowest point of a hanging sign must be no less than eight feet above the sidewalk or ground. Hanging signs will not be included when calculating the total sign area allowed on a property.
13. In the East Main Street Sub-District 3 (EM-3) no neon, or light of similar appearance may be used for interior or exterior signage visible from Main Street, or to accentuate the building in any manner except for signs that display open or closed and provided such signage does not exceed 4 square feet.

- b. West Main Street Mixed Use District (WM): Business signs and nameplate signs are permitted subject to the following regulations:
1. One identification sign, not to exceed 32 square feet in area, for private educational institutions, community centers, rest homes, multiple family uses, nursing homes, and dental offices. It may be illuminated, but non-flashing. A second sign may be permitted if located at a primary entrance onto West Main Street.
 2. For single-tenant business, professional office, and retail buildings a business sign not exceeding 40 square feet in surface area or four percent of street façade wall area upon which it is placed, whichever is greater, and indicating only the name and address of the building, occupant or management, may be displayed. For corner lots, two such signs, one facing each street, shall be permitted.
 3. Signage shall be limited to 200 square feet in area, including all signs, with not more than 150 square feet of signage attached to the building and not more than 60 square feet of ground sign.
 4. Pylon signs are permitted. Businesses that have frontage on two arterial streets may have two pylon signs but may not exceed 200 square feet of total signage.
 5. For multi-tenant business, professional office, and retail buildings with multiple entrances, business nameplate signs shall be limited to one flat wall sign which shall not extend more than 18 inches from the face of the building or one awning sign. Each nameplate sign shall not exceed the sum of three (3) square feet for each lineal foot of frontage. Frontage is measured as the distance parallel to a parking area, public right-of-way, or other area in front of the space the tenant occupies.
 6. For multi-tenant business, professional office, and retail buildings where there is one common entrance to the inside of the building, one business nameplate sign is permitted which shall not extend more than 18 inches from the face of the building not exceeding 40 square feet or four percent (4%) of street façade wall area, whichever is greater. In no case shall the allowed signage exceed 150 square feet. Such sign shall be located above or next to the entrance of the building on the wall facing the public right-of-way. If the entrance to the building does not face the public right of way, a sign may be located on the wall facing the public right-of-way and a secondary sign no larger than 16 square feet may be located above or next to the entrance of the building.
 5. No freestanding sign may project higher than 25 feet above average grade at the building line and all portions of the sign must be setback a minimum of five (5) feet from the property line. No freestanding sign shall be permitted within the sight triangle.

6. Sandwich board signs are prohibited.
 7. Rooftop signs are prohibited.
 8. Integral roof signs are permitted.
 9. Signs shall not block or obliterate design details, windows, or cornices of the building upon which they are placed.
- (7) Building Relationship to Street and Pedestrian Area. In the East Main Street Sub-Districts 1 and 2 (EM-1 and EM-2), all new commercial, office, and mixed-use buildings shall provide a variety of active uses along a public street and/or major pedestrian corridor. This includes, but is not limited to, the use of multiple street-front shops or businesses, multiple entrances into large single tenant buildings and design treatments of entrances, windows, and facades. New buildings and developments shall comply with the following standards for building orientation and entrances.
- a. Buildings in the East Main Street Sub-District 1 (EM-1) will together create the “wall of buildings” effect associated with the traditional “Main Street” areas.
 - b. All buildings shall have at least one patron entrance facing an abutting public street, rather than the parking area. A building may have more than one patron entrance. Patron entrances shall be open to the public during all business hours.
 - c. Patron building entrances shall be architecturally emphasized and visible from the street by utilizing such design features as awnings, canopies, pillars, special building materials or architectural details.
 - d. Commercial or mixed-use structures that have over sixty (60) linear feet of frontage on a major pedestrian area, public sidewalk, or major street shall have a patron entrance onto the major pedestrian area, public sidewalk or major street. For building facades over 200 feet in length facing a street, two or more patron entrances on the street must be provided.
 - e. Building entrances shall incorporate arcades, roofs, porches, alcoves, porticoes and awnings that protect pedestrians from the rain and sun.
 - f. Buildings shall include changes in relief on fifteen percent (15%) of their facades, such as cornices, bases, window treatments, fluted masonry or other designs for pedestrian interest and scale.
 - g. Building facades greater than one hundred feet (100’) in length shall have offset jogs, using elements such as bay windows, recessed entrances or other articulation so as to avoid long continuous unbroken building facades.
- (8) Windows, Window Walls, Blank Walls and Design of Ground Floor on Non-residential Buildings.

- a. All development shall provide ground floor windows along facades, parks, plazas, or other public outdoor spaces. Required window areas must be either windows that allow views into working areas or lobbies or pedestrian entrances or display windows. Required windows shall have a sill no higher than four feet (4') above grade, except as follows:
 1. Where interior floor levels prohibit such placement, the sill height may be raised to allow it to be no more than two feet (2') above the finished floor level up to a maximum sill height of six feet (6') above grade.
- b. No less than twenty-five percent (25%) of the ground level facade facing Main Street shall be transparent (clear or lightly tinted, non-reflective) glass. The applicant must provide calculations of glass and solid surfaces. The use of shutters, louvers or interior blinds is allowed where privacy or restricted views are needed.
- c. Darkly tinted, frosted windows or any windows that block two way visibility are prohibited as ground floor windows along Main Street facades.
- d. All window frames must be dark anodized aluminum.

(9) Upper Story Setbacks.

- a. In the East Main Street Sub-District 1 (EM-1), upper story setbacks shall be required for structures over three (3) stories that are adjacent or across a street from residential or public park lands. Upper story setbacks shall be achieved by:
 1. Floors above the third floor or fifty feet (50') shall be stepped back a minimum of ten feet (10'); and
 2. All buildings shall be stepped back such that the height of the building façade does not exceed an angle greater than 45 degrees from the average street elevation, beginning at a point at the curb on the opposite side of the street.
 3. Exception. The Planning Director or designee may waive the setback requirements of this subsection provided that the applicant clearly demonstrates that the proposed project:
 - aa. Includes window treatments, entry placement, façade relief and other architectural treatments to provide visual interest and pedestrian-sensitive design at the street level and to maintain a human scale in the streetscape; and
 - bb. Extends the same architectural features above the ground floor level through variations in design, detail and proportion and by avoiding designs featuring a monolithic street facade.

(10) Roofs and Parapets.

- a. In the East Main Street Sub-District 1 (EM-1), rooflines must complement the character and design of historic East Main Street businesses.
- b. Sloped roofs are not allowed unless the roof form is concealed by a parapet or false front. Exceptions may be granted if the sloped roof is used on top of a multi-story building to reduce the overall height of the façade.

(11) Utility Areas, Mechanical Equipment and Screening.

- a. Utility areas, mechanical equipment and screening must be designed so that they do not detract from the aesthetic appeal of the district.
- b. Materials. The screening of exterior trash, storage areas, service yards, loading areas, transformers, heating, and air conditioning units must use the same materials, colors and/or style as the primary front façade materials.
- c. Roof Equipment. All roof equipment will be screened from public view so as not to be visible from the street. Equipment screens shall be well designed and detailed, using dark colors.
- d. Screening of utility areas. All exterior trash and storage areas, service yards, loading areas, heating and air conditioning units must be screened from view. Camouflaging heating and air conditioning units is an acceptable method of screening. The intent of the screening is to distract the view of these areas, not to provide total screening.

Trash collection areas shall be screened from public rights-of-way and adjacent uses through the use of a six-foot masonry wall enclosure and gate. Trash enclosures shall be compatible with the architectural character of the building they serve and shall incorporate similar materials and colors.

- e. Outdoor Merchandise Displays. Outdoor merchandise displays must be placed against the building or within the landscaped area between the sidewalk and the street. Outdoor merchandise displays shall be displayed only during business hours. No outdoor business display shall be located where it obstructs the line of sight of passing motorists.
- f. Open Storage. Open storage of material, merchandise offered at wholesale, items for salvage or disposal, or items used in the operation of the business, is prohibited.

(k) Landscaping. The use of window boxes, hanging flower baskets, vines and/or other seasonal landscaping is encouraged. Window boxes, hanging baskets and planters should be used around entries. Vines may be used to cover blank walls.

(l) Parking Requirements.

- (1) General regulations.

- a. Parking in the Main Street Mixed Use District (MS) must adequately serve the users without distracting from the compact design that makes it a successful commercial corridor.
 - b. Exceptions. It is recognized that there may be projects that require a departure from the requirements of this section in order to be feasible. Possible grounds to be considered in determining possible reasons for granting exceptions to this section are as follows:
 1. Safety
 2. Unique site or building characteristics
 3. Application of the standards would have a detrimental effect on the use of the property
 4. Public benefit
- (2) Off-street parking of vehicles.
- a. Off-street parking must be located on the side or rear of buildings in the East Main Street Sub-Districts 1,2 and 3 (EM-1,EM-2, EM-3). Parking will be allowed in the front yard of a lot that abuts an intersection of two major roadways (those designated as an A Minor Arterial or Major Collector Roadway) but is not permitted in front of a building along Main Street.
 - b. Oversized vehicles are prohibited from overnight parking in the Main Street Mixed Use District (MS) if visible from a public street.
 - c. Midsized vehicles are prohibited from overnight parking in the East Main Street Sub-District 1 (EM-1) if visible from a public street.
 - d. No more than three (3) midsized vehicles that are visible from a public street may be parked overnight on any one property used for commercial purposes in the East Main Street Sub-District 2 (EM-2) and the West Main Street Sub-District (WM) provided that sufficient off-street parking is available. Such midsized vehicles must be used primarily for business related purposes of a business located on the same property.
 - e. Vehicles on residential property are regulated by Section 74-487 of this Chapter.
 - f. Overnight parking of semi tractors and/or trailers, dump trucks, fire trucks, buses, recreational vehicles, boats, farm trucks or tractors, tank trucks, stored vehicles and special mobile equipment are prohibited regardless of length, height, or gross vehicle weight.
 - g. This section shall not prohibit vehicles or trailers from short-term parking or when loading, unloading, or rendering a service.

