

PARTIAL ZONING ORDINANCE CITY OF BRAHAM

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SECTION 4 (R-1) ONE AND TWO FAMILY RESIDENTIAL DISTRICT

Subd. 1.

Purpose. The One and Two-Family Residential District is intended to establish an area of low to medium density residential uses consisting of one and two-family dwellings and directly related complementary uses.

Subd. 2

Permitted Uses. The following are permitted uses:

- A. One-family dwellings.
- B. Non-commercial gardening.
- C. Golf courses, country clubs, tennis courts, swimming pools and additional private and private-club recreational uses, all non-commercial.
- D. Churches, parish houses, convents, child nurseries.
- E. Public buildings and uses of the following kinds: Elementary and secondary schools (public), parks, playgrounds, libraries, museums, community centers.
- F. Two-family dwellings. If on lots of such areas and widths as hereinafter required.
- G. Child daycare and group homes conforming to MN State Statutes.

Subd. 3.

Conditional Uses. The following uses may be permitted:

- A. A state licensed cemetery, crematory, mausoleum, government, public utility and public service uses, hospitals, sanitariums, homes for the aged and similar institutions and institutions of an educational, philanthropic or charitable nature when required for the public health and safety or welfare.
- B. Automobile parking lots when required for off-street parking spaces for any use not more than three hundred (300) feet distance therefrom.
- C. Public buildings and public uses including public housing, temporary and permanent.
- D. An apartment within existing single-family dwelling.
- E. Bed and Breakfast Inn, providing the following are adhered to:
 1. Off-street parking shall be provided in accordance with the parking requirements of Section 15. A minimum of one off-street parking space per guest room shall be provided in addition to the parking requirements for the zoning district in which the facility is located.
 2. Signs shall be in accordance with the sign requirements in Section 16 and meet the requirements for the zoning district that the business is located within (Identifying signs to be not more than four square feet in total, located on the building and consistent with the character of the building).
 3. The maximum of four guest rooms may be established in a structure.
 4. A Bed and Breakfast establishment shall show proof of inspection or proof of proper operating licenses by the State and/or County.
 5. All guest rooms shall be contained within the principal structure.
 6. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests.

7. The maximum stay for guests shall be 14 days within a 30 day period.
8. The inn shall comply with all applicable laws, rules and regulations governing its existence and operation, including, but not limited to, the State Building Code, the State Fire Code, and the State Health Code.
9. The owner or operator shall reside on the property or submit a management plan for approval as part of the conditional use permit.

Subd. 4.

Accessory Uses. The following are permitted accessory uses in a "R-1" District:

- A. Private garages, parking spaces and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of nine thousand (9,000) pounds, as regulated by Section Fifteen (15) of this Ordinance. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business service or industry is carried on. Such space can be rented to non-residents of the property for private passenger vehicles and/or non-commercial vehicles, trailers, or equipment if sufficient off-street parking in full compliance with this Ordinance is provided elsewhere on the property. Such garage shall not be used for the storage of more than one (1) commercial vehicle owned or operated by a resident per dwelling unit per employer.
- B. Recreational vehicles and equipment.
- C. Non-commercial greenhouses and conservatories.
- D. Swimming pool, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principle use and their guests.
- E. Tool houses, sheds and similar buildings for storage of domestic supplies and non-commercial recreational equipment. Refer to Section 14 Yard, Area, and Building Size Regulations, Subd. 6, or as amended.
- F. Boarding or renting of rooms within principle building.
- G. Essential services.
- H. Fencing, screening and landscaping as permitted and regulated by Section 13, Subd. 6 of this Ordinance, or as amended.
- I. Piers and docks.
- J. Home occupations consistent with Section 14, Subd. 6, G. of this Ordinance.

Subd. 5.

Minimum Lot Size.

- A. A lot area of not less than ten thousand (10,000) square feet is required for single family dwelling; for two-family dwelling, fifteen thousand (15,000) square feet is required.

- B. Lot width of not less than seventy-five (75) feet of street frontage for single family is required; for two-family dwellings one hundred (100) feet of street frontage is required.

Subd. 6.

Front, Side and Rear Yard Requirements.

- A. Front Yard. A front yard of not less than thirty (30) feet is required.
- B. Side Yards. Two side yards required, each with a width of not less than eight (8) feet each.
1. Where a lot is located at the intersection of the two (2) or more streets, the width of the yard along the side street shall not be less than thirty (30) feet.
- C. Rear Yard. A rear yard with a depth of not less than twenty-five (25) feet.

Subd. 7.

Foundation Requirements. All One and Two-Family dwellings require permanent foundations, which means precast blocks or a poured concrete wall extending to the frost line. Posts are not an acceptable foundation.

Subd. 8.

Maximum Ground Coverage. The sum total of the ground area covered by all structures shall not exceed thirty-three (33) percent of the lot on which the structures are located.

Subd. 9.

Minimum Ground Floor Area. Minimum ground floor area shall be nine hundred sixty (960) square feet for a single family dwelling unit. An additional one hundred (100) square feet is required for each additional bedroom over three (3) bedrooms. Houses having one and one-half (1 1/2) or more stories shall have at least seven hundred twenty (720) square feet on the main floor. Two-family dwellings must have at least eight hundred sixty (860) square feet of ground floor area.

Subd. 10.

Maximum Building Heights. Building heights permitted are two and one-half (2 1/2) stories but not exceeding thirty-five (35) feet. Accessory buildings shall not exceed twenty (20) feet in height.

Subd. 11.

Buildable Lot.

Existing lots of forty-five (45) feet in width and street frontage, in existence and of record prior to the effective date of this Ordinance, shall be deemed a buildable lot provided it has frontage on a public right-of-way and it meets the appropriate setback requirements.

SECTION 5 (R-2) MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Subd. 1.

Purpose. The Multiple-Family Residential District is intended to establish an area of high-density housing in multiple family structures and directly related complementary uses.

Subd. 2.

Special Requirements. Conversion of any dwelling shall be in accordance with the Minnesota Uniform Building codes, especially in relationship to minimum floor area required.

Subd. 3.

Permitted Uses. The following are permitted uses:

- A. Non-commercial gardening.
- B. Golf courses, country clubs, tennis courts, swimming pools and additional private and private-club recreational uses, all non-commercial.
- C. Churches, parish houses, convents, child nurseries.
- D. Public buildings and uses of the following kinds:
Elementary and secondary schools (public and private), parks, playgrounds, libraries, museums, community centers.
- E. One and two-family dwellings. If on lots of such areas and widths hereinafter required.
- F. Multiple dwelling structures containing sixteen (16) or less dwelling units.

Subd. 4.

Conditional Uses. The following uses may be permitted:

- A. A state licensed cemetery, crematory, mausoleum, government, public utility and public service uses, hospitals, sanitariums, homes for the aged and similar institutions and institutions of an educational, philanthropic or charitable nature when required for the public health, safety or welfare.
- B. Automobile parking lots when required for off-street parking spaces for any use not more than five hundred (500) feet distance therefrom.
- C. Boarding and lodging houses. Multiple dwelling structures containing more than sixteen (16) dwelling units.
- D. Bed and Breakfast Inn, provided the following are adhered to:
 1. Off-street parking shall be provided in accordance with the parking requirements of Section 16. A minimum of one off-street parking space per guest room shall be provided in addition to the parking requirements for the zoning district in which the facility is located.
 2. Signs shall be in accordance with the sign requirements in Section 16 of this Ordinance or as amended; and meet the requirements for the zoning district that the business is located within.
(Identifying signs to be not more than four square

- feet in total, located on the building and consistent with the character of the building).
3. The maximum of four units may be established in a structure.
 4. A Bed and Breakfast establishment shall show proof of inspection or proof of proper operating licenses by the State and/or County.
 5. All guest rooms shall be contained within the principal structure.
 6. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests.
 7. The maximum stay for guests shall be 14 days within a 30 day period.
 8. The inn shall comply with all applicable laws, rules and regulations governing its existence and operation, including, but not limited to, the State Building Code, the State Fire Code, and the State Health Code.
 9. A conditional use permit shall be terminated upon occurrence for the following:
 - * Non-compliance with the provisions of these provisions.
 - * Transfer of ownership of said property from the owner/operator.
 - * The creation of a condition which adversely affects the health, safety, or general welfare of the City or its residents.
 10. The owner or operator shall reside on the property or submit a management plan for approval as part of the conditional use permit.

Subd. 5.

Accessory Uses. The following are permitted accessory uses in a "R-2" District:

- A. Private garages, parking spaces and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of nine thousand (9,000) pounds, as regulated by Section 15 of this Ordinance or as amended. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business service or industry is carried on. Such space can be rented to non-residents of the property for private passenger vehicles and/or non-commercial vehicles, trailers, or equipment if sufficient off-street parking in full compliance with this Ordinance is provided elsewhere on the property. Such garage shall not be used for the storage of more than one (1) commercial vehicle owned or operated by a resident per dwelling unit.
- B. Recreational vehicles and equipment.
- C. Non-commercial greenhouses and conservatories.
- D. Swimming pool, tennis courts and other recreational facilities which are operated for the enjoyment and conveni-

ence of the residents of the principal use and their guests.

- E. Tool houses, sheds and similar buildings for storage of domestic supplies and non-commercial recreational equipment.
- F. Boarding or renting of rooms within principle building to not more than one (1) person.
- G. Essential services.
- H. Fencing, screening and landscaping as permitted and regulated by Section 13, subd. 6 of this Ordinance or as amended.
- I. Piers and docks.
- J. Home occupations consistent with Section 14, Subd. 6., G. of this Ordinance or as amended.

Subd. 6.

Minimum Lot Size.

- A. Multiple dwelling units having fewer than five dwelling units must have a minimum lot area of fifteen thousand (15,000) square feet. Not less than one thousand five hundred (1,500) square feet is required for each additional dwelling unit over four (4).
- B. Lot width required is not less than one hundred (100) feet of street frontage for multi-family dwellings.

Subd. 7.

Front, Side and Rear Yard Requirements.

- A. Front Yard. A front yard of not less than thirty (30) feet is required except that for any building exceeding thirty (30) feet in height, there shall be an additional front yard setback of one (1) foot for every one (1) foot that the building exceeds the height of thirty (30) feet.
- B. Side Yards. Two side yards required, each with a width of not less than eight (8) feet.
 - 1. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than thirty (30) feet.
- C. Rear Yard. A rear yard with a depth of not less than twenty-five (25) feet.

Subd. 8.

Maximum Ground Coverage. The sum total of the ground area covered by all structures shall not exceed thirty-three (33) percent of the lot on which the structures are located.

Subd. 9.

Minimum Ground Floor Area. Multiple family dwellings must have at least eight hundred twenty (820) square feet for a three bedroom unit, seven hundred twenty (720) square feet for a two-bedroom unit and six hundred (600) square feet for one bedroom unit.

Subd. 10.

Maximum Building Heights. Building heights permitted are

three (3) stories but not exceeding forty (40) feet. Accessory buildings shall not exceed twenty (20) feet in height. (See Accessory Buildings Section 14 Subd. 6)

Subd. 11.

Foundations. All Multiple dwellings require permanent foundations, which means precast blocks or a poured concrete wall extending to the frost line depth. Posts are not an acceptable foundation.

SECTION 6. "R-3" MANUFACTURED HOME PARK DISTRICT

Subd. 1.

Purpose. The Manufactured Home Park District is to provide for manufactured home uses in an appropriate, safe, sanitary and attractive environment.

Subd. 2.

Permitted Uses. The following are permitted uses:

A. Manufactured homes.

Subd. 3.

Conditional Uses. The following uses may be permitted:

A. None.

Subd. 4.

Accessory Uses. The following are permitted accessory uses within a "R-3" District:

- A. Off-street private parking facilities.
- B. Recreational vehicles and equipment.
- C. Swimming pools, tennis courts, and other recreational facilities.
- D. Fencing, screening, and landscaping as permitted and regulated by Section 13, Subd. 6 of this Ordinance or as amended.
- E. Tool houses, sheds, and similar storage buildings.
- F. Central office and central community building.

Subd. 5.

District Regulations.

A. General Provisions.

1. No manufactured home for residential purposes shall be permitted within any manufactured home park unless said manufactured home park is or has been approved by the Minnesota Department of Administration, in accordance with Minnesota Statute 327 or as amended, and under 18 years of age at the time of move in.
2. Manufactured homes shall not be used for residential purposes in the City if they:
 - (a.) Do not conform to the requirements of the Vehicle Code of the State of Minnesota.
 - (b.) Are in an unsanitary condition or have an exterior in bad repair.

- (c.) Are structurally unsound and do not protect the inhabitants against all elements.
 - (d.) Do not have adequate sewage facilities as required by the City Council in accordance with regulations.
3. No tents shall be used for other than recreational purposes in a manufactured home park.
 4. Access to manufactured home parks shall be as approved by the City.
 5. The area beneath a manufactured home coach shall be enclosed except that such enclosure must have access for inspection. Materials used for enclosure must be of a non-flammable nature.
- B. Site Plan Requirements. A site plan shall be submitted to the Planning Commission and City Council in accordance with procedures outlined and information required within the Subdivision Regulations.
- C. Design Standards.
1. Site:
 - (a.) Each manufactured home site shall contain at least four thousand (4,000) square feet of land and are for the exclusive use of the occupant, with a width of no less than forty (40) feet and a depth of no less than one hundred (100) feet.
 - (b.) Each manufactured home site shall have frontage on an approved roadway and the corner of each manufactured home site shall be marked and each site shall be numbered.
 2. Setbacks:
 - (a.) No unit shall be parked closer than five (5) feet to its side lot lines nor closer than twenty (20) feet to its front lot line, or within ten (10) feet of its rear lot line.
 - (b.) No unit, or building shall be located within twenty (20) feet of the exterior boundary of any manufactured home court.
 3. Parking:
 - (a.) Each manufactured home site shall have offstreet parking spaces for two (2) automobiles and these parking spaces shall be concrete or bituminous.
 - (b.) Access drives off streets to all parking spaces and coach sites shall be concrete or bituminous.
 4. Utilities:
 - (a.) All manufactured homes shall be connected to a public water and sanitary sewer system.
 - (b.) All utility connections shall be as approved by the City.
 - (c.) All utilities shall be underground; there shall be no overhead wires or supporting poles except those essential for street or other lighting purposes.

- (d.) The method of garbage, waste, and trash disposal must be approved by the City.
- (e.) The court owner shall pay any required sewer and water connection fees to the City.

5. Streets:

(a.) Streets shall be concrete or bituminous or as approved by the City.

(b.) The minimum street widths shall be:

<u>On-Street Parking</u>	<u>Traffic</u>	<u>Width (Ft.)</u>
*None	1 Way	14
	2 Way	20
*Parallel - One Side	1 Way	20
	2 Way	30
*Parallel - Both Sides	1 Way	26
	2 Way	36

- 6. Buffer Area. A green belt, at least twenty (20) feet in width shall be located along all boundaries of the manufactured home park, except where it is crossed by driveways, streets and roads.
- 7. Recreation. All manufactured home courts shall have at least ten (10) percent of the land area developed for recreational use (tennis courts, children's play equipment, swimming pool, golf green, etc.) developed and maintained at the owner/operator's expense.
- 8. Lighting. Artificial light shall be maintained during all hours of darkness in all buildings containing public toilets, laundry equipment, and the like.
- 9. Drainage. All manufactured home parks shall be provided with adequate drainage facilities as approved by the City.
- 10. Storage Building. One (1) outdoor storage building shall be required for each manufactured home lot upon its occupancy. The storage building shall have a minimum floor space area of forty-eight (48) square feet and a maximum of one hundred ninety-two (192) square feet (12'x16'). The maximum height of the storage building shall not exceed an eight (8) foot sidewall or eleven (11) foot ridge height. Storage buildings made of wood must have either a treated or redwood floor framing system or be blocked off of the ground. Any storage building with a void under the floor must be skirted for ventilation.

D. Anchoring and Support Systems. The provisions made for anchoring systems shall be based on the regulations outlined by the Minnesota Department of Administration, Building Code Division 1350.2500 - 1350.3800, or as amended, and the number of ties shall be in accordance with the following table:(1)

Number of Ties Required Per Side of Single Wide Manufactured Homes:(2)

Alternative Method(5)

<u>Length of (3) Manufactured Home (feet)</u>	<u>No. of Vertical Ties</u>	<u>No. of(4) Diagonal Ties</u>	<u>No. of Bailing Straps</u>	<u>No. of(6) Diagonal Ties</u>
Up to 40.	2	3	2	3
40 - 46	2	3	2	3
46 - 49.	2	3	2	3
49 - 54	2	3	2	3
54 - 58	2	4	2	4
58 - 64	2	4	2	4
64 - 70	2	4	2	5
70 - 73	2	4	2	5
73 - 84	2	5	2	5

(1) Except when the anchoring system is designed and approved by a registered professional engineer or architect.

(2) Double-wide manufactured homes require only the diagonal ties specified in Column 3, and these shall be placed along the outer side walls.

(3) Length of manufactured home (as used in this Table) means length excluding draw bar.

(4) Diagonal ties in this method shall deviate at least 40 from vertical.

(5) Alternate Method. When this method is used, an approved reinforcement means shall be provided. If baling is used to accomplish this reinforcement, the provisions of 2 MCAR 1.90450A.2.c. shall apply.

(6) Diagonal ties in this method shall be 45 degrees + 5 degrees from vertical and shall be attached to the nearest main frame member.

SECTION 7. (CBD) CENTRAL BUSINESS DISTRICT

Subd. 1.

Purpose. The Central Business District is designed and intended as a specialized district directed to serve the pedestrian in a compact central area for the City. The CBD district will provide for a high-density shopping and

business environment, especially stressing the pedestrian function and interaction of people and businesses, rather than being heavily oriented toward the use of automobiles.

Subd. 2.

Special Requirements.

- A. Enclosure of Uses. Every use, unless expressly exempted by this Section or allowed by a conditional use permit, shall operate in its entirety within a completely enclosed structure; the exemption of a use from the requirement of enclosure will be indicated by the phrase "need not be enclosed" appearing after any use exempted or in the case of a permitted establishment by the granting of a conditional use permit, as provided in Section 19 of this Ordinance.

Subd. 3. Permitted Uses. The following are permitted uses:

- A. Antennae Service/Cable TV/Radio
- B. Antique store.
- C. Apparel and accessory store.
- D. Appliance store, sales and service.
- E. Arcade/Game Store
- F. Art supply store.
- G. Art gallery.
- H. Artist studio or school.
- I. Auto parts and accessory sales.
- J. Bait Shop
- K. Bakery retail.
- L. Bank, including drive-in bank.
- M. Barbershop.
- N. Bars and Taverns.
- O. Beauty Shop.
- P. Blueprinting and photostating.
- Q. Bicycle sales, repair and rental.
- R. Book Store.
- S. Bowling alleys.
- T. Business machines store.
- U. Cafe.
- V. Camera and photographic supply store.
- W. Candy, ice cream and confectionery store, in which all manufacturing is permitted only as an accessory use and is limited to 15% of the gross floor area of such use.
- X. Catalog and mail order house.
- Y. Caterer.
- Z. Clinic, Dental or Medical, Physical Therapy & Chiropractic; but not animal clinic or hospital.
- AA. Clothing store.
- BB. Computer; Consultant, sales, furniture, graphics, imaging, programs, service & repair training, distribution of used & new.
- CC. Dance studio.
- DD. Delicatessen store.
- EE. Department store, discount store, outlet store.
- FF. Dressmaking, seamstress.

- GG. Drugstore.
- HH. Duplication Services, copying, mailing, electronic imaging - Retail.
- II. Flea Market/Farmer's Market
- JJ. Floral Sales.
- KK. Food Locker Plant: a food locker plant renting only individual lockers for home customer storage of food, delivery of individual home orders, the cutting, packaging and retail sale of meats or game, including slaughtering or eviscerating thereof.
- LL. Furniture store and home furnishings.
- MM. Garden supplies store; need not be enclosed, provided all unenclosed portions of the use are located on the rear one-half (1/2) of the zoning lot.
- NN. Gift, novelty or souvenir store.
- OO. Grocery store.
- PP. Hardware store.
- QQ. Health equipment store.
- RR. Interior decorator.
- SS. Jewelry store.
- TT. Licensed Massage Parlor
- UU. Liquor Store (off sale).
- VV. Locksmith.
- WW. Luggage store.
- XX. Meat market and processing, including slaughtering.
- YY. Music store, accessories and studio.
- ZZ. Newsstand.
- AAA. Office of any type.
- BBB. Optician.
- CCC. Optical goods.
- DDD. Paint and wallpaper store.
- EEE. Photographic studio or picture processing.
- FFF. Plumbing, Heating, Air Conditioning - repair, sales, service and cleaning.
- GGG. Public buildings, city hall, library, fire hall, ambulance.
- HHH. Radio and television broadcasting (excluding transmitter).
- III. Restaurants.
- JJJ. Savings and loan association; state or federally chartered; including drive-in facilities.
- KKK. Second hand shops.
- LLL. School, (private).
- MMM. Shoe repair shop.
- NNN. Sporting goods store.
- OOO. Stationery store.
- PPP. Tailor.
- QQQ. Telephone exchange.
- RRR. Theatre, not including drive-in theatre.
- SSS. Theatrical studio.
- TTT. Ticket agency.
- UUU. Toy store.
- VVV. Travel bureau or agency.
- WWW. Variety store.

XXX. Video Store.

Subd. 4.