- i. This section shall not regulate the size of vehicles for sale, lease or rent provided such vehicles are located upon a property that has obtained a conditional use permit for such use.

- (3) Minimum Off-street parking. The following table establishes minimum parking standards for uses in the West Main Street and East Main Street Sub-Districts 2 and 3 (WM, EM-2 and EM-3); these requirements may be imposed for new mixed use or multiple family residential construction or upon a change in use in the East Main Street Sub-District (EM-1) that includes multi-family residential use if determined by the City Council to best serve the general welfare of the City.

Commercial Retail (per 1,000 sq. ft.)	4 spaces
Commercial Services (per 1,000 sq. ft.)	2 spaces
Office (per 1,000 sq. ft.)	2 spaces
Civic (per 1,000 sq. ft)	2 spaces
Fast Food Restaurant (150 sq. ft)	1 space
Dine-in Restaurant (40 sq. ft)	1 space
Hotel/motel (per room)	1 space
Residential Townhouse (per unit)	1.5 spaces
Residential Multifamily (per unit)	1.5 spaces
Other Uses – as determined by the Planning Director or designee	

- (4) Maximum Off-Street Parking. Provisions for maximum off-street parking shall be as follows:

Building Size	Maximum Parking
0-5,000 square feet	175% of total parking needed based on minimum required
5,001 – 9,999 square feet	Maximum stalls permitted at 5,000 sf. + $[0.5 * (\text{Building square footage} - 5,000) / 1,000]$ * Minimum stalls per 1,000 sf
10,000 square feet and greater	Maximum stalls permitted at 10,000 sf. + $[1.1 * (\text{Building square footage} - 10,000) / 1,000]$ * Minimum stalls per 1,000 sf

- (5) Shared parking. Shared parking between complementary uses is encouraged. Access, circulation, use and maintenance agreements are required as part of the overall development approval for uses with shared parking.
- (6) Parking lots. In instances where parking areas abut the street, the sidewalk edge must be delineated with landscaping, architectural fencing or other decorative features.
- (7) Vehicular circulation and parking. Parking and vehicular circulation shall comply with the following standards:
 - a. Parking drives and drive-thru (drive-up facilities) should be located away from building entrances, be designed to minimize pedestrian

conflicts, and shall not be located between the main building entrance and Main Street.

- b. Surface parking lots shall be oriented behind or to the sides of buildings unless otherwise allowed in this section.
- c. Parking ramps shall be designed to be architecturally integrated into the overall site and be made of comparable materials and decorative elements.

(m) Approval Process.

(1) Site Plan Procedures. All development proposals under Section 74.265 (d) 1 shall be reviewed under the site plan approval process as set forth in this subsection.

a. Application. Application for a site plan review shall be made to the Planning Department on forms provided by the City and shall be accompanied by the following:

- 1. A survey or plat of the property
- 2. Evidence of ownership or an interest in the property
- 3. The fee specified in the City's fee schedule
- 4. Information regarding project phasing and timing
- 5. Complete development plans as specified under Section 74.2 of the City Code, signed by a registered architect, civil engineer, landscape architect or other appropriate design professional, as required by the State building code
- 6. Architectural plans (for new construction), showing the following:
 - aa. Colored elevations of all sides of the building
 - bb. Type, color and samples of exterior building materials
 - cc. Typical floor plans
 - dd. Dimensions of all structures
 - ee. The location of exterior trash storage areas and of exterior electrical, heating, ventilation, and air conditioning equipment
 - ff. Utility plans including water, sanitary sewer, and storm sewer
 - gg. A plan showing landscape, lighting and signs
 - hh. Illustrations that show adjacent building elevations to show the scale of adjacent buildings and landscaping

- ii. Such other information as may be required by the City to process the application
- b. Public hearing. Upon receipt of a completed application, a date shall be set for a public hearing before the Planning Commission. The hearing will be held no less than ten (10) days after mailed notice is sent to the owners of the property located wholly or partially within 350 feet of the site. The Planning Commission shall submit its recommendation to the City Council. Following appropriate review, the Council shall make a decision regarding the application.
- (2) Other Approvals. In cases where there is uncertainty or disagreement about compliance with the standards of this section, the Planning Director or designee may refer development approvals, as listed in Section 74.265 (d) 2 through 6, to the Planning Commission and City Council to determine that the proposal meets the standards of this Section.
- (n) Enforceability.
 - (1) Violation. Unless expressly provided otherwise, it shall be a misdemeanor for any person or entity to violate any provision of the City Code, including this Section, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this Section. The term “misdemeanor” is defined in Minnesota Statutes Section 609.02, subd. 3, as amended. In addition to prosecuting a violation as a misdemeanor, the City may separately, or in conjunction with the misdemeanor prosecution, bring an action for specific performance to enforce any provisions of the City Code, including this Section, any rule or regulation adopted in pursuance of such provision, or any order lawfully enforcing the City Code, including this Section.

Section 74-266.

Transit Oriented Development District (TOD).

- (a) *Purpose and Intent of District.* The TOD Districts are designed and intended to encourage a mixture of residential, commercial and civic uses in proximity to the commuter rail station at densities and intensities that support and increase transit use. The districts are also intended to:
 - (1) Encourage a safe and pleasant pedestrian environment near the rail station and to limit conflicts between pedestrians and vehicles.
 - (2) Maximize access to transit.
 - (3) Encourage use of transit infrastructure.
 - (4) Provide parking in an unobtrusive manner.
 - (5) Reduce parking requirements by encouraging shared parking and alternative modes of transportation.
 - (6) Encourage a sense of activity and liveliness along the street level of building facades.

- (b) *Applicability.* The TOD District regulations shall apply to the TOD Districts as shown on the official zoning map.
- (c) *Definitions.* For the purposes of this Section, the following words and phrases shall have the meanings ascribed to them by this Section or Section 74-2 of the City Code. Words not defined shall have the plain meaning generally ascribed to them.

Congregate living. A non-institutional, independent group living environment that integrates shelter and service needs of seniors who do not need institutional supervision and/or intensive health care.

Data center. A facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.

Floor area ratio (FAR). The relationship between the amount of useable floor area permitted in a building and the area of the lot on which the building is located. FAR is calculated by dividing the gross floor area of a building by the total area of the lot.

Gross floor area. The sum, in square feet, of the gross horizontal areas of all floors of a building, as measured from the exterior walls of a building, including supporting columns and unsupported wall projections (except eaves, uncovered balconies, fireplaces and similar architectural features), or, if appropriate, from the center line of a dividing wall between buildings.

Laboratory, medical or dental. An establishment primarily engaged in providing professional analytic or diagnostic services to the medical profession, or to the patient, at the direction of a physician; or an establishment primarily engaged in making dentures, artificial teeth, and orthodontic appliances to order for the dental profession.

Live/work buildings. Live/work buildings are similar to townhouses; however, they have two entries: one to the ground floor and another to the residential unit above. The ground floor unit is typically used for small scale retail or service retail uses.

Mixed-use buildings. Buildings that accommodate a range of uses in a vertical format. Typically they contain retail or other active uses at grade and residential or offices on the upper floors. Community uses such as a day care or medical offices may also be located in a mixed-use building.

Research, development and testing laboratory. An establishment in which facilities for scientific research, investigation, testing or experimentation are located, but not facilities for the manufacture of products, except as incidental to the main purpose of the laboratory.

- (d) *Transit Oriented Development Districts.*
 - (1) *TOD – R: Transit Oriented Development District with a Residential Emphasis.*

This district is intended to facilitate the creation of compact, pedestrian-oriented neighborhoods. The resulting neighborhood would be predominantly residential in nature but may include existing commercial and new compatibly-scaled commercial areas.

Designation as a TOD – R is intended to create a zoning district with the following characteristics:

- a. Concentrations of multi-family and attached housing near the commuter rail station area with density decreasing as distance from the rail station increases.
- b. New non-residential uses that are transit-supportive.
- c. A pedestrian friendly environment that includes access to transit and pedestrian connectivity within the district.

(2) *TOD – E: Transit Oriented Development District with an Employment Emphasis.*

This district is intended to facilitate the creation of a high employment area in relatively close proximity to the rail station area. Streets and buildings should be arranged for pedestrian circulation. This district targets office and commercial uses. Designation as a TOD – E would create a zoning district with the following characteristics:

- a. Concentrations of jobs within ¼ mile of the rail station.
- b. Parking minimized by limiting the size and placement of parking lots.
- c. A highly pedestrian setting with an emphasis on pedestrian connectivity.
- d. An area of street level activity.