Conditional Uses. The following uses may be permitted:

- A. Auction Sales
- B. Apartments.
- C. Parking of vehicles; need not be enclosed.
- D. Public or quasi-public development.
- E. Restaurants, cocktail lounges and other eating or drinking establishments which require additional parking spaces.
- F. Auto service station.
- G. Snowmobile, All Terrain Vehicle, Boats, Autos, Trucks, Campers, Motor Homes, Trailers; sales, repair, rental and storage.
- H. Other residential and commercial uses determined by the Planning Commission to be of the same general character as identified permitted and conditional uses and found not to be detrimental to the general public health and welfare.
- I. Bed and Breakfast Inn provided the following are adhered to:
 1. Off-street parking shall be provided in accordance with the parking requirements of Section 15, or as amended. A minimum of one off-street parking space per guest room shall be provided in addition to the parking requirements for the zoning district in which the facility is located.
 2. Signs shall be in accordance with the sign requirements in Section 16, or as amended, and meet the requirements for the zoning district that the business is located within. (Identifying signs to be not more than four (4) square feet in total, located on the building and consistent with the character of the building.)
 3. The maximum of four units may be established in a structure.
 4. A Bed and Breakfast establishment shall show proof of inspection or proof of proper operating licenses by the State and/or County.
 5. All guest rooms shall be contained within the principal structure.
 6. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests.
 7. The maximum stay for guests shall be 14 days within a 30 day period.
 8. The inn shall comply with all applicable laws, rules and regulations governing its existence and operation, including, but not limited to, the State Building Code, the State Fire Code, and the State Health Code.
 9. A conditional use permit shall be terminated upon occurrence for the following:

- * Non-compliance with the provisions of these provisions.
 - * Transfer of ownership of said property from the owner/operator.
 - * The creation of a condition which adversely affects the health, safety, or general welfare of the City or its residents.
10. The owner or operator shall reside on the property or submit a management plan for approval as part of the conditional use permit.

Subd. 5.

Accessory Uses. The following are permitted accessory uses in the "CBD" District:

- A. Commercial or business buildings and structures for a use accessory to the principle use, but shall not exceed thirty (30) percent of the gross floor area of the principle use.
- B. Off-street parking as regulated by Section 15 of this Ordinance.
- C. Off-street loading as regulated by Section 15 of this Ordinance.
- D. Fencing, screening and landscaping as permitted and regulated by Section 13, Subd. 6 of this Ordinance or as amended.
- E. Off street parking of truck tractor, semi trailers, or combination of, shall not be allowed in the Central Business District for more than 7 days for any purpose other than delivery of goods or services to or from a business. On street parking in the Central Business District shall be regulated by Ordinance #176 or as amended.

Subd. 6.

Minimum Lot Size.

- A. All structures shall be located on a zoning lot having a minimum area of six thousand (6,000) square feet, and a minimum street frontage of fifty (50) feet.
- B. All planned unit developments shall only be permitted on an area of at least one (1) acre.

Subd. 7.

Front, Side and Rear Yard Requirements. No setbacks to be applied in this District.

Subd. 8.

Transitional Yard Requirements. In the CBD district, the minimum transitional yard requirements shall not be less than those specified below:

- A. Where a side lot coincides with a side or rear lot line in an adjacent residence district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this Ordinance for a residential use on

- the adjacent residential lot.
- B. Where a rear lot line coincides with a side lot line in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this Ordinance for a residential use on the adjacent residential lot.
 - C. Where a rear lot line coincides with a rear lot line in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall be not less than that which would be required for the rear yard for a residential use on the adjacent residential lot.
 - D. Where the extension of a front or side lot line coincides with a front lot line of an adjacent lot located in a residential district, a yard equal in depth to the minimum front yard required by this Ordinance on such adjacent residential lot shall be provided along such front or side lot lines.

Subd. 9.
Maximum Ground Coverage. No maximum ground coverage requirements.

Subd. 10.
Maximum Building Heights. Building heights permitted are two and one-half (2 1/2) stories but not exceeding thirty-five (35) feet shall be permitted.

SECTION 8. (GBD) GENERAL BUSINESS DISTRICT

Subd. 1.
Purpose. The General Business District is designed and intended to promote the development of commercial uses which require large concentrations of automobile traffic. The district is also designed to accommodate those commercial activities which may be incompatible with the uses permitted in the CBD, and whose service is not confined to any one neighborhood or community.

Subd. 2.
Special Requirements.
A. All business, servicing, or processing shall be conducted within completely enclosed buildings, with the following exceptions: establishments of the "drive-in" type display of merchandise for sale to the public, and off-street parking and loading.

Subd. 3.
Permitted Uses. The following are permitted uses:
A. All Terrain Vehicle sales, repair, rental and storage.
B. Ambulance service.
C. Appliance store, sales and storage.
D. Arcade/Game Store
E. Auction rooms.

- F. Auto, glass, muffler and upholstery shop.
- G. Auto parts and accessory sales including outdoor display of auto accessories provided that such outdoor display of storage is separated from abutting development by ornamental fencing or screen planting to be not less than eight feet in height.
- H. Auto, Trucks, Campers, Motor Homes, Trailer sales and storage for new or used equipment.
- I. Auto, Trucks, Campers, Motor Homes, and Trailer repair garage, not including dismantling or wrecking.
- J. Bait Shop
- K. Barber shop.
- L. Bars and taverns.
- M. Beauty shop.
- N. Bicycle store; sales, repair, rental and storage.
- O. Blueprinting, photostating and lithographing.
- P. Bowling alley and billiard parlor.
- Q. Building material yard.
- R. Bus, railway, or airline depot or ticket office. Travel Agency.
- S. Catalog service and mail order house.
- T. Child day care.
- U. Club or lodge.
- V. Computer - Consultant, sales, furniture, graphics, imaging, programs service and repair, training for used and new.
- W. Dairy products store.
- X. Dance hall.
- Y. Diaper service.
- Z. Department store, discount store, outlet store, shopping center/mall.
- AA. Drive-In type establishments, not including theatres.
- BB. Drugstore.
- CC. Dry Cleaning.
- DD. Duplication services, copying, mailing - Retail.
- EE. Electric contractor.
- FF. Exterminator.
- GG. Feed store.
- HH. Flea Market or Farmer's Market.
- II. Floral sales.
- JJ. Fruit store.
- KK. Garden supplies and landscape nursery.
- LL. Grocery store/Supermarket?
- MM. Gunsmith.
- NN. Hall, renting for meetings, conventions, or social gatherings.
- OO. Hardware store.
- PP. Health equipment and supply store.
- QQ. Health club or gym. *(Athletic Club &/or gym)
- RR. Hotel, motel, or tourist home.
- SS. Ice plant.
- TT. Janitorial service.
- UU. Laboratory, scientific and testing.
- VV. Laundromat.

WW. Linen supply.
 XX. Liquor store (off-sale).
 YY. Locksmith.
 ZZ. Lumber yard.
 AAA. Medical appliances, sales and fittings.
 BBB. Mortuary.
 CCC. Motorcycle store.
 DDD. Newsstand. EEE. Paint and wallpaper store.
 FFF. Painting and decorating contractor.
 GGG. Parking and/or commercial storage of vehicles; need not be enclosed.
 HHH. Pawn shop.
 III. Pet store.
 JJJ. Photographic studio, picture processing, or equipment.
 KKK. Planned developments or shopping centers.
 LLL. Plumbing, Heating and Air Conditioning contractor.
 MMM. Printing, publishing, and allied industries.
 NNN. Public buildings, city hall, library, fire hall, ambulance service.
 OOO. Radio and television broadcasting (including transmitter and studios).
 PPP. Restaurant.
 QQQ. Sign contractor.
 RRR. Second hand store.
 SSS. Snowmobile sales, repair and rental
 TTT. Tailor.
 UUU. Taxidermist.
 VVV. Theatrical studio.
 WWW. Tire recapping and supply store.
 XXX. Upholstery shop of any type.
 YYY. Variety store.
 ZZZ. Veterinarian, including observation kennels for household pets, provided however, all such kennels are contained within completely enclosed structures.
 AAAA.Video Store
 BBBB.Wholesale offices and showrooms.

Subd. 4.

Conditional Uses. The following uses may be permitted:

- A. Any drive-in type establishment, not including theatres.
- B. Any use other than those enumerated as permitted uses, intended to provide amusement on the payment of a fee, including, but not limited to, Water Slide, Golf Range, Raceway (Go Carts), Roller Skating Rink, Mini-golf, .
- C. Auto service station.
- D. Car wash.
- E. Community or convention center.
- F. Marine sales and service.
- G. Public or quasi-public development.
- H. Convenience food establishments.
- I. Shipping and storage of merchandise solely intended to be retailed by the established principal permitted use.
- J. Sports arena or stadium.
- K. Other commercial uses determined by the Planning Com-

mission to be of the same general character as the permitted and conditional uses above and found not to be detrimental to the general public health and welfare.

L. Bed and Breakfast Inn provided the following are adhered to:

1. Off-street parking shall be provided in accordance with the parking requirements of Section 16. A minimum of one off-street parking space per guest room shall be provided in addition to the parking requirements for the zoning district in which the facility is located.
2. Signs shall be in accordance with the sign requirements in Section 17 and meet the requirements for the zoning district that the business is located within. (Identifying signs to be not more than four (4) square feet in total, located on the building and consistent with the character of the building.)
3. The maximum of four units may be established in a structure.
4. A Bed and Breakfast establishment shall show proof of inspection or proof of proper operating licenses by the State and/or County.
5. All guest rooms shall be contained within the principal structure.
6. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests.
7. The maximum stay for guests shall be 14 days within a 30 day period.
8. The inn shall comply with all applicable laws, rules and regulations governing its existence and operation, including, but not limited to, the State Building Code, the State Fire Code, and the State Health Code.
9. A conditional use permit shall be terminated upon occurrence for the following:
 - * Non-compliance with the provisions of these provisions.
 - * Transfer of ownership of said property from the owner/operator.
 - * The creation of a condition which adversely affects the health, safety, or general welfare of the City or its residents.
10. The owner or operator shall reside on the property or submit a management plan for approval as part of the conditional use permit.

Subd. 5.

Accessory Uses. The following are permitted accessory uses in the "GB" District:

- A. Commercial or business buildings and structures for a use accessory to the principle use, but shall not exceed thirty (30) percent of the gross floor area of the principle use.

- B. Off-street parking as regulated by Section 15 of this Ordinance or as amended, but not including semi-trailer trucks.
- C. Off-street loading as regulated by Section 15 of this Ordinance.
- D. Fencing, screening and landscaping as permitted and regulated by Section 13, Subd. 6 of this Ordinance or as amended.

Subd. 6.

Minimum Lot Size.

- A. All structures shall be located on a zoning lot having a minimum area of six thousand (6,000) square feet, and a minimum street frontage of fifty (50) feet.
- B. All planned developments shall only be permitted on an area of at least one (1) acre.

Subd. 7.

Front, Side and Rear Yard Requirements.

- A. Front Yard. Except as otherwise hereinafter provided, all uses, allowed in the "GB" districts (permitted or conditional uses) shall provide a front yard of fifteen (15) feet which shall be devoted exclusively to landscaping except for necessary access drives.
 - 1. When off-street parking is to occur in the front yard area, the front yard requirement shall be such that the provisions of Section 16 are complied with.
- B. Side Yards. None.
- C. Rear Yard. None.

Subd. 8.

Transitional Yard Requirements.

In the GB district, the minimum transitional yard requirements shall not be less than those specified below:

- A. Where a side lot coincides with a side or rear lot line in an adjacent residence district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this Ordinance for a residential use on the adjacent residential lot.
- B. Where a rear lot line coincides with a side lot line in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this Ordinance for a residential use on the adjacent residential lot.
- C. Where a rear lot line coincides with a rear lot line in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall not be less than that which would be required for the rear yard for a residential use on the adjacent residential lot.
- D. Where the extension of a front or side lot line coincides with a front lot line of an adjacent lot located in a residential district, a yard equal in depth to the minimum

front yard required by the Ordinance on such adjacent residential lot shall be provided along such front or side lot lines.

Subd. 9.

Maximum Ground Coverage. The sum total of the ground area covered by all structures shall not exceed seventy-five (75) percent of the zoning lot on which the structures are located.

Subd. 10.

Maximum Building Heights. Building heights permitted are two and one-half (2 1/2) stories but not exceeding thirty-five (35) feet.

SECTION 9 (I-1) LIMITED INDUSTRIAL DISTRICT

Subd. 1.

Purpose. The Limited Industrial District is established to provide exemplary standards of development for certain industrial uses that prefer to be located in choice or strategic sites. The Limited Industrial District is intended for administrative, wholesaling, manufacturing and related uses which can maintain high standards of appearance, including open spaces and landscaping; limit external effects such as noise, odors, smoke and vibration; and not require a high level of public services, including sewer and water services. With proper control, these areas should be compatible with commercial or residential areas.

Subd. 2.

Special Requirements. Any unenclosed uses, including storage, manufacturing and assembly, shall be subject to those performance standards set forth in Subd. 11 of this Section; and regulations set forth by Subd. 12 of this Section and as amended.

Subd. 3.

Permitted Uses. The following are permitted uses:

- A. Agriculture Related - Industry, Grain Dryers, Fertilizer
- B. Cabinet, woodworking establishments.
- C. Commercial printing, publishing establishments.
- D. Computer Manufacturing or wholesaling.
- E. Dry cleaning, dyeing and laundering establishments.
- F. Electronic Devices: Distribution of amusement devices, gambling equipment, games, toys, video games
- G. Newspaper plants and offices, printing or publishing.
- H. Public utility structures and government buildings.
- I. Warehousing, wholesaling and distribution operations.
- J. Welding - Industrial

Subd. 4.

Conditional Uses. The following uses may be permitted:

- A. Freight terminals.
- B. Other manufacturing, production, servicing, processing, storage or commercial use determined by the Planning Commission to be of the same general character as the permitted and conditional uses and conform with the purpose and performance standards set forth in this district.

Subd. 5.

Accessory Uses. The following are permitted accessory uses in the "I-1" District:

- A. Industrial buildings and structures for a use accessory to the principle use, but shall not exceed thirty (30) percent of the gross floor area of the principle use.
- B. Off-street parking as regulated by Section 15 of this Ordinance or as amended, but not including semi-trailer trucks.
- C. Off-street loading as regulated by Section 15 of this Ordinance or as amended.
- D. Fencing, screening and landscaping as permitted and regulated by Section 13, Subd. 6 of this Ordinance or as amended.

Subd. 6.

Minimum Lot Size.

- A. Every individual lot, site or tract shall have an area of not less than one-half (1/2) acre.
- B. Every lot or tract shall have a width of not less than one hundred (100) feet abutting a public right-of-way.
- C. All Planned Unit Developments shall only be permitted on an area of at least two (2) acres.
- D. There shall be a required minimum ten (10) percent reservation of the total lot area for landscaping use. Such landscaping shall conform in design and appearance with the overall development plan as approved by the Planning Commission.

Subd. 7.

Front, Side and Rear Yard Requirements.

- A. Front Yard. There shall be a front yard having a depth of not less than thirty-five (35) feet between building and the street right-of-way line to be devoted exclusively to landscaping except for necessary points of access.
 1. When off-street parking is to occur in the front yard area, the front yard requirement shall be such that the provisions of Section 15 of this ordinance or as amended, are complied with.
- B. Side Yards. There shall be two (2) side yards, one on each side of a building. Each side yard shall not be less than ten (10) feet in width.
- C. Rear Yard. There shall be a rear yard not less than

twenty-five (25) feet in depth.

Subd. 8.

Transitional Yards Requirements. When any lot line coincides with a lot line of an adjacent residential district, the setback shall be at least thirty (30) feet.

Subd. 9.

Maximum Ground Coverage.

A. The sum total of the ground area covered by all structures shall not exceed sixty (60) percent of the zoning lot on which the structures are located.

Subd. 10.

Maximum Floor Area Ratio (FAR).

A. In the I-1 District, the FAR shall not exceed one and one-half (1.5).

Subd. 11.

Performance Standards.

- A. Intent. It is the intent of this Subdivision to provide that industry and related activities shall be established and maintained with proper appearance from streets and adjoining properties and to provide that each such permitted use shall be a good neighbor to adjoining properties by the control of the following:
- B. Noise. Noise shall be measured on any property line of the tract on which the operation is located. Noise shall be muffled so not to become objectionable due to intermittence, beat, frequency, shrillness or intensity. At the property line, the sound pressure level of noise radiated continuously from a facility shall not exceed the values given in Table A herein.

TABLE A

Maximum permissible sound-pressure levels of specified points of measurement for noise radiated continuously from a facility.

<u>Band Cycles Per Second (Frequency)</u>	<u>Maximum Permitted Sound Level (Decibels)</u>
20 - 75	72
75 - 150	67
150 - 300	59
300 - 600	52
600 - 1200	46
1200 - 2400	40
2400 - 4800	34
Over 4800	32

C. Nuisance Standards.

1. Noise- Any use established shall conform to the noise standards established in Minnesota Statutes Chapter

- 7030, subd. 0040 or as amended. This standard shall not apply to incidental traffic, parking, loading, construction, farming, or maintenance.
2. **Vibration-** Any use creating periodic earthshaking vibration shall be prohibited if undue vibrations are perceptible beyond boundaries of the property on which the use is located. This standard shall not apply to vibrations created during the process of construction or to permitted quarrying operations, subject to conditions placed upon such businesses.
 3. **Glare and Heat-** Any use producing intense heat or light transmission shall be performed with the necessary shielding to prevent such heat or light from being detectable at the lot line of the site on which the use is located.
 4. **Smoke and Particulate matter-** Any use established, enlarged, or remodeled after the effective date of this ordinance shall be so operated as to meet the minimum requirements for ambient air quality standards, as established in Minnesota Statutes, Chapter 7009 or as amended, unless a permit has been secured from the County by the owner or operator of the facility or use.
 5. **Toxic or Noxious matter-** Any use which involves the use of or the manufacture of toxic or noxious substances shall not discharge such substances into the atmosphere, water, or subsoil.
 6. **Explosives-** Any use requiring the storage, use, or manufacture of products which could decompose by detonation shall be located not less than 400 feet from any residence. This section shall not apply to the storage or usage or liquefied petroleum or natural gas for normal residential or business purposes.
 7. **Radiation Emission-** All activities that emit radioactivity shall comply with the minimum requirements of the MPCA.
 8. **Electrical Emission-** All activities that create electrical emissions shall comply with the minimum requirements of the FCC.
- D. **Odor.** No activity or operation shall cause at any time the discharge of toxic, noxious or odorous matter beyond the limits of the immediate site where it is located in such concentrations as to be obnoxious or otherwise detrimental to or endanger the public health, welfare, comfort or safety or cause injury to property or business.
- E. **Glare.** Glare, whether direct or reflected, such as from floodlights, spotlights or high temperature processes, and as differentiated from general illumination, shall not be visible beyond the site of origin at any property line.
- F. **Exterior Lighting.** Any lights used for exterior illumi-

- nations shall be directed away from adjacent properties.
- G. Smoke, Dust, Fumes or Gases. Every operation shall conform to local standards.
 - H. Hazard. Every operation shall be carried on in accordance with local Fire and Safety Codes.
 - I. Water Supply. The design and construction of water supply facilities and water supply source shall be in accordance with local and Minnesota State Department Health standards and requirements.
 - J. Waste. All sewage and industrial wastes shall be treated and disposed in such manner as to comply with Minnesota State Department of Health standards and requirements, and local Ordinance 138, Ordinance 139, ISTS Ordinance 183, and water and sewer Ordinance 155, or as amended.
 - K. Compliance. In order to assure compliance with the performance standards set forth above, the planning commission may require the owner or operator of any permitted use to make such investigations and tests as may be required to show adherence to the performance standards.
 - L. All subsequent additions. All subsequent additions and outbuildings constructed after the erection of an original building or buildings shall be reviewed by the Planning Commission.

Subd. 12.

Regulations On Screening. Any unenclosed uses, including storage, manufacturing and assembly, occurring within fifty (50) feet of a Residential District, shall be screened and buffered from such district by a wall and separation of open space which shall have a minimum depth of thirty (30) feet and shall include a required fence or vegetative screening of not less than seven (7) feet in height above the level of the Residential District property at the district boundary. Walls or fences of lesser heights or planting screens may be permitted by the Board of Adjustment and Appeals if there is a finding that the nature or extent adequately promote and protect the use and enjoyment of the properties within the adjacent Residential District, or there is a finding that a screening of the type required by this Ordinance would interfere with the provision of adequate amounts of light and air to same said properties. Loading docks in the Industrial District shall be screened so as not to be visible from any public street right-of-way within a Residential District. All required screening devices shall be designed so that they are architecturally harmonious with the principal structures on the site and they shall be properly maintained so as not to become unsightly, hazardous, or less opaque than when originally constructed.

SECTION 10 (I-2) GENERAL INDUSTRIAL DISTRICT

Subd. 1.

Purpose. The General Industrial district is established to provide exemplary standards of development for certain industrial uses that prefer to be located in choice or strategic sites. These general industrial uses are less compatible with commercial and residential areas and, therefore, are not appropriate in the I-1 District.

Subd. 2.

Special Requirements. Performance standards set forth in Subd. 11 of this Section.

Subd. 3.