(e) *Use Regulations.* The following table indicates allowed land uses within the TOD Districts. As shown in the chart, P is for Permitted Uses; C is for Conditionally Permitted Uses; I is for Interim Uses; and N is for Not Permitted.

Uses that are not listed as permitted or permitted with a conditional use permit or interim use permit are considered prohibited. Surface parking lots not related to a particular use are not permitted unless used for public transit-related parking.

	TOD - R	TOD - E
Residential Uses		
Townhouse, rowhouse	P	N
Dwelling unit located at ground level (mixed-use building)	P	N
Dwelling unit located above ground floor (mixed-use building)	P	P
Live-work building	P	P
Congregate housing for senior populations	P	C
Apartments, condominiums, co-ops	P	P
Civic and Semi-Public Uses		
Schools for business, trade, dancing and music	N	C

	TOD - R	TOD - E
Day care centers in a mixed use building	P	P
Park and public recreation facilities	P	P
Transit stations and related parking facilities	P	P
Essential services	P	P
Commercial Uses		
Retail sales and service establishments, financial services (in a mixed use building).	P	P
Drive-through	N	C
Offices – general, medical, professional in mixed use building	P	P
Office in free-standing building	N	P
Service businesses such as beauty shops, barbershops, dry-cleaning drop-off/pickup (no on-site processing) in a mixed use building.	P	P
Data centers	N	C
Hotels	P	P
Conference center	C	P
Theaters (with structured parking)	N	P
Structured parking facilities	P	P
Restaurants, including open air or sidewalk cafes (in mixed use building)	P	P
Merchandise stands for outdoor sale of goods at street level (outdoor storage prohibited)	P	P*
Automotive services, detailing, car specialty services (not including body repair, major repair)	N	C
Outdoor sales in conjunction with a permitted use	N	P
Rental of vehicles (with limited outside storage)	N	C
Towing services (with no outside storage of vehicles)	N	P
Emergency services, ambulance services	N	P
Research, development and testing laboratory	N	P
Laboratory, medical or dental	N	P
Fabrication of office and computer equipment	N	P
Fabrication of apparel, leather products, and other products from prepared products	N	P
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	N	P
Radio and television broadcasting studios that do not require exterior towers, antennas or dishes.	N	P
Printing, publishing, bookbinding, blueprinting, newspaper publication	N	P
Internet publishing and broadcasting	N	P
Motion picture and sound recording industries	N	P
Administrative support services	N	P
Fitness and recreation centers	P **	P
Catalog and mail order	N	P
Medical appliance assembly	N	P
Biotechnology	N	P
Accessory uses	P	P
National, Regional or Micro Brewery with Taproom	N	C
Brewpub	N	P

* This use shall meet all requirements and obtain appropriate licenses as required in Chapter 22 (of the City Code), Article IV Peddlers, Solicitors and Transient Merchants.

** In a mixed-use building.

- (f) *Site Plan Approval Required.* A site plan approval is required for all new construction in a TOD District.
- (1) Application. Application for a site plan review shall be made to the Planning Department on forms provided by the City and shall be accompanied by the following:
- a. A survey or plat of the property.
 - b. Evidence of ownership or interest in the property.
 - c. The fee specified in the City's fee schedule.
 - d. Information regarding project phasing and timing.
 - e. Complete development plans as specified under Section 74.2 of the City Code, signed by a registered architect, civil engineer, landscape architect or other appropriate design professional, as required by the State Building Code.
 - f. Architectural plans (for new construction), showing the following:
 1. Colored elevations of all sides of the building.
 2. Type, color and samples of exterior building materials.
 3. Typical floor plans.
 4. Dimensions of all structures.
 5. The location of exterior trash storage areas and of exterior electrical, heating, ventilation, and air conditioning equipment.
 6. Utility plans including water, sanitary sewer, and storm sewer.
 7. A plan showing landscaping, lighting and signs.
 8. Illustrations that show adjacent building elevations to show the scale of adjacent buildings and landscaping,
 9. Such other information as may be required by the City to process the application.
- (2) Public hearing. Upon receipt of a completed application, a date shall be set for a public hearing before the Planning Commission. The hearing will be held no less than (10) days after mailed notice is sent to the owners of property located wholly or partially within 350 feet of the site. The Planning Commission shall submit its recommendation to the City Council. Following appropriate review, the Council shall make a decision regarding the application.
- (g) *Specific Conditional Use Permit Standards.* The standards in this sub-section apply to the uses that are listed as conditional uses within the TOD districts and shall apply in addition to the general criteria for granting conditional use permits.
- (1) *Congregate Housing for Senior Populations.*

- a. Any on-site services shall be for the residents of the facility only.
 - b. A designated area for the short-term parking of vehicles engaged in loading and unloading residents shall be provided. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.
- (2) *Commercial schools and professional training facilities.*
- a. All activities shall be conducted within an enclosed building.
 - b. To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings. Exterior building materials shall be harmonious with other buildings in the neighborhood.
 - c. An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.
- (3) *Drive-through.*
- a. Curb-cut entrances for queuing driveways and exit driveways shall be consolidated with any other driveway entrances or exits on the site.
 - b. A minimum of one hundred feet (100') leading to the drive-up window for one lane and sixty feet (60') per lane when more than one lane shall be provided for queuing.
 - c. The queuing area shall not contain any pedestrian crosswalks or sidewalks. Driveway lanes shall be designed so that queuing vehicles do not interfere with other vehicle and pedestrian circulation on the site.
 - d. Driveways shall not be located between a principal building and the street, or if a corner site, all adjacent roadways.
 - e. All queuing lanes shall be clearly identified using striping, landscaping, and/or signs. Drive-up windows shall be located to the rear or side of a building.
- (4) *Conference Center.*
- a. Restaurants that are accessory to the conference center shall only be permitted if located within the conference center building.
 - b. Stores, shops and service facilities located within the conference center building are a permitted accessory use. Such facilities shall be primarily for the use and convenience of guests.

(5) *Automotive Services.*

- a. All vehicles parked or stored on site shall display a current license plate with a current license tab.
- b. Outside storage of any kind is prohibited.
- c. Junk vehicles may not be located outside at anytime.
- d. All vehicles, other than junk vehicles, waiting for repair or pick-up shall be stored on the site within an enclosed building or in parking spaces in compliance with Section 74-266.
- e. As a condition of approval, the Planning Commission and City Council may limit the amount of vehicles that may be stored overnight.
- f. All repairs shall be performed within a completely enclosed building.

(6) *Vehicle Rental.*

- a. All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automotive parts or storage of junk vehicles shall be prohibited.
- b. No fuel pumps shall be provided on site.
- c. Parking areas must be in conformance with the parking requirements set forth in this section.
- d. The sale or repair of vehicles shall be prohibited.
- e. As a condition of approval, the Planning Commission and City Council may limit the number of vehicles displayed for rent on the site.

(h) *Bulk and Dimensional Standards.* The following requirements apply to all buildings or uses in a TOD District unless otherwise specified.

(1) *Height and Setbacks.*

	Residential Townhouse	Residential Apt., Condo, Co- op	Mixed – Use Building	Commercial, Civic not in Mixed-Use Building
Height	3 stories or 35 feet, whichever is less	2 stories minimum 4 stories maximum*	2 stories minimum 4 stories maximum*	No minimum 4 stories maximum*
Setbacks	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 8 feet Side: 10 feet Rear: None required	Front: Maximum of 8 feet Side: 10 feet Rear: None required

* Maximum height may be increased upon issuance of a Conditional Use Permit. Single-story buildings shall have a foot print of no more than 15,000 square feet.

a. Height and Setback Standards.

1. If new construction incorporates an existing structure located within a minimum setback, the Planning Director or designee may allow the setback for the building addition to be reduced to the established setback.
2. All above ground utility structures associated with electric, natural gas, telecommunication, cable television distribution lines, pipes, conduits or other public utilities shall be located behind the minimum setback unless otherwise approved as part of the site plan approval. This applies to air vents, utility boxes and back-flow preventers.
3. Driveways may cross the front setback, but shall be as near as perpendicular to the street for pedestrian safety and to minimize the intrusion into any landscaped area.
4. Balconies may project up to two feet (2') over the right-of-way, subject to an approved sidewalk encroachment agreement. Balconies shall have a minimum clearance of ten feet (10') from grade.
5. Side and rear yards adjacent to properties zoned for single-family residential (R-1). When a lot abuts an existing single-family residence or a property that may be used for single-family residential purposes, a minimum side yard of fifteen feet (15') and a rear yard of twenty-five feet (25') shall be required.
6. Maximum height adjacent to single family residential. The permitted maximum height shall be determined by the distance of the structure to the boundary line of the nearest single-family residential district. Any required side or rear yard setback shall be increased one foot for each additional foot of height.

(2) Minimum residential density.

- a. Residential developments and the residential components of mixed-use buildings shall have a minimum density of eleven (11) dwelling units per acre. Densities shall be based on the residential portion of the site.
- b. For large and phased projects, the residential density for each phase shall meet or exceed the minimum density requirements. If phases cannot meet this requirement, but the overall master plan for the development meets or exceeds the minimum

density requirement, then approval may be granted for phases that meet at least eighty percent (80%) of the minimum density requirements.