Permitted Uses. The following are permitted uses:

- A. Art equipment supplies - manufacturing.
- B. Bags, boxes and paper containers, manufacturing and storage.
- C. Bottling establishments.
- D. Books, looseleaf binders - fabrication and assembly.
- E. Books and bookbinding.
- F. Cabinet and woodworking establishments.
- G. Clothing manufacturing.
- H. Camera and photographic manufacturing.
- I. Cold storage plants, commercial printing, publishing, engraving and reproduction firms.
- J. Confectionery and related products, manufacturing and packaging.
- K. Dental instruments and supplies.
- L. Laundry, dry cleaning and dyeing establishments.
- M. Electric lighting and wiring equipment - manufacturing.
- N. Electric measuring and testing equipment - manufacturing.
- O. Electronic tubes and other components - manufacturing.
- P. Electrical products and appliances - manufacturing and assembly.
- Q. Footwear - manufacture and fabrication.
- R. Hand and edge tools (except machine tools) - manufacturing and assembly.
- S. Ice plants and ice creams plants.
- T. Jewelry manufacturing.
- U. Laboratories - Analytical, Dental, Medical, Testing, or Research.
- V. Laboratory instruments and associated equipment, scientific and testing - manufacturing and assembly.
- W. Luggage, handbags, and similar items - manufacturing.
- X. Mail-order houses.
- Y. Medical and surgical instruments and supplies - manufacturing and assembly.
- Z. Monument plants - cutting, polishing, engraving.
- AA. Newspaper plants and offices.
- BB. Office furniture and supplies - manufacturing and

- assembly.
- CC. Optical instruments and lenses - manufacturing and assembly.
- DD. Patterns - design and manufacturing.
- EE. Pottery shops.
- FF. Precision instruments - manufacturing, assembly.
- GG. Plastic extrusion and molding and fixture.
- HH. Plumbing fixture and equipment - wholesale.
- II. Radio and television - assembly and parts fabrication.
- JJ. Slaughtering and meat packing.
- KK. Sport Equipment - manufacturing and assembly.
- LL. Scientific and research instruments and equipment - manufacturing and assembly.
- MM. Signs and advertising display materials.
- NN. Telephone and telegraph technical apparatus - manufacturing and assembly.
- OO. Temperature controls - fabrication and assembly.
- PP. Trade schools.
- QQ. Welding supply.
- RR. Wholesale business facilities.
- SS. All uses permitted in the I-1 District.

Subd. 4.

Conditional Uses. The following uses may be permitted:

- A. Other manufacturing, processing, storage or commercial use determined by the Planning Commission to be of the same general character as the permitted uses above and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, oxidation, smoke, dust, odors, toxic or noxious matter or glare of heat.
- B. Freight terminals.
- C. Planned Unit Developments as regulated by Section 11 of this Ordinance, or as amended.

Subd. 5.

Accessory Uses. The following are permitted accessory uses in the "I-2" District:

- A. Industrial buildings and structures for a use accessory to the principle use, but shall not exceed thirty (30) percent of the gross floor area of the principle use.
- B. Off-street parking as regulated by Section 15 of this Ordinance, or as amended, but not including semi-trailer trucks.
- C. Off-street loading as regulated by Section 15 of this Ordinance, or as amended.
- D. Fencing, screening and landscaping as permitted and regulated by Section 13 of this Ordinance, or as amended.

Subd. 6.

Minimum Lot Size.

- A. Every individual lot, site or tract shall have an area of not less than one-half (0.5) acre.
- B. Every lot or tract shall have a width of not less than

- one hundred (100) feet abutting a public right-of-way.
- C. All Planned Unit Developments shall only be permitted on an area of at least two (2) acres.
 - D. There shall be a required minimum ten (10) percent reservation of the total lot area for landscaping use. Such landscaping shall conform in design and appearance with the overall development plan as approved by the Planning Commission.

Subd. 7.

Front, Side, and Rear Yard Requirements.

- A. Front Yard. There shall be a front yard having a depth of not less than thirty-five (35) feet between building and the street right-of-way line to be devoted exclusively to landscaping except for necessary points of access.
 - 1. When off-street parking is to occur in the front yard area, the front yard requirement shall be such that the provisions of Section 15, or as amended, are complied with.
- B. Side Yards. There shall be two (2) side yards, one on each side of a building. Each side yard shall be not less than ten (10) feet in width.
- C. Rear Yard. There shall be a rear yard not less than twenty-five (25) feet in depth.

Subd. 8.

Transitional Yards Requirements. When any lot line coincides with a lot line of an adjacent residential district, the setback shall be at least thirty (30) feet.

Subd. 9.

Maximum Ground Coverage.

- A. The sum total of the ground area covered by all structures shall not exceed sixty (60) percent of the zoning lot on which the structures are located.

Subd. 10.

Maximum Floor Area Ratio (FAR).

- A. In the I-2 District, the FAR shall not exceed one and one-half (1.5).

Subd. 11.

Performance Standards.

- A. Intent. It is the intent of this Section to provide that the industry and related activities shall be established and maintained with proper appearance from streets and adjoining properties and to provide that each such permitted use shall be a good neighbor to adjoining properties by the control of the following:
- B. Noise. Noise shall be measured on any property line of the tract on which the operation is located. Noise shall be muffled so not to become objectionable due to intermittent, beat, frequency, shrillness or intensity.

At the property line, the sound pressure level of noise radiated continuously from a facility shall not exceed the values given in Table A herein.

TABLE A

Maximum permissible sound-pressure levels of specified points of measurement for noise radiated continuously from a facility.

Band Cycles Per Second (Frequency)	Maximum Permitted Sound Level (Decibels)
20 - 75	72
75 - 150	67
150 - 300	59
300 - 600	52
600 - 1200	46
1200 - 2400	40
2400 - 4800	34
Over 4800	32

- C. Odor. No activity or operation shall cause at any time the discharge of toxic, noxious or odorous matter beyond the limits of the immediate site where it is located in such concentrations as to be obnoxious or otherwise detrimental to or endanger the public health, welfare, comfort or safety or cause injury to property or business.
- D. Glare. Glare, whether direct or reflected, such as from floodlights, spotlights or high temperature processes, and as differentiated from general illumination, shall not be visible beyond the site of origin at any property line.
- E. Exterior Lighting. Any lights used for exterior illuminations shall be directed away from adjacent properties.
- F. Smoke, Dust, Fumes or Gases. Every operation shall conform to local standards.
- G. Hazard. Every operation shall be carried on in accordance with local fire and safety codes.
- H. Water Supply. The design and construction of water supply facilities and water supply source shall be in accordance with local and Minnesota State Department Health standards and requirements.
- I. Waste. All sewage and industrial wastes shall be treated and disposed in such manner as to comply with Minnesota State Department of Health standards and requirements, and local codes.
- J. In order to assure compliance with the performance standards set forth above, the Planning Commission may require the owner or operator of any permitted use to make such investigations and tests as may be required to show adherence to the performance standards.
- K. All subsequent additions and outbuildings constructed

SECTION 11 A. (GB-I) GENERAL BUSINESS – INDUSTRIAL DISTRICT

Subd. 1.

Purpose. The General Business – Industrial District is designed and intended to promote the development of a combination of commercial uses and industrial uses. The district is established to provide exemplary standards of development for commercial and industrial uses that prefer to be located in choice or strategic sites.

Subd. 2.

Special Requirements. Any use not enclosed, including storage, manufacturing and assembly, shall be subject to those performance standards set forth in Subd. 11 of this section and regulations set forth by Subd. 12 of this section and as amended.

Subd. 3.

Permitted Uses. The following are permitted uses:

- A. All permitted uses allowed in a (GBD) General Business District
- B. All permitted uses allowed in a (I-1) Limited Industrial District
- C. All permitted uses allowed in a (I-2) General Industrial District

Subd. 4.

Conditional Uses. The following uses may be permitted:

- A. Adult Uses
- B. Any drive-in type establishments, not including theaters.
- C. Any use other than those enumerated as permitted uses, intended to provide amusement on the payment of a fee, including, but not limited to, water slides, golf ranges, raceway (Go Carts), roller skating rink, mini-golf parks.
- D. Auto service station
- E. Community or convention center
- F. Convenience food establishments
- G. Freight terminals
- H. Other manufacturing, processing, servicing, production, storage or commercial use determined by the Planning Commission to be of the same general character as the permitted and conditional uses and conform with the purpose and performance standards set forth in this district.
- I. Planned Unit Developments as regulated by this Section and Section 11 of this Ordinance, or as amended.
- J. Sports arena or stadium.
- K. Towers.

Subd. 5.

Accessory Uses. The following are permitted accessory uses in the “GB – I” District:

- A. Commercial, business, industrial buildings and structures for a use accessory to the principle use, but shall not exceed thirty (30) percent of the gross floor area of the principle use.
- B. Off – street parking as regulated by Section 15 of this Ordinance or as amended, but not including semi-trailer trucks.

- C. Off-street loading as regulated by Section 15 of this Ordinance or as amended.
- D. Fencing, screening and landscaping as permitted and regulated by Section 13, Subd. 6 of this Ordinance or as amended.

Subd. 6.

Minimum Lot Size.

- A. Every individual lot, site or tract shall have an area of not less than one-half (1/2) acre.
- B. Every lot or tract shall have a width of not less than one hundred (100) feet abutting a public right-of-way.
- C. All Planned Unit Developments shall only be permitted on an area of at least two (2) acres.
- D. There shall be a required minimum ten (10%) percent reservation of the total lot area for landscaping use. Such landscaping shall conform in design and appearance with the overall development plan as approved by the Planning Commission.

Subd. 7.

Front, Side and Rear Yard Requirements

- A. Front Yard. There shall be a front yard having a depth of not less than thirty-five (35) feet between building and the street right-of-way line to be devoted exclusively to landscaping except for necessary points of access.
 - 1. When off-street parking is to occur in the front yard area, the front yard requirements shall be such that the provisions of Section 15 of this ordinance or as amended, are complied with.
- B. Side Yards. There shall be two (2) side yards, one on each side of the building. Each side yard shall not be less than ten (10) feet in width.
- C. Rear Yard. There shall be a rear yard not less than twenty-five (25) feet in depth from the building to the rear lot line.

Subd. 8.

Transitional Yard Requirements.

- A. When any lot line coincides with a lot line of an adjacent residential district, the setback shall be at least thirty (30) feet.

Subd. 9.

Maximum Ground Coverage.

- A. The sum total of the ground area covered by all structures shall not exceed sixty-five (65%) percent of the zoning lot on which the structures are located.

Subd. 10.

Maximum Building Heights.

- A. Building heights permitted are two and one-half (2 ½) stories by not exceeding thirty-five (35) feet.

Subd. 11

Performance Standards.

- A. Intent. It is the intent of this Subdivision to provide that businesses, industries and related activities shall be established and maintained with proper appearance from streets and adjoining properties and to provide that each such permitted use shall be a good neighbor to adjoining properties by the control of the following:
- B. Noise. Noise shall be measured on any property line of the tract on which the operation is located. Noise shall be muffled so not to become objectionable due to intermittent, beat, frequency, shrillness or intensity. At the property line, the sound pressure level of noise radiated continuously from a facility shall not exceed the values given in Table A herein.

TABLE A

Maximum permissible sound-pressure levels of specified points of measurement for noise radiated continuously from a facility.