- (3) Floor area ratio (FAR).
- a. The total minimum floor area ratio of buildings on a development site shall not be less than 0.50 square feet of floor area to 1 square foot of the development site (0.50 FAR). The FAR shall apply to all non-residential uses except for civic uses and residential uses in mixed use buildings.
 - b. For large or phased projects, the FAR for each phase shall meet or exceed the minimum FAR requirements. If phases cannot meet this requirement, but the overall master plan meets or exceeds minimum FAR requirements, approval may be granted for phases that meet at least eighty percent (80%) of the minimum FAR requirements.
 - c. Plazas, courtyards, outdoor cafes, rooftop gardens, and widened public sidewalks that enhance pedestrian spaces and amenities can be credited toward meeting the minimum required FAR. If the pedestrian space/amenities are available to the public, then the square footage of the amenity shall be credited at one hundred percent (100%). If private, then the square footage shall be credited at fifty percent (50%). In no instance shall more than twenty percent (20%) of the pedestrian area be credited toward the required FAR.
 - d. An FAR credit of fifty percent (50%) shall be given for structured parking facilities that devote at least seventy-five percent (75%) of the linear street level frontage of the building to retail, office, civic or institutional uses. Similarly, an FAR credit shall also be given for structured parking facilities that provide such uses above the street level and/or on any other side of the building.
 - e. The following uses are exempt from meeting the minimum FAR requirement:
 1. Transit stations (bus or rail), parking facilities for such facilities, and bus shelters.
 2. Existing development and expansions of existing developments.
 3. Public parks and playgrounds.
 4. Utilities and related facilities.
- (i) *Open Storage Prohibited.* Except as otherwise specified in this section, outside storage shall be prohibited in the TOD districts.
- (j) *Open Space Requirement.* Developers will be expected to work with the city to provide a minimum of five percent (5%) of the project site as open space. The open space may be designed as a square, plaza, terrace, or green, with a variety

of landscaped and paved surfaces and seating areas. This requirement may be waived in cases where the City’s master plan specifies the location and design of open space.

(k) *Parking Requirements.*

- (1) For purposes of this section, new uses within a TOD District shall be required to meet the minimum/maximum parking spaces as shown in the following chart. All square footage is measured as ‘gross footage.’)

USE	MINIMUM/MAXIMUM NUMBER OF PARKING SPACES
Residential	Maximum of 1.6 parking spaces per dwelling unit
Restaurants	Minimum of one parking space per 75 square feet of restaurant seating space but no more than one space per 150 square feet of restaurant seating space.
Retail, Office, and Service	Maximum of one space per 250 square feet
Other permitted uses	Maximum of one space per 500 square feet

- (2) The required/permitted number of parking spaces for any building within the TOD District, including mixed-use buildings, shall be the sum total of the requirements for each use in the building.
- (3) Parking maximums may be exceeded under the following circumstances, if one or more of the following is provided.
- a. If structured or underground parking is provided on site, parking may be exceeded by twenty-five percent (25%).
 - b. If a shared parking agreement is executed, parking may be exceeded by twenty percent (20%).
 - c. If all parking spaces are located behind the building and are not visible from the public right-of-way, parking may be exceeded by ten percent (10%).
 - d. If driveways and access points are shared by at least two adjacent properties, parking may be exceeded by ten percent (10%).
 - e. If a provision is made for combining or interconnecting adjacent parking lots and pedestrian access points, parking may be exceeded by ten percent (10%).
 - f. In no case shall the cumulative increase in parking exceed twenty-five percent (25%).
 - g. A twenty-five percent (25%) parking reduction in the minimum number of parking spaces required is allowed if the principal use is located within 800 feet of a parking facility with public spaces available to the general public or within 800 feet of a public transit park and ride facility with an approved joint use agreement.

(4) The off-street parking standards shall conform to the general requirements for off street parking located in Article IX, Division 2 of this Chapter, except as otherwise provided for in this section.

(5) No surface parking or maneuvering space shall be permitted within a required setback or between the primary structure and the front yard, except that driveways providing access to the parking area may be installed across these areas. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible for pedestrian safety and to minimize intrusion into the landscaped areas.

a. Exceptions. It is recognized that there may be development that require a departure from the requirements of this section be developed and capitalize on the site attributes unique to individual sites based on location. Criteria to be considered in determining an exception to this section are as follows:

1. Sites with housing adjacent to the river:

Housing along the Rum River shall capitalize on the riverfront views and the parking may be located between the primary structure and the street right-of-way to preserve the views to the river.

2. Sites that are surrounded on all sides by street right-of-way:

Buildings and parking shall be placed on sites balancing visibility along Highway 10 with the desire for a strong building presence along Pierce Street. Perimeter surface parking is allowed with enhanced tree planting, landscaping, and site amenities.

3. Sites adjacent to Buchanan Street:

Properties with primary access off of Buchanan Street shall have parking in the rear and sides of the building and provide strong pedestrian connections from the parking and Buchanan Street. Parking is allowed adjacent to commercial/industrial service streets as designated in the Anoka Station Master Plan as long as parking lots are well landscaped and screened.

b. The Planning Commission may recommend and the City Council may approve the proposed development upon determining that the proposed site design meets one of the criteria for granting an exception for parking. If the development meets the criteria for an exception, for commercial and industrial uses, no off-street parking or loading shall be located within ten (10) feet of any property line. For residential uses, no off-street parking or loading shall be located within five (5) feet of any property line.

- (6) On-street parking spaces located along the portion of a public street(s) abutting the use where parking is currently permitted may be counted toward the minimum number of parking spaces as required by this section. Those on-street parking spaces must be located on the same side of the street as the use, have a dimension of at least twenty feet (20') in length, and be located in areas approved by the City's Public Services Department. On-street parking directly across the street from the use may be counted if that parking abuts property that is undevelopable because of physical constraints.

In the event the City, County or State remove any on-street parking that was allowed to count toward the minimum requirement, the existing use shall not be required to make up the difference and shall not be made nonconforming with respect to parking.

On-street parking shall not be counted in calculating maximum parking spaces.

- (7) Parking requirements may be met on-site or off-site at a distance of up to 800 feet from the permitted use. Off-site parking to meet the requirements of this section may be provided through a lease, subject to the review and approval of the City.
- (8) Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than thirty-five percent (35%) of the total lot width.
- (9) Shared parking shall be permitted and encouraged.
- (10) Bicycle parking facilities are encouraged.
- (11) All parking areas for more than ten (10) motorized vehicles (except for parking areas for two-family and townhouse dwellings on a single lot) shall provide screening. If a wall is provided, then the area devoted to the wall shall be wide enough to allow for its maintenance. The screening may be eliminated if abutting parking lots are combined or interconnected with vehicular and pedestrian access.
- (12) Structured parking facilities shall meet the following additional requirements:
- a. At least fifty percent (50%) of the linear street level frontage of the facility shall be devoted to retail, office, civic, institutional, or residential uses. If seventy-five percent (75%) or more of the linear street frontage is devoted to such uses, then the total square footage of these uses shall be credited one hundred percent (100%) toward the required FAR minimums.
 - b. If retail, office, civic, institutional or residential uses are constructed on the rear or side of the facility or above the ground floor on the street frontage of the facility, then the total square footage of these areas shall be credited one hundred percent (100%) toward the required FAR minimums.

- c. Underground parking structures are permitted. Subsurface parking located in the minimum setback shall be permitted with an eight foot (8') clearance from the top of the subsurface structure to the sidewalk, subject to an approved encroachment agreement. No ventilation shall be permitted in the setback.
- d. A minimum nine foot (9') clearance shall be maintained on the first level and any additional level that provides disabled parking spaces. A minimum seven foot (7') clearance shall be maintained throughout the remainder of the parking deck to ensure the safe movement of vans and emergency vehicles.

(13) Loading standards.

- a. Non-residential buildings and structures, excluding parking structures, subject to the provisions of this Section, shall provide a minimum number of off-street service/delivery loading spaces. The loading spaces shall be designed and constructed so that all parking maneuvers can take place entirely within the property lines of the premises and shall not interfere with the normal movement of vehicles and pedestrians on the public rights-of-way. The loading spaces shall be a minimum of ten feet (10') by twenty-five feet (25') and shall be provided in accordance with the following:

Non-residential uses with gross floor area:

Less than 50,000 square feet	None required
50,000 – 150,000 square feet	One (1) space
Each additional 100,000 square feet	One (1) space

Existing buildings are exempt from these standards.

- b. No loading spaces shall be permitted within any required or established setback, or between the primary structure and the required setback, except that driveways providing access to the loading area may be installed across these areas.

(1) *Design Standards.*

(1) Architectural standards.