<u>Band Cycles Per Second</u> <u>(Frequency)</u>	<u>Maximum Permitted Sound Levels</u> <u>(Decibels)</u>
20 - 75	72
75-150	67
150-300	59
300-600	52
600-1200	46
1200-2400	40
2400-4800	34
over 4800	32

- C. Odor. No activity or operation shall cause at any time the discharge of toxic, noxious or odorous matter beyond the limits of the immediate site where it is located in such concentrations as to be obnoxious or otherwise detrimental to or endanger the public health, welfare, comfort or safety or cause injury to property or business.
- D. Glare. Glare, whether direct or reflected, such as from floodlights, spotlights, or high temperature processes, and as differentiated from general illumination, shall not be visible beyond the site of origin at any property line.
- E. Exterior lighting. Any lights used for exterior illuminations shall be directed away from adjacent properties.
- F. Smoke, Dust, Fumes or Gases. Every operation shall conform to local standards.
- G. Hazard. Every operation shall be carried on in accordance with local and Minnesota State Department Health standards and requirements.
- H. Water Supply. The design and construction of water supply facilities and water supply source shall be in accordance with local and Minnesota State Department Health standards and requirements.

- I. Waste. All sewage and industrial wastes shall be treated and disposed in such manner as to comply with Minnesota State standards and requirements, and local codes.
- J. In order to assure compliance with the performance standards set forth above, the Planning Commission may require the owner or operator of any permitted use to make such investigations and tests as may be required to show adherence to the performance standards.
- K. All subsequent additions and outbuildings constructed after the erection of an original building or buildings shall be reviewed by the Planning Commission.

Subd. 12

Regulations On Screening. All principal and conditional uses, except business signs, which are situated within fifty (50) feet of Residential Districts, shall be screened and buffered from such district by a wall and separation of open space which shall have a minimum depth of thirty (30) feet and shall include a required fence or vegetative screening of not less than seven (7) feet in height above the level of Residential Districts property at the District boundary. Walls or fences of lesser heights or planting screens may be permitted by the City Council if there is a finding that the nature or extent of the use being screened is such that a lesser degree of screen will as adequately promote and protect the use and enjoyment of the properties within Residential Districts, or there is a finding that a screening of the type required by this Ordinance would interfere with the provision of adequate amounts of light and air to same said properties. Loading docks in the GB-I District shall be screened so as not to be visible from any public street right-of-way within a Residential District. All required screening devices shall be designed so that they are architecturally harmonious with the principal structures on the site and they shall be properly maintained so as not to become unsightly, hazardous or less opaque than when originally constructed.

after the erection of an original building or buildings shall be reviewed by the Planning Commission.

Subd. 12.

Regulations On Screening. All principal, and conditional uses, except business signs, which are situated within fifty (50) feet of a Residential District, shall be screened and buffered from such district by a wall and separation of open space which shall have a minimum depth of thirty (30) feet and shall include a required fence or vegetative screening of not less than seven (7) feet in height above the level of the Residential District property at the district boundary. Walls or fences of lesser heights or planting screens may be permitted by the Board of Adjustment and Appeals if there is a finding that the nature or extent of the use being screened is such that a lesser degree of screen will as adequately promote and protect the use and enjoyment of the properties within the adjacent Residential District, or there is a finding that a screening of the type required by this Ordinance would interfere with the provision of adequate amounts of light and air to same said properties. Loading docks in the Industrial District shall be screened so as not to be visible from any public street right-of-way within a Residential District. All required screening devices shall be designed so that they are architecturally harmonious with the principal structures on the site and they shall be properly maintained so as not to become unsightly, hazardous, or less opaque than when originally constructed.

SECTION 11. (PUD) PLANNED UNIT DEVELOPMENT DISTRICT

Subd. 1.

Purpose. The purpose of the "PUD" Planned Unit Development District is to permit great flexibility in the use and design of structures and land in situations where modification of specific provision of this Ordinance will not be contrary to its intent and purpose or significantly inconsistent with the planning on which it is based, and will not be harmful to the neighborhood in which the Districts occur.

Subd. 2.

Permitted, Accessory and Conditional Uses. Permitted, accessory and conditional uses within the "PUD" District shall be based upon the "PUD" proposal.

Subd. 3.

Lot Area Regulation. The provisions of Section 11, or as amended, of this Ordinance shall be applied to land on one (1) or more acres in size.

Subd. 4.

Procedural Requirements.

A. Preliminary Development Plan

1. The applicant requesting a Planned Unit Development

shall first submit a preliminary development plan in accordance with the procedures for amendments set forth and regulated by Section 19 of this Ordinance, or as amended.

2. The preliminary development plan shall consist of location and preliminary site maps including maps and/or statements describing proposals suggested for land use, parking, drainage, utilities, and other additional data required by the Planning Commission or City Council.
- B. Final Development Plan
1. Within one (1) year from the date of City Council approval of the preliminary development plan, the applicant shall submit a final development plan to the Planning Commission.
 2. The final development plan shall include:
 - a. Complete site development plans
 - b. Complete landscaping plans (where necessary)
 - c. Complete parking and circulation plans
 - d. Complete drainage and other utility systems plans
 - e. Preliminary architectural floor plans
 - f. Additional data as required by the Planning Commission
 3. The Planning Commission shall review the final development plan to assure consistency with the approved preliminary development plan. The Planning Commission shall make a recommendation for approval or disapproval with conditions and reasons thereof to the City Council. In case the plat is disapproved, the applicant shall be notified in writing of the reason for such disapproval and what requirements are necessary to meet the approval of the Commission.
 4. The final development plan, together with the recommendations of the Planning Commission shall be submitted to the City Council at its next regularly scheduled meeting. If accepted, the final development plan shall be approved by resolution, including acceptance of all agreements for basic improvements, public dedication and other requirements as indicated by the City Council. If denied, the reasons for such refusal shall be set forth in the proceedings of the Council and reported to the applicant.
- C. Requests for variances may be approved when consistent with the purpose of this Section. All approved final development plans which include the platting or replatting of property within the PUD shall be filed and recorded with the Isanti County Recorder's Office. Failure to do so within one (1) year of Council's final approval shall result in the requiring of a new preliminary development plan according with the procedures set forth in this Section to ensure compliance with any new requirements.
- D. Upon approval of the PUD, the Zoning Administrator shall

record the PUD District onto the Zoning Map and designate the district as PUD-1. Thereafter, future approved PUD Districts shall be designated in sequential order, i.e., PUD-2, PUD-3, PUD-4, etc.

SECTION 12. (W) WETLAND SYSTEMS DISTRICT

Subd. 1.

Purpose. The Wetlands Systems District is established relating to low lands, marshes, wetlands, drainages, water bodies, and water courses regulating alteration and development of such lands and providing for the issuance of permits therefore, and specifically to:

- A. Reduce danger to the health, safety and welfare of the residents of the City by protecting surface and ground-water supplies from the impairment which results from incompatible land uses and alterations, and by providing safe and sanitary drainage.
- B. Restrict and control land development so it will not impede the flow of flood water or cause danger to life or property.
- C. Designate suitable land uses that are compatible with the preservation of the natural vegetation and marshes which are a principal factor in the maintenance of constant rates of water flow through the year and which sustain many species of wildlife and plant growth.
- D. Regulate runoff of surface waters from developed areas to prevent pollutants such as motor oils, sand, salt and other foreign materials from being carried directly into the nearest natural stream, lake or other public or private waters.
- E. Regulate the alteration of wetland systems to prevent excessive sediment pollution, increased and rapid water runoff, excessive nutrient runoff pollution and to maintain the aesthetic appearance of the wetlands.
- F. Prevent the development of structures in areas which will adversely affect the public passage and use of creeks, marshes, lowlands and water courses within the City.

Subd. 2.

District Application.

- A. The "W" Wetland Systems District shall be applied to and super-imposed upon the zoning districts contained herein existing or amended by the text and map of this Ordinance. The regulations and requirements imposed by the "W" Wetland Systems District shall be in addition to those established for the district which jointly apply. Under the joint application of districts, the more restrictive requirements shall apply.
- B. The Wetland Systems District within the City is defined and established to include those areas which include any water course, natural drainage system, water body, or wetland, that may be subject to periodic flooding, overflow, or seasonally high water tables. The district

boundary lines shall be established at the edge of the aforesaid areas as depicted on the "Wetland Systems Map" and interpreted by the Zoning Administrator. The Wetland Systems Map is based upon geographical, hydrological and surficial geological data obtained from the United States Department of Agriculture Soil Conservation Service and field surveys. These specific soils and areas are characterized as unsuitable for development due to their poor drainage qualities, flooding proneness, poor texture, high water table depth and general organic content.

- C. The Dept. of Natural Resources, Corp. of Engineers, and the County Engineer have authority over and are responsible for all wetland areas.

Subd. 3.

Permitted Uses. The following operations and uses are permitted in the "Wetland Systems District" as a matter of right, subject to any other applicable code, ordinance or law:

- A. Grazing, farming, nurseries, gardening, and harvesting of crops.
- B. Sustained yield forestry and tree farms.
- C. Conservation of soil vegetation, water, fish and wildlife.
- D. Scientific research and educational activities that teach principles of ecology and conservation.
- E. Leisure activities such as hiking, nature studies, canoeing, boating, camping, fishing, horseback riding, and general outdoor recreation including play and sporting areas that are not inconsistent with the intent of this Ordinance.
- F. Essential services.

Subd. 4. Development Regulations.

- A. High Water Elevation. For lakes, ponds or flowages, no structure, except boat houses, piers and docks, shall be placed at an elevation such that the lowest floor, including basement floor, is less than three (3) feet above the highest known water level. In those instances where sufficient data on known high water levels are not available, the elevation of the line of permanent shoreland vegetation shall be used as the estimated high water elevation. When fill is required to meet this elevation, the fill shall be allowed to stabilize and construction shall not begin until the property has been inspected by the Zoning Administrator. Cut slopes shall be a maximum of 1:1, or 100%; fill slope 3:1 or 30%; and construction slope 5:1, or 20%

SECTION 13. GENERAL PROVISIONS

Subd. 1.

Purpose. The purpose of this Section is to establish general

development standards to assure compatible land uses; to prevent blight and deterioration; and to enhance the health, safety and general welfare of the City.

Subd. 2.

Dwelling Unit Restrictions.

- A. No cellar, basement, garage, tent or accessory building shall at any time be used as an independent residence or dwelling unit, temporarily or permanently, except allowed as a conditional use as set forth and regulated by Section 19 of this Ordinance, or as amended.
- B. Tents, play houses or similar structures may be used for play or recreational purposes.

Subd. 3.

Building Restrictions.