- a. Facades.
 - 1. Visual Breaks. The exterior of new buildings shall be designed with visual breaks through the use of decorative tile work, masonry (but not flat concrete block), belt courses of a different texture and color, projecting cornices, medallions, opaque or translucent glass, artwork, vertical articulation, lighting fixtures, or architectural elements not listed herein as approved by the City Council.
 - 2. Width. A building more than 45 feet in width shall be divided into increments of no more than 45 feet through articulation of the facade. This can be

achieved through combinations of the following techniques:

- aa. Division or breaks in materials
 - bb. Window bays
 - cc. Special treatment at entrances
 - dd. Subtle variations in rooflines and parapet detailing
 - ee. Building setbacks
 - ff. Awnings
 - gg. Repetitive elements
- b. Exterior Materials and Detailing.
1. New buildings and structures, additions and renovations must be constructed of durable materials.
 2. In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of a combination of the following:
 - aa. An intermediate cornice line
 - bb. A difference in building materials or detailing
 - cc. An offset in the facade
 - dd. An awning, loggia or arcade
 - ee. Special window lintels
 - ff. Brick/stone corbels
 3. The exterior opaque materials on each elevation of a building must be brick, stone, decorative masonry or similar materials or a combination thereof according to the table below. The brick, stone, or decorative masonry shall be focused on prominent architectural features, particularly the office components of the building, elevations that include a primary building entrance or multiple tenant entrances, corners of buildings, and the prominent building elevations fronting on public streets.

<u>Transit Village Uses</u>	<u>Percentage of building façade with brick, stone, or decorative masonry</u>		
	<u>Public Façade*</u>	<u>Side Façade</u>	<u>Interior Façade</u>
<u>Commercial Uses</u>			
<u>Retail</u>	<u>75%</u>	<u>75%</u>	<u>25%</u>
<u>Mixed Use</u>	<u>75%</u>	<u>75%</u>	<u>25%</u>
<u>Professional Office</u>	<u>75%</u>	<u>75%</u>	<u>25%</u>
<u>Office/Service/Flex</u>	<u>75%</u>	<u>75%</u>	<u>25%</u>
<u>Light Industrial/Flex</u>	<u>50%</u>	<u>25%</u>	<u>10%</u>
<u>Residential Uses</u>			
<u>Low Density Residential</u>	<u>25%</u>	<u>25%</u>	<u>10%</u>
<u>Medium Density Residential</u>	<u>50%</u>	<u>33%</u>	<u>25%</u>
<u>High Density Residential</u>	<u>50%</u>	<u>33%</u>	<u>25%</u>
<u>Senior Housing</u>	<u>50%</u>	<u>33%</u>	<u>25%</u>

*For purposes of the table above, the public façade shall be determined using the following definition:

Public Façade. Side(s) of a building that is visible from and within two-hundred feet (200') of a public street, rail line, public park, public plaza or other public open space,

4. The remaining percentage of the building exterior opaque materials shall be comprised of the following materials:
 - aa. Cast stone
 - bb. Wood shingles (cedar shingles with 6-inch maximum exposure)
 - cc. Lap siding, cedar or redwood (6 inch width, no diagonal siding)
 - dd. Tongue and groove paneling, cedar or redwood (6 inch width, no diagonal siding)
 - ee. Copper (untreated)
 - ff. Stucco and EFIS
 - gg. Cement board
 - hh. Glass (does not include windows)
 - ii. Dark anodized aluminum
 - jj. Materials that are similar in character to those listed above.
5. The following materials are not allowed as exterior materials:
 - aa. Painted or unpainted concrete block
 - bb. Aluminum, vinyl or fiberglass siding or roofing materials.
 - cc. Precast concrete materials, unless specifically approved by the City Council for a new commercial building.
 - dd. Painting of previously unpainted brick
 - ee. Wooden exteriors
6. LEED (Leadership in Energy and Environmental Design) Standards. The City encourages the use of sustainable building materials and construction techniques through programs such as US Green Building Council's LEED program.
7. Alternative Designs or Materials. To encourage creativity, imagination, innovation and variety in architectural design, the Planning Commission may recommend modifications of the requirements of this Section and the City Council may approve such modifications upon determining that the proposed architectural design or exterior facade(s) materials meet all of the following conditions:
 - aa. The proposed design or material is consistent with the purposes of this section.
 - bb. The proposed design or material would enhance the architectural appearance of the building and would be equal or superior to

designs or materials permitted by this section.

- cc. The proposed design or material would be in harmony with the character of adjacent buildings and the surrounding district.

(2) Screening standards.

- a. All service entrances, utility structures associated with a building, and loading docks and/or spaces shall be screened from the abutting property and from public view from a public street.
- b. Any fences or walls used for screening or other purposes shall be constructed in a durable fashion of brick, stone and other masonry materials specifically designed as fencing materials. The finished side of the fence shall face the abutting property. Chain link, wood, vinyl or barbed wire fences are not permitted.
- c. The composition of the screening material and the placement on the lot shall be left up to the discretion of the property owners as long as the intent of this Section is met. A wall cannot be substituted for a planting strip along any public street unless supplemented by landscaping.
- d. Landscaping used for screening shall be evergreen and at least four feet (4') tall with a minimum spread of two feet (2') when planted and no further apart than five feet (5'). Shrubs shall be adequately maintained so that an average height of five to six feet can be expected as normal growth within four years of planting. The average expected height may be reduced to four feet (4') for screening along public streets.
- e. The maximum height for walls and fences shall be six feet (6') or whatever is sufficient to visually screen the use but not less than four feet (4').
- f. Dumpsters, recycling containers, compactors, and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a six-foot high solid and finished masonry wall with closeable gates. In no instance shall a chain link fence, wood, vinyl or barbed wire fence be permitted.

(3) Buffer standards.

- a. All uses, other than single-family detached dwelling units, shall provide landscaping along all property lines abutting residentially used property located adjacent to a TOD District. This requirement also applies in situations where an alley with a right-of-way width of twenty-five feet (25') or less separates uses in a TOD District from a non-TOD residential property. Landscaping shall be provided along all property lines abutting the alley when adjacent to residential uses. Multi-family developments in a TOD District are exempt from this

landscaping requirement when they abut other multi-family uses.

- b. In no instance shall a chain link, wood, vinyl or barbed wire fence be permitted.

(4) Exterior lighting standards.

- a. Exterior lighting shall be used to provide illumination for the security and safety of entry drives, parking, service and loading areas, pathways, courtyards and plazas, without intruding on adjacent properties and shall comply with the following standards:
 - 1. Poles and fixtures shall be architecturally compatible with structures and lighting on-site and on adjacent properties.
 - 2. Security lighting shall be adequate for visibility, but not overly bright.
 - 3. Metal halide lighting shall be used with a concealed light source of the “cut-off” variety to prevent glare and “light trespass” onto adjacent buildings and sites.
 - 4. Poles within landscaped areas and plazas shall have a maximum height of twenty feet (20’), measured from grade, and shall be coordinated with city standards.
 - 5. Poles in parking lots shall have a maximum height of 24 feet (24’) measured from finished grade.
 - 6. Lighting fixtures mounted directly on structures shall be permitted when utilized to enhance specific architectural elements or to help establish scale or provide visual interest.
 - 7. “Wall paks” shall be permitted only in loading and service areas and shall be down-lit and shielded from view.
 - 8. Shielded illumination or fixtures shall be permitted to light building mounted signage, building facades, or pedestrian arcades if they are integrated into a building’s architectural design.
 - 9. Lighting should highlight entrances, art, terraces, and special landscape features.
 - 10. Separate pedestrian scale lighting or other low level fixtures, such as bollards, shall be incorporated for all pedestrian ways through parking lots and drop-off areas at entrances to buildings.
 - 11. All primary walkways, steps or ramps along pedestrian routes shall be illuminated.

b. Light Intensity.

1. A photometric lighting plan is required for all proposed commercial developments to ensure that adequate and appropriate light levels are provided for each site condition.
2. Lighting shall not exceed 0.1 foot candle at residential property lines or 0.5 foot candle on non-residential property lines measured on a vertical plane.
3. The following minimum levels of illumination must be maintained for each of the specific locations.*

Building entrances	5.0 foot candles
Sidewalks	2.0 foot candles
Bikeways	1.0 foot candles
Courts/Plazas/Terraces	1.5 foot candles
Ramps	5.0 foot candles
Stairways	5.0 foot candles
Underpasses	5.0 foot candles
Waiting Areas	1.0 foot candles
Parking Lots	1.0 foot candles
Roadways	1.5 foot candles

* Values given are in minimum average maintained horizontal foot candles which are measured at the average point of illumination between brightest and darkest areas, 4' – 5' above the ground surface. (Source: IES Lighting Handbook – 4th Edition.)

4. Site lighting should provide consistent levels of illumination, avoiding pockets of very high or low levels of illumination.

(5) Connectivity and Circulation. Transit oriented development uses shall be integrated with the surrounding area, easily accessible, and have a good internal circulation system for a variety of travel modes.

a. A pedestrian sidewalk system shall meet the following standards:

1. Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, open space, etc.). All internal sidewalks shall be finished with a hard surface as required by the City's Public Services Department.
2. External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system and to adjacent multi-use trails, parks and greenways. Sidewalks shall be constructed with a hard surface

and of a width as required by the City’s Public Services Department.

3. The on-site pedestrian circulation system shall be lighted to a level where employees, residents and customers can safely use the system at night.

(7) Urban Open Spaces.