- A. Any person desiring to build new or improve existing buildings shall submit to the Zoning Administrator information on the location, and dimensions of existing and proposed buildings, location of easements crossing the property encroachments, and any other information which may be necessary to insure conformance to City Ordinances.
- B. All buildings shall be so placed so that they will not obstruct future streets which may be constructed by the City in conformity with existing streets and according to the system and standards employed by the City.
- C. Except in the case of Planned Unit Developments as provided for in Section 11 of this Ordinance, or as amended, not more than one (1) principle building shall be located in a lot. The words "principle building" shall be given their common, ordinary meaning; in case of doubt or on any questions or interpretation the decision of the Zoning Administrator shall be final, subject to the right of appeal to the Planning Commission and City Council as provided for in Section 20, or as amended.
- D. Manufactured homes, buildings, tents or other structures temporarily maintained by an individual or company on the premise associated with the work project and used exclusively to house labor or other personnel occupied in such work project shall be exempt from the requirements of this Ordinance, but in no event shall such structures be on the premise for a period of time exceeding twelve (12) months. Such manufactured homes, buildings, tents, or other structures shall be removed within thirty days from the completion of the work project.

Subd. 4.

Land Reclamation. Under this Ordinance land reclamation is the reclaiming of land by depositing materials so as to elevate the grade. All land reclamation shall be controlled under the provisions of the State Uniform Building Code and Zoning Ordinance and shall meet the following minimum standards:

- A. The deposit of more than four hundred (400) cubic yards of fill shall be permitted by conditional use permit only, in all districts.
- B. The smallest amount of bare ground is exposed for as short a time as feasible.
- C. Temporary ground cover is used and permanent ground cover, such as sod, is planted.
- D. Methods to prevent erosion and trap sediment are employed.
- E. Fill is stabilized to accepted engineering standards.
- F. Final slopes for cut slopes should be a maximum of 1:1, or 100 percent; fill slope 3:1 or 30%, and grade or construction slope 5:1 or 20%.
- G. A plan for control of egress and ingress must be approved by the City.
- H. Dust control must be provided in an acceptable manner and approved by the City.

Subd. 5.

Fencing, Screening, and Landscaping.

- A. No fence shall exceed four (4) feet in height and no closer than 10 feet from the front property line or eight (8) feet in height in the rear yard in height as measured from the average point between the highest and lowest grade.
- B. No fence, screen, or structure which obstructs view shall be located within twenty-five (25) feet of any corner formed by the intersection of street or railroad right-of-ways as measured from the intersecting property lines.
- C. Except as provided in "B" above, fences, hedges, or shrubs, less than four (4) feet in height may be located on any part of the lot.
- D. In all zoning districts all useable open space as defined by this Ordinance shall be planted and maintained in grass, sodding, shrubs, or other suitable vegetation or treatment.
- E. All screening required by the provisions of this Ordinance shall consist of one of the following:
 - 1. A green belt planting strip consisting of vegetative cover of sufficient width and density to provide an effective screen.
 - 2. A fence constructed of masonry, brick, wood or steel which is compatible with surrounding structures and buildings and sufficiently serves as an effective screen.
- F. Except as provided in Section 13, Subd. 6B, or as amended, fences shall be set back at least one (1) foot from the lot lines or upon mutual consent of the abutting property owner (s) may be placed along the lot line.
- G. All fences shall be constructed with a finished side facing outward.
- H. Every fence shall be constructed in a substantial workmanlike manner and of substantial material suited for the purpose for which the fence is proposed to be used.

Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a public or private nuisance.

- I. Material such as wire mesh, hog wire fencing, straight wire fencing, barbed wire, or snow fencing will not be allowed.
- J. Permits are required for all fences. The permit fee is waived on fences six (6) feet and under in height.

Subd. 6.

Refuse. All lots within all zoning districts shall be maintained in a neat and orderly manner. No rubbish, salvage materials, vehicles or trailers that are not licensed for public street use, junk, or miscellaneous refuse shall be openly stored or kept in the open when the same is construed by the City Council to be a menace or nuisance to the public health, safety, or general welfare of the City, or to have a depressing influence upon property values in the area.

Subd. 7.

Vision Clearance at Corners, Curb Cuts and Railroad Crossings. Notwithstanding any part of this Ordinance or any permit or variance granted, no structure, vehicle, vegetation, fence, sign, building, or any obstacle, or any portion thereof shall be placed or retained in such a manner to constitute a traffic hazard or obstruct the vision clearance of corners, curb cuts, or railroad crossings.

Subd. 8.

Performance Standards. All uses shall comply with all federal, state, and local pollution and nuisance laws and regulations, including but not limited to glare, smoke, dust, odors, and noise. The burden of proof of compliance with appropriate performance standards shall lie with the applicant.

Subd. 9.

Administrative Standards. Whenever in the course of administration and enforcement of this Ordinance it is necessary or desirable to make any administrative decision, unless other standards are provided within this Ordinance, the decisions shall be made so that the result will be consistent with the intent and purpose of this Ordinance as described in Section 1, Subd. 2 of this Ordinance, or as amended.

Subd. 10.

Lighting. Any lighting used to illuminate an off-street parking area, sign, or structure shall be arranged as to deflect light away from any adjoining residential properties or uses from the public streets.

Subd. 11.

Public Water Alteration. Any alteration which will change or diminish the course, current or cross section of a public water shall be approved by the Commissioner of the Minnesota Department of Natural Resources, in accordance with the procedures of Minnesota Statute 1974, Section 105.42 or as amended. This alteration includes construction of channels and ditches; lagoons; dredging of lake or stream bottoms for removal of muck, silt or weeds; and filling in the lake or stream bed. Judicial ditches are under court jurisdiction and Isanti County Engineer is our advisor.

Subd. 12.

Design Standards. The architectural appearance and function of any building and site shall not be so dissimilar to the existing buildings or areas as to constitute a blighting influence. Earth sheltered buildings are allowed if in compliance with all other zoning provisions promulgated pursuant to M.S. 462.357.

SECTION 14. YARD, AREA AND BUILDING SIZE REGULATIONS

Subd. 1.

Purpose. The purpose of this Section is to outline minimum yard, area and building size requirements to be provided for each zoning district.

Subd. 2.

General Statement. No lot, yard, or other open space shall be reduced in area or dimension so as to make such lot, yard or open space less than a minimum required by this Ordinance, and if the existing yard or other open space as existing is less than the minimum required, it shall not be further reduced.

Subd. 3.

Yard Requirements. The minimum yard setback distances from the appropriate lot line are set forth within the district provisions of this Ordinance.

- A. Front Yard Setbacks. Where existing structures within a block have front yard setbacks different from those required, the front yard minimum setback shall be the average of the adjacent structures. If there is only one (1) adjacent structure, the front yard minimum setback shall be the average of the required setback and the setback of the adjacent structure. In no case shall the minimum front yard setback exceed thirty (30) feet.
- B. Corner Lots. Where a lot is located at the intersection of two (2) or more streets, the width of the yard along the side street shall not be less than thirty (30) feet.
- C. Through Lots. On a lot fronting on two (2) parallel streets, both street lines shall be front lot lines for applying the yard regulations of this Ordinance.
- D. Rear Yard With Alley Adjoining. In computing the depth of a rear yard for any building where the rear line of

the lot adjoins an alley, one-half the width of such alley may be included as rear yard depth, that the rear yard depth, actually on the lot shall be not less than twenty (20) feet in any dwelling district.

- E. Earth Sheltered Buildings. Computations for yard requirements shall be based upon measurements from the exposed exterior surface of the building.
- F. Exceptions. The following shall not be considered as encroachment into yard setback requirements.
 1. Architectural projects extending not more than three (3) feet into a yard area, except those indicated below.
 2. In rear yards, recreational and laundry drying equipment, trellises, balconies, breezeways, open porches, detached outdoor living rooms, garages, and air conditioning or heating equipment; and in all other yards, terraces, steps, stoops, or similar features provided, in each they do not exceed above the height of the principal structure or extend to a distance less than ten (10) feet from the front lot lines, and five (5) feet from any side or rear lot line.

Subd. 4.

Lot Area Requirements. The minimum lot area requirements are set forth within the district provisions of this Ordinance.

- A. Lot Area With Alley Adjoining. In computing required lot area, one-half of the width, but not exceeding ten (10) feet of any alley or portion thereof abutting any lot line may be included as part of the lot area for such computation.
- B. Lot Area Exception. A lot of record existing upon the effective date of this Ordinance which does not meet the area and width requirements of this Ordinance may be utilized provided the measure of such area and width are within sixty (60) percent of the requirements of this Ordinance, and provided that all other provisions of this Ordinance with respect to individual septic systems and water wells are complied with.

Subd. 5.

Building Size Requirements. The building size requirements are set forth within the district provisions of this Ordinance.

- A. Height Exceptions. The building height limits established shall not apply to belfries, cupolas, spires, monuments, airway beacons, radio towers, flag poles, smoke stacks, nor to elevators, cooling towers, water tanks, towers and other structures for essential services, nor to similar structures for essential services; nor to similar structures extending above the roof of any building and not occupying more than twenty-five (25) percent of the area of such roof.
- B. Earth Sheltered Buildings. Computations for ground coverage shall be based upon measurements from the

ORDINANCE NO. 235
AN ORDINANCE AMENDING ZONING ORDINANCE #199

Sec. 14 Yard, Area and Building Size Regulations, Subd. 6. Accessory Buildings, Uses and Equipment, Sec. C and F are amended, and Subd. 7 is added, as follows:

Subd. 6.

C. Height. Accessory building sidewalls shall not exceed 10 (ten) feet in height.

F. Building Design Standards. The architectural design and appearance of all buildings, and structures shall comply with the following standards:

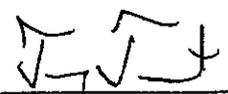
1. Designed to MN. State Building Code.
2. The wall or walls that face a street must have siding of like material to the principle structure or consistent with residential structures. Buildings on a corner lot must comply with the ordinance on both sides of the structure that face the street.
3. Exceptions. Metal lawn or storage sheds one hundred twenty (120) square feet or less in floor area shall be exempt from these standards.

Subd. 7.

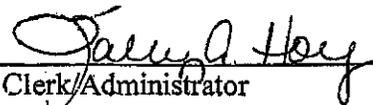
Conditional Uses.

A. Accessory buildings with sidewalls that exceed ten (10) feet in height.

Adopted by the Braham City Council this 8th day of November, 2004.



Mayor

Attest: 
Clerk/Administrator



exposed exterior of the building.

Subd. 6.

Accessory Buildings, Uses, and Equipment.