- a. Urban open space for public congregation and recreational opportunities shall be required for all new buildings with a gross floor area greater than 50,000 square feet. Such buildings must provide useable open space behind the required setback and on private property proportionate to the building square footage according to the following schedule:

Lot Size	Open Space Requirement
0 – 20,000 sq. ft.	1 sq. foot/200 sq. feet (gross)
20,001 to 40,000 sq. ft.	1 sq. foot/150 sq. feet (gross)
40,001 + square feet	1 sq. foot/100 sq. feet (gross)

- b. Open space may be located on roofs of buildings or enclosed on the ground floor. A maximum of thirty percent (30%) of the required open space may be provided on an enclosed ground floor level.
- c. All required open space shall be accessible to the users of the building and shall be improved with seating, plantings, and amenities and be visible from the street or pedestrian areas.
- d. Floor area ratio credits are allowed for all new developments when the pedestrian space is available for use by the public, including widened sidewalk areas.

(m) *Street Design.*

(1) Street Walls.

- a. All non-residential buildings fronting directly on a street shall be designed so that the first floor street facade of the building(s) along all streets include clear glass windows and doors to create pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street on at least fifty percent (50%) of the length of the first floor street level frontage.
- b. For all other uses, buildings shall be designed so that the first floor street facade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from and/or accessible to the street on at least twenty-five percent (25%) of the length of the first floor street frontage. When this approach is not feasible, a combination of design elements shall be used on the building facade or included into the site design to animate and enliven the streetscape. These design elements may include but are not limited to the

following: ornamentation, molding, string courses, changes in material or color, architectural lighting, works of art, fountains and pools, street furniture, stoops, landscaping and garden areas, and display areas.

- c. The first floor of all buildings, including structured parking facilities, shall be designed to encourage and compliment pedestrian scale interest and activity.
- d. Expanses of blank walls shall not exceed twenty (20) continuous feet in length. A blank wall is a facade that does not add to the character of the streetscape and does not contain clear glass windows or doors or sufficient ornamentation, decoration or articulation.
- e. No reflective surfaces shall be permitted on street level exterior facades.
- f. Ventilation grates on the building or emergency exit doors located on the first floor street facade(s) shall be decorative and part of the overall building design.

(2) Base of multi-story buildings.

- a. The first three (3) floors above street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment. Such elements as cornices, corbelling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting and other sculpturing of the base as are appropriate shall be provided to add special interest to the base.
- b. In the design of the building facade, attention shall be paid to the appearance both during the day and at night. Material and color changes alone do not meet the requirements of this section. Design elements that are used to meet the requirements of this section shall be visually continuous around the building. In the event that a building facade is not visible from a public right-of-way, this requirement may be waived.
- c. Special attention shall be given to the design of windows in the base. Band windows are prohibited. Recessed windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are permitted.

(3) Top of buildings.

- a. All rooftop mechanical equipment on buildings over thirty-five feet (35') in height shall be screened from above or below (based on the type of mechanical equipment utilized) by integrating it into the building and roof design to the maximum extent feasible.

- (4) Building entrances and orientation. At least one or more operable pedestrian entrances per building shall be provided, unless if all three of the circumstances below exist, only two (2) entrances shall be required:
- a. When a lot abuts a public street right-of-way, at least one entrance shall be provided along all building facade(s) fronting all public rights-of-way.
 - b. When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to the public open space, multi-use trail, or greenway.
 - c. When abutting a sidewalk in the rail station area, an entrance(s) shall be provided on the building facade closest to the station area sidewalk.

- (5) Structured parking facilities.
- a. Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity. Such facilities shall be designed so that motorized vehicles parking on inside levels of the facility are screened from the street, the commuter rail station, and/or from residentially zoned or used property. Decorative elements such as grillwork or louvers may be utilized to accomplish this requirement.
 - b. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.

- (6) Canopies.
- a. Canopies, awnings, cornices and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material design to complement the streetscape of the area. Any such feature may extend from the building no more than four feet (4'). In no instance shall such feature extend over or interfere with the growth or maintenance of any required tree plantings. Minimum overhead clearance shall be eight feet (8'). Ground supports for these features are not permitted in the minimum setback, sidewalk or public right-of-way.

- (7) Signs, banners, flags and pennants.
- Signage shall be designed to be integral with the architectural character of the building to which it belongs. Specifically, the scale, proportion and color shall be appropriate to the building to which the sign is attached. Elements to be considered include architectural appearance, sign size, type of illumination, sign motion, sign setback, surface colors, and message. The architectural appearance of the sign shall not be so dissimilar to the existing signage on surrounding buildings as to cause impairment in property value or constitute a blighting influence.

Where signs, banners, flags and pennants for identification or decoration are provided, they shall conform to the following:

- a. Wall signs shall have a maximum of 150 total square feet or five percent (5%) of the building wall area occupied by the user, whichever is less. Wall signs may be increased by twenty (20) square feet per sign in lieu of a ground mounted or monument sign.
- b. Signs are permitted to project up to two feet (2') into the minimum setback as measured from the building. Under no circumstances shall a sign project more than four feet (4') from the back of the curb. A minimum overhead clearance of eight feet (8') from the sidewalk shall be maintained.
- c. Marquee signs are permitted.
- d. Ground mounted or monument signs are permitted as follows:
 1. Signs shall not exceed ten feet (10') in height and forty (40) square feet in area.
 2. Signs shall be located behind the right-of-way and out of any sight distance triangle.
 3. Signs shall be setback five feet (5') from any property line.
- e. No freestanding pole signs shall be permitted.
- f. No off-premise signs shall be permitted.
- g. The following sections shall also apply to signs within the TOD districts: Section 74-446 General Regulations; Section 74.447 Temporary Signs; and Sections 74.445 Exempt Signs. If provisions of this Section are in conflict with other standards in this chapter, the most restrictive shall apply. Residential signs shall be regulated by the provisions of Chapter 74, Article III related to residential signs.

(n) *Administrative Approval.*

To offer some degree of flexibility, the Planning Director has the authority to administratively alter any of the development and urban design standards by five percent (5%) in a TOD District. If administrative approval is required for parking or an item normally approved by the Planning Commission and City Council, the Planning Director or designee shall only grant approval after consultation with other city staff (city manager, public services, building inspections, fire chief, etc.).

On matters that do not involve quantitative measurements, the Planning Director or designee may also make minor alterations if he/she determines that such changes would be an acceptable design approach to development and would be in keeping with the general intent of TOD. Any such approval shall meet the following criteria:

- (1) Incorporates existing buildings, trees, topographic features, or other existing elements consistent with the TOD intent; and
- (2) Provides urban open space, seating, fountains, accent landscaping or other similar urban pedestrian amenities consistent with the intent of the TOD.

(o) *Preliminary Review.*

It is strongly recommended that anyone planning to develop or redevelop property in a TOD District meet with the Planning Department staff (1) during the conceptual design process in order that the staff may offer input into meeting the TOD design objectives and (2) during the design development stage to ensure that the plans meet the minimum TOD District standards.

(p) *Enforceability.*

Violation. Unless expressly provided otherwise, it shall be a misdemeanor for any person or entity to violate any provisions of the City Code, including this Section, any rule or regulation adopted in pursuance of any such provision, or any other order lawfully enforcing the City Code or this Section. The term “misdemeanor” is defined in Minnesota Statutes Section 609.02, subd. 3, as amended. In addition to prosecuting a violation as a misdemeanor, the City may separately, or in conjunction with the misdemeanor prosecution, bring an action for specific performance to enforce any provisions of the City Code, including this Section, any rule or regulation adopted in pursuance of such provision, or any order lawfully enforcing the City Code, including this Section.

Section 74-267.

South Ferry Riverfront District (SFRD)

(a) *Purpose and intent of the District.* The purpose of the standards for the South Ferry Riverfront District (SFRD) is to promote harmonious development, redevelopment and rehabilitation of structures in this district. It is intended that the standards will:

- (1) Protect the riparian areas and promote recreational use of this stretch of the Rum River.
- (2) Encourage the redevelopment of some areas adjacent to the river and to strengthen connections to and from the remainder of the City.
- (3) Encourage the transformation over time of certain areas to open space and mixed use development.
- (4) Improve the quality of development along the higher-volume South Ferry Street, which serves as a gateway into the City.
- (5) Encourage biking and walking.

(b) *Definitions.* The definitions in PART 6106.0050 DEFINITIONS as amended are hereby adopted by reference. For the purposes of this Section, the following words and phrases shall have the meanings ascribed by Section 74-2 of the City Code. Words not defined shall have the planning meaning generally ascribed to them.

(c) *Subareas and Intended Character.*

The SFRD has been divided into four subareas, each of which are intended to achieve the general character described below:

(1) Subarea 1– (North Mixed Use)

This area is intended to transition to a mix of high-density housing and a small area of commercial, with the Main Street frontage accommodating low-traffic commercial use and the Ferry Street frontage as high-density residential with gardens and walking paths along the river frontage.

(2) Subarea 2 – (Open Space – Low Density Residential)

This area is intended to transition to a mix of open space and low-density residential and/or commercial (restaurant, office, bed and breakfast) use of the existing historic property. The open space will provide prominent views of the river to enhance the gateway nature of South Ferry Street.

(3) Subarea 3 – (Low Density Residential)

This area is intended to preserve the low-density residential that exists along the corridor. Existing and future single family homes along the river in this area will complement the riverfront lots available to the community.

(4) Subarea 4 – (South Mixed Use)

This area is intended to transition to a mixed use area to include public and private recreation, lodging, restaurant(s), service retail, and high density residential. This area includes Peninsula Point Park which can accommodate an excursion boat service, docks, canoe launching and other additional recreational uses.

(d) *Permitted Uses*

Different uses are permitted in each subarea as shown in the following table. Abbreviations used in the table shall have the following meanings: “P” indicates that a use is permitted by right; “C” indicates a use that is permitted upon obtaining a conditional use permit; and “I” indicates a use that is permitted upon obtaining an interim use permit. A blank cell indicates that the listed use is not allowed in the respective subarea. Any uses not specifically listed as permitted, conditionally permitted, or permitted with an interim use permit, or as allowed elsewhere in the City Code, shall be considered prohibited.

Use Category	Subareas
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Specific Use	North Mixed Use 1	Open Space – Low Density Residential 2	Low Density Residential 3	South Mixed Use 4
RESIDENTIAL				
Single family detached		P	P	
Multiple dwelling	C			C
State licensed residential facility or housing with services under M.S. 144 D (6 or fewer)*		P	P	
A state licensed daycare serving 12 or fewer*		P	P	
A group family daycare facility licensed under Mn Rules 9502.0315 to 9502.445 to serve 14 or fewer*		P	P	
A state licensed residential facility serving from 7 to 16*	C			C
A state licensed daycare facility serving 13 to 16*	C			C
PUBLIC AND CIVIC				
Open Space	P	P	P	P
Parks/Recreation Facility	P	P	P	P
Utilities and public service	P	P	P	P
Cultural exhibits, museum		P		
Marinas				C

Use Category Specific Use	Subareas			
	North Mixed Use 1	Open Space – Low Density Residential 2	Low Density Residential 3	South Mixed Use 4
COMMERCIAL				
Sit down restaurant		P		C
Brewpub				P
*Uses permitted by Minn. Stats. § 462.357 Bed and Breakfast		C	C	C
Hotel/Motel				C
Office, administrative or professional				C
Service retail	P			P
Docks		C		C
Parking				P
OTHER				
Event Center (Conference Center)		C		C

(e) *Accessory Uses.* The following accessory uses are permitted in the South Ferry Riverfront District:

- (1) Transit facilities
- (2) Information kiosks
- (3) Accessory uses typical to residential use of property
- (4) Accessory uses typical to commercial use of property, if approved with the site plan approval.

(f) *Bulk and Dimensional Standards.* The following table includes the bulk and dimensional standards for each subarea in the SFRD. :

	Subarea 1	Subarea 2	Subarea 3	Subarea 4

Lot size – residential single family		15,000 sq. ft	15,000 sq. ft.	
Lot width – residential single family		75'	75'	
Building height	40'	35'	35'	35'
Building Coverage	50%			40%
Impervious Surface	85%	30%	30%	85%
Residential Setbacks – single family		Front 25' Side 10' Rear 25' Riparian 100'	Front 25' Side 10' Rear 25' Riparian 100'	
Residential Setbacks – multiple family	Front 15' min, 35' max Side 10' Rear 20' Riparian 75'			Front 15' min, 35' max Side 10' Rear 20' Riparian 100'
Commercial/Mixed use setbacks	Front 15' min, 35' max Side 10' Rear 20' Riparian 75'	Front 15' min, 35' max Side 10' Rear 20' Riparian 100'	Front 15' min, 35' max Side 10' Rear 20' Riparian 100'	Front 15' min, 35' max Side 10' Rear 20' Riparian 100'
Parking setbacks – residential – single family		5' Riparian 50'	5' Riparian 50'	
Parking setbacks – multi-family residential	10' Riparian 50'			10' Riparian 50'
Parking setbacks –	Front (Ferry	Front (Ferry	Front (Ferry	Front (Ferry

commercial /mixed use	Street) 15'	Street) 15'	Street) 15'	Street) 15'
	Side 5'	Side 5'	Side 5'	Side 5'
	Rear 5'	Rear 5'	Rear 5'	Rear 5'
	Riparian 50'	Riparian 50'	Riparian 50'	Riparian 50'

(g) *Architectural Standards.*

(1) Design Elements for Commercial and Mixed Use Buildings.

- a. New buildings and structures, additions and renovations must be constructed of durable materials.
- b. The primary exterior opaque materials on each elevation of a building, except for the service side, must be brick, stone, decorative masonry or similar materials or a combination thereof.
- c. No more than twenty-five percent (25%) of the building exterior opaque materials on each elevation, except for the service side of the building, shall be comprised of the following accent materials:
 - 1. Cast stone
 - 2. Wood shingles (cedar shingles 6 inch maximum exposure) for trim
 - 3. Tongue and groove paneling (cedar or redwood 6 inch width, no diagonal siding).
 - 4. Copper (untreated)
 - 5. Stucco
 - 6. Cement board
 - 7. Glass (does not include windows)
 - 8. Dark anodized aluminum
 - 9. Materials that are similar in character to those listed above.
- d. The following materials are not allowed as exterior opaque materials:
 - 1. Painted or unpainted concrete block
 - 2. Aluminum, vinyl or fiberglass siding or roofing materials
 - 3. Precast concrete panels
 - 4. Painting of previously unpainted brick
 - 5. Wooden exteriors
- e. In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of a combination of the following:
 - 1. An intermediate cornice line
 - 2. A difference in building materials or detailing
 - 3. An offset in the façade

4. An awning, trellis, loggia or arcade
 5. Special window lintels
 6. Brick/stone corbels
- f. LEED (Leadership in Energy and Environmental Design) Standards. The City encourages the use of sustainable building materials and construction techniques in SFRD projects through programs such as the US Green Building's Council's LEED program.
- g. Alternative Designs or Materials. To encourage creativity, imagination, innovation, and variety in architectural design, the Planning Commission may recommend modifications of the requirements of this Section and the City Council may approve such modifications upon determining that the proposed architectural design or exterior facade material(s) meets all of the following conditions:
1. The proposed design or material is consistent with the purposes of this section.
 2. The proposed design or material would enhance the architectural appearance of the building, and would be equal or superior to designs or materials permitted by this section.

(2) Design Elements for Single Family and Multi-family.

- a. At least 75% of the opaque materials of the front façade must consist of two of the following materials*:
1. Brick, stone (if 75% of the façade is brick or stone a second material is not required).
 2. Wood
 3. Cement board lap siding with accent shakes.
 4. Vinyl or Aluminum Siding (no more than 30% of the front façade shall consist of vinyl or aluminum siding).

* Other additional materials may be used only if 75% of the façade consists of materials listed above.

- b. A minimum of eleven (11) design features listed below must be incorporated into the design of each house unless otherwise specified in other parts of this section, as follows:

At least four (4) design features from the following list must be used in construction of a residential building:

1. Change in elevation of roof ridge.
2. Change in direction of roof ridge.
3. Roof with dormers (minimum of two (2) dormers, unless Eyebrow Dormer).
4. Bay or Oriel Window.
5. Porch or Veranda (covering a minimum of 40% of the overall width of the front façade and a minimum of eight (8) feet in depth).

6. Portico or Shed Roof Accent over the front entry (minimum covered area of 4' by 10').
 7. Façade modulation (other than items listed herein; minimum of 12 inches in depth)
 8. Roof overhangs (minimum 12 inches on front, side and rear elevations).
 9. Roof pitch of 8-12 or 12-12.
- c. At least three (3) design features from the following list must be used in construction of a residential building:
1. Hip roof.
 2. Gable accent.
 3. Side-by-side windows (within 8"; minimum of 50% of windows in each story)
 4. Door sidelight(s)
 5. Door transom.
 6. Window transom.
 7. Side garage bump-out (minimum size 3' by 10', exclusive of garage area).
- d. The remaining four (4) items may be selected from the following list or from the items listed above.
1. Decorative door architrave.
 2. Decorative window architrave.
 3. Decorative window cornice.
 4. Decorative trim molding (including, at a minimum, fascia, soffit & corner trim).
 5. Architectural elements (e.g. quoins, pilasters, soldier courses, friezes, cornices, dentils, etc.)
 6. Pent roof or pent roof return.
 7. Accent siding.
 8. Shutters (all front, rear and side elevations).
 9. Window grids (permanent).
 10. Decorative front door (minimum 25% glazing).
 11. Decorative gable vents.
 12. Keystone (over all first floor, front façade windows and doors).

In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of a combination of the following:

1. An intermediate cornice line
 2. A difference in building materials or detailing
 3. An offset in the façade
 4. An awning, trellis, loggia or arcade
 5. Special window lintels
 6. Brick/stone corbels
- f. LEED (Leadership in Energy and Environmental Design) Standards. The City encourages the use of sustainable building materials and construction techniques in SFRD projects through programs such as the US Green Building's Council's LEED program.

- g. Alternative Designs or Materials. To encourage creativity, imagination, innovation, and variety in architectural design, the Planning Commission may recommend modifications of the requirements of this Section and the City Council may approve such modifications upon determining that the proposed architectural design or exterior facade material(s) meets all of the following conditions:
 - 1. The proposed design or material is consistent with the purposes of this section.
 - 2. The proposed design or material would enhance the architectural appearance of the building, and would be equal or superior to designs or materials permitted by this section.

(3) Exterior Lighting.

Exterior lighting shall be used to provide illumination for the security and safety of entry drives, parking, service and loading areas, pathways, courtyards and plazas, without intruding on adjacent properties and shall comply with the following standards:

- a. Poles and structures shall be architecturally compatible with structures and lighting on-site and on adjacent properties.
- b. Security lighting shall be adequate for visibility, but not overly bright.
- c. Metal halide lighting shall be used with a concealed light source of the “cut-off” variety to prevent glare and “light trespass” onto adjacent buildings and lots.
- d. Poles within landscaped areas and plazas shall have a maximum height of twenty feet (20’), measured from grade, and shall be consistent with city standards.
- e. Poles in parking lots shall have a maximum height of 24 feet (24’) measured from finished grade.
- f. Lighting fixtures mounted directly on structures shall be permitted when used to enhance specific architectural elements or to help establish scale or provide visual interest.
- g. “Wall paks” shall be permitted only in loading and service areas, shall be down-lit and shielded from view.
- h. Shielded illumination of fixtures shall be permitted to light building mounted signage, building facades, or pedestrian arcades if they are integrated into a building’s architectural design.
- i. Lighting should highlight entrances, art, terraces and special landscape features.

- j. Separate pedestrian scale lighting or other low level fixtures, such as bollards, shall be incorporated for all pedestrian ways through parking lots and drop-off areas at entrances to buildings.
- k. All primary walkways, steps or ramps along pedestrian routes shall be illuminated.

(4) Light intensity.

- a. A photometric lighting plan is required for all proposed commercial developments to ensure that adequate and appropriate light levels are provided for each site condition.
- b. Lighting shall not exceed 0.1 foot candle at residential property lines or 0.5 foot candle on non-residential property lines measured on a vertical plane.
- c. The following minimum levels of illuminations must be maintained for each of the specific locations.*

Building entrances	5.0 foot candles
Sidewalks	2.0 foot candles
Bikeways	1.0 foot candles
Courts/Plazas/Terraces	1.5 foot candles
Ramps	5.0 foot candles
Stairways	5.0 foot candles
Underpasses	5.0 foot candles
Waiting Areas	1.0 foot candles
Parking lots	1.0 foot candles
Roadways	1.5 foot candles

* Values given are in minimum average maintained horizontal foot candles which are measured at the average point of illumination between brightest and darkest areas, 4' – 5' above the ground surface. (Source: IES Lighting Handbook – 4th Edition)

- d. Site lighting should provide consistent levels of illumination, avoiding pockets of very high or low levels of illumination.

- (h) *Signs.* Signage shall be designed to be integral with the architectural character of the building to which they belong. Specifically, the scale, proportion and color shall be appropriate to the building to which the sign is attached. Elements to be considered include architectural appearance, sign size, type of illumination, sign motion, sign setback, surface colors, and message. The architectural appearance of the sign shall not be so dissimilar to the existing signage on surrounding buildings as to cause impairment in property value or constitute a blighting influence.

The following sections shall also apply to signs within the South Ferry Riverfront District (SFRD): Section 74.446 General Regulations; Section 74.447 Temporary Signs; and Section 74.445 Exempt Signs. If provisions of this section are in conflict with other standards in this chapter, the most restrictive shall apply. Residential signs shall be regulated by the provisions of Chapter 74, Article III related to residential signs.

- (1) Business signs and nameplate signs are permitted, subject to the following regulations:
 - a. The total surface area of all business signs on a lot shall not exceed four (4) square feet per linear foot of lot frontage. Business nameplates shall not exceed the sum of three square feet for each lineal foot of lot frontage.
 - b. In the case of corner lots, the shortest length of all sides of the lot with frontage shall be used to calculate the permitted total surface area.
 - c. No single business sign surface shall exceed 200 square feet in area, nor shall two or more smaller signs be so arranged and integrated as to create a surface area in excess of 200 square feet.
 - d. Pylon signs are prohibited.
 - e. Monument signs are permitted. No monument sign or any part thereof may project higher than ten feet (10') above average grade at the building line. All portions of the sign must be set back a minimum of five feet (5') from the property line. Monument signs may not exceed forty (40) square feet and shall be included in the total calculation for site signage.
 - f. No freestanding sign shall be permitted within the sight triangle.
 - g. No rooftop signs shall be permitted.
 - h. Integral roof signs are permitted.
 - i. Sandwich board signs are prohibited.
 - j. Consistently changing, flashing, moving, rotating, traveling, or scrolling electronic variable signs are prohibited.
- (2) Design details. Signs cannot block or obliterate design details, windows, or cornices of the building upon which they are placed.
 - (i) *Utility Areas, Mechanical Equipment and Screening*
 - (1) Design. Utility areas, mechanical equipment and screening must be designed so they do not detract from the aesthetic appeal of the district.
 - (2) Materials and Screening. All exterior trash, storage areas, service yards, loading areas, transformers, heating and air conditioning units must be screened and must use the materials, colors and/or style of the primary front facade materials. Trash collection areas shall be screened from public rights-of-way and adjacent uses through the use of a six-foot masonry wall enclosure and gate. Trash enclosures shall be compatible with the architectural character of the building they serve and shall incorporate similar materials and colors.

- (3) **Roof Equipment.** All mechanical equipment on the ground or roof, such as heating and air conditioning units and transformers, shall be screened on all sides or placed so as not to be visible from public streets. Such screening shall be compatible with the building. Camouflaging heating and air conditioning units is an acceptable method of screening and the intent of the screening is to distract the view of these areas, not to provide total screening.
 - (4) **Outdoor merchandise displays.** Outdoor merchandise displays must be placed against the building or within the landscaped area between the sidewalk and the street. Outdoor merchandise displays shall be displayed only during business hours. No outdoor business shall be located where it obstructs the line of sight of passing motorists.
 - (5) **Open storage.** Open storage of material, merchandise offered at wholesale items for salvage or disposal, or items used in the operation of a business, is prohibited.
- (j) **Vegetation.** Within the shore impact zones, the vegetation must be managed as provided below:
- (1) Existing vegetation in a natural state shall be maintained;
 - (2) Restoration of vegetation to a natural state is encouraged;
 - (3) Limited cutting, trimming, or clearing of trees, shrubs, understory, and groundcover vegetation is allowed for:
 - a. The minimum necessary for development as permitted by City Ordinance, County and State law;
 - b. Docks, slips, mooring facilities, marina or other similar recreational use;
 - c. The removal of trees, limbs, or branches that are dead, dying, diseased, or infested, which removal is necessary to prevent spread of disease or infestation or to address a safety hazard as determined by a representative designated by the local government;
 - d. The removal of invasive, nonnative plants as determined necessary by a representative designated by the local government;
 - e. Woodland or habitat management and restoration activities sponsored and approved by a resource agency or the city;
 - (4) In areas cleared of vegetation, vegetation must be reestablished either by allowing regeneration naturally or with plantings subject to a restoration plan approved by a resource agency or the city.
- (k) **Parking Requirements.** Parking shall be as required under Chapter 74, Article IX, Division 2.

- (1) In instances where parking areas abut the street, the parking lot edge must be delineated with landscaping, architectural fencing or other decorative features.

(1) *Approval Process.*

- (1) Site Plan Procedures. All development proposals under Section 74.265 (d) (1) shall be reviewed under the site plan approval process as set forth in this subsection.

- (2) Application. Application for a site plan review shall be made to the Planning Department on forms provided by the City and shall be accompanied by the following:

- a. A survey or plat of the property;
- b. Evidence of ownership or an interest in the property;
- c. The fee specified in the City's fee schedule;
- d. Information regarding project phasing and timing;
- e. Complete development plans as specified under Section 74.2 of the City Code, signed by a registered architect, civil engineer, landscape architect or other appropriate design professional, as required by the State building code; and
- f. Architectural plans (for new construction), showing the following:
 1. Colored elevations of all sides of the building
 2. Type, color and samples of exterior building materials
 3. Typical floor plans
 4. Dimensions of all structures
 5. The location of exterior trash storage areas and of exterior electrical, heating, ventilation, and air conditioning equipment
 6. Utility plans including water, sanitary sewer and storm sewer
 7. A plan showing landscaping, lighting and signs
 8. Illustrations that show adjacent building elevations to show the scale of adjacent buildings and landscaping
 9. Such other information as may be required by the City to process the application.

- (3) Public hearing. Upon receipt of a completed application, a date shall be set for a public hearing before the Planning Commission. The hearing will be held no less than ten (10) days after mailed notice is sent to the owners of the property located wholly or partially within 350 feet of the site. The Planning Commission shall submit its recommendation to the City Council. Following appropriate review, the Council shall make a decision regarding the application.

- (4) Other Approvals. In cases where there is uncertainty or disagreement about compliance with the standards of this section, the Planning Director or designee may refer development approvals, as listed in Section 74.265 (d) 2 through 6, to the Planning Commission and City Council to determine that the proposal meets the standards of this Section.

- (m) *Enforceability.* Unless expressly provided otherwise, it shall be a misdemeanor for any person or entity to violate any provision of the City Code, including this Section, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this Section. The term “misdemeanor” is defined in Minnesota Statutes Section 609.02, subd. 3, as amended. In addition to prosecuting a violation as a misdemeanor, the City may separately, or in conjunction with the misdemeanor prosecution, bring an action for specific performance to enforce any provisions of the City Code, including this Section, any rule or regulation adopted in pursuance of such provision, or any order lawfully enforcing the City Code, including this Section.

Sections 74-268 thru 74-269. Reserved.