- A. General Statements. An accessory building shall be considered an integral Part of the principal building if it is connected to the principal building by a structured passageway.
- B. Location. No accessory building shall be located in the front yard.
- C. Height. Accessory building sidewalls shall not exceed ten (10) feet in height.
- D. Setbacks. Accessory buildings shall:
1. Be located five (5) feet or more from all lot lines of adjoining lots.
 2. Not be located within a utility easement.
- E. Size. Maximum accessory building square footage shall be:
1. 1,008 square feet for a lot greater than or equal to 0 acres and less than or equal to .59 acres.
 2. 1,200 square feet for a lot greater than or equal to .60 acres and less than or equal to .74 acres.
 3. 1,440 square feet for a lot greater than or equal to .75 acres.
 4. Where residents own two (2) or more contiguous lots the acreage may be combined.
- F. Building Design Standards. The architectural design and appearance of all buildings, and structures shall comply with the following standards:
1. Designed to MN. State Building Code.
 2. The wall or walls that face a street must have siding of like material to the principle structure or consistent with residential structures. Buildings on a corner lot must comply with the ordinance on both sides of the structure that face the street.
 3. Exceptions. Metal lawn or storage sheds one hundred twenty (120) square feet or less in floor area shall be exempt from these standards.
- G. Home Occupations. Home occupations must be conducted entirely within a building.
1. Offices, barber shops, beauty parlors, dress shops, millinery shops, tourist homes, music and dance schools, or similar uses, any business with an employee other than the home owner shall require conditional use permits.
 2. Such occupations as architects, artists, writers, clergymen, lawyers, teachers, dressmaking and similar domestic crafts shall be permitted.
 3. When deemed appropriate, the Zoning Administrator may bring the home occupation to the attention of the Planning Commission at which time the Planning Commission may hold such public hearings, request such information, or require such conditions as deemed necessary to bring the home occupation in compliance with the performance criteria. The Planning Commission shall make a recommendation to the City Council for final consideration.

SECTION 14 YARD, AREA AND BUILDING SIZE REGULATIONS

Subd. 7

Conditional Uses.

A. Accessory buildings with sidewalls that exceed ten (10) feet in height.

SECTION 14 YARD, AREA AND BUILDING SIZE REGULATIONS

Subd. 7

Conditional Uses.

A. Accessory buildings with sidewalls that exceed ten (10) feet in height.

*Amended
November 8, 2004*

exposed exterior of the building.

Subd. 6.

Accessory Buildings, Uses, and Equipment.

- A. General Statements. An accessory building shall be considered an integral part of the principal building if it is connected to the principal building by a structured passageway.
- B. Location. No accessory building shall be located in the front yard.
- C. Height. Accessory building sidewalls shall not exceed fourteen (14) feet in height.
- D. Setbacks. Accessory buildings shall:
1. Be located five (5) feet or more from all lot lines of adjoining lots.
 2. Not be located within a utility easement.
- E. Size. Maximum accessory building square footage shall be:
1. 1,008 square feet for a lot greater than or equal to 0 acres and less than or equal to .59 acres.
 2. 1,200 square feet for a lot greater than or equal to .60 acres and less than or equal to .74 acres.
 3. 1,440 square feet for a lot greater than or equal to .75 acres.
 4. Where residents own two (2) or more contiguous lots the acreage may be combined.
- F. Building Design Standards. The architectural design and appearance of all buildings, and structures shall comply with the following standards:
1. Accessory buildings shall be designed to support a forty (40) pound per square foot live roof load.
 2. Exceptions. Metal lawn or storage sheds one hundred twenty (120) square feet or less in floor area shall be exempt from these standards.
- G. Home Occupations. Home occupations must be conducted entirely within a building.
1. Offices, barber shops, beauty parlors, dress shops, millinery shops, tourist homes, music and dance schools, or similar uses, any business with an employee other than the home owner shall require conditional use permits.
 2. Such occupations as architects, artists, writers, clergymen, lawyers, teachers, dressmaking and similar domestic crafts shall be permitted.
 3. When deemed appropriate, the Zoning Administrator may bring the home occupation to the attention of the Planning Commission at which time the Planning Commission may hold such public hearings, request such information, or require such conditions as deemed necessary to bring the home occupation in compliance with the performance criteria. The Planning Commission shall make a recommendation to the City Council for final consideration.

- H. Storage of Solid Heating Fuels. The storage of solid heating fuels, e.g. coal, firewood, shall be screened from view of adjacent residential land uses. Such screening shall be in compliance with the provisions set forth in Section 13, Subd. 6. as amended of this Ordinance.

SECTION 15. OFF-STREET PARKING AND LOADING

Subd. 1.

Purpose. It is the purpose of this Section to provide for the regulation of and design standards for off-street parking facilities within the City, to minimize congestion on the public right-of-way, and to maximize the safety and general welfare of the public.

Subd. 2.

Scope of Regulations. No provision of any section of this Ordinance shall be less restrictive than those outlined in this section. The off-street parking requirements and off-street loading requirements of this Section shall apply within all zoning districts.

Subd. 3.

Calculating Space.

- A. Where calculations result in requiring a fractional space, any fraction less than one-half (1/2) shall be disregarded and any fraction of one-half (1/2) or more shall require one space.
- B. The term "floor area" for the purpose of calculating the number of off-street parking spaces required shall be determined on the basis of the exterior floor area dimensions of the building structure or use times the number of floors, minus ten (10) percent.
- C. Should a building or structure contain two (2) or more types of uses, each should be calculated separately for determining the total off-street parking spaces required.
- D. The parking requirements for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Planning Commission.

Subd. 4.

Site Plan. Except for single family dwellings, all applications for a building or an occupancy permit shall be accompanied by a site plan drawn to scale and dimensioned indicating the location of all off-street parking and loading spaces in compliance with the requirements of this Section. Such plan shall be reviewed by the City of Braham, in accordance to the criteria developed in Section 15, Subd. 5, or as amended, below. The site plan should include at least the following:

- A. Zoning, setbacks, and statement of use.
- B. North point and scale.
- C. All adjacent streets and alleys.

- D. Sidewalks, curbs, gutters, and street trees.
- E. Entire ownership of lot or parcel being developed.
- F. Completely dimensioned parking layouts.
- G. All parking spaces clearly marked.
- H. Owner's name and current address.
- I. The type and thickness of the paving.

Subd. 5.

Site Plan Criteria. Upon review by the Planning Commission and approved by the City Council, the plan for off-street parking shall meet the following site design standards:

- A. All off-street parking spaces shall consist of an area not less than nine (9) feet in width and nineteen (19) feet in length per space.
- B. All areas devoted for parking space and driveways shall be surfaced with materials suitable to control dust and drainage as determined by the Planning Commission and City Council. All parking areas shall be designed to control surface runoff to adjacent properties either with curbing or grading techniques.
- C. Any lighting used to illuminate off-street parking areas shall be directed away from abutting property and public right-of-way.
- D. No sign shall be so located as to restrict the sight, orderly operation, and traffic movement within any parking area.
- E. All parking lots shall be screened and landscaped from abutting residential and institutional uses or districts by a wall, fence, or densely-planted compact hedge or tree cover not less than four (4) feet nor more than eight (8) in height and be consistent with the other provisions of Section 13, Subd. 6 or as amended.
- F. The parking area shall meet the minimum design standards, and number of stalls required under this Section.

Subd. 6.

Reduction and Use of Parking and Loading Space. Off-street parking and loading facilities provided to comply with the provisions of this Ordinance shall not subsequently be reduced below the requirements of this Ordinance. No change of use or occupancy of land, or of use or occupancy of any building shall be made until there is furnished sufficient parking and loading spaces as required by this Section. In such case where reconstruction enlarges bulk or floor area or other such measurable unit prescribed in this Ordinance, parking and loading facilities shall be provided for that measurable unit beyond the original type use of structure.

Subd. 7.

Parking of Commercial Vehicles or Equipment. No commercial vehicles, or equipment, exceeding nine thousand (9,000) pounds gross weight, shall be parked, stored, or otherwise continued in a residential district for more than twenty-four (24) hours unless in a completely enclosed structure or

unless they are being used in conjunction with a legitimate service being rendered for the benefit of the residential premises.

Subd. 8.

Parking and Storage of Certain Vehicles. An automotive vehicle or trailer of any kind or type without current legal public street operable license plates, for sale or rent, or those inoperable shall not be parked or stored in any residential district unless done so in a completely enclosed building.

Subd. 9.

Maintenance. It shall be the joint responsibility of the lessee and/or owner of the principle use, uses or building to maintain in a neat and adequate manner, the parking area, striping, landscaping and screening.

Subd. 10.

Stall, Aisle and Driveway Design.

- A. Except in the case of single family, two family, and townhouses, parking areas shall be designed so that circulation between parking aisles or driveways occurs within the designated parking lot and does not depend upon a public street or alley, and such design does not require backing into the public street.
- B. Except in the case of single family, two-family, and townhouses, parking areas shall comply with the following standards:

Angle of Parking	Stall Width	Stall Depth	Minimum Driveway Width
0 (Along Curb)	9'	10'*	12'
30	9'	19'	11'
45	9'	21'	13'
60	9'	22'	18'
90	9'	19'	24'

*Parallel Parking: 22 feet in length.

- C. No curb cut access shall be located less than forty (40) feet from the intersection of two (2) or more street right-of-ways for residential uses, and sixty (60) feet for commercial and industrial areas. This distance shall be measured from the intersection of lot lines.
- D. Curb cut openings shall be a minimum of five (5) feet from the side property line.
- E. All property shall be entitled to at least one (1) curb cut. Single family uses shall be limited to one (1) curb cut access per property.
- F. All parking spaces shall be served by access aisle or driveway connections to a public right-of-way.

Subd. 11.

Number of Required Parking and Loading Spaces. The following minimum number of off-street parking and loading spaces shall be provided and maintained:

<u>Use</u>	<u>Number of Parking Spaces to Be Required</u>	<u>Off-street Loading & Unloading Spaces to Be Required</u>
<u>Residential Uses:</u>		
Single and Two Family.	2 spaces per dwelling unit	N/A
Elderly housing	1/2 space per dwelling unit	N/A
Multiple family and Townhomes	1 1/2 spaces per dwelling unit	N/A
<u>Institutional Uses:</u>		
Auditorium, stadium, gymnasium, community centers and religious institution (private or public)	1 space for each 4 permanent seats in the largest place of assembly plus 1 space for each 250 sq. ft. of gross office area.	1 for each structure over 100,000 sq. ft. of gross floor area.
Hospitals, rest homes, nursing homes, etc.	1 for each 4 beds plus one space per 2 employees on major shift.	1 space for each 100,000 sq. ft. of gross floor area.
Schools, elementary and junior high	2 spaces per classroom	1 space for each 100,000 sq. ft. of gross floor area
Schools, high school	1 space per employee plus 1 per 10 students	1 space for each 100,000 sq. ft. of gross floor area.
<u>Commercial Uses:</u>		
Commercial Uses (Except as below)	4 spaces per 1,000 sq. ft. retail or sales floor area.	1 space for the first of 10,000 sq. ft. of gross floor area and 1 space for each additional 50,000 sq. ft. of gross floor

Automobile Car Wash	2 spaces for each wash lane	area. N/A
Animal Hospital And Kennels	6 spaces plus 1 space for each 200 sq. ft. of gross floor area over 10,000 sq. ft.	N/A
Automobile Service Stations	3 for each service stall plus 1 for each attendant on the major shift.	N/A
Bowling Alleys	5 spaces for each lane or alley	1 space for each struc- ture over 20,000 sq. ft. in gross floor area.
Commercial Uses with 50% or more of floor area devoted to storage, ware- house and/or industry	1 space per 200 sq. ft. of gross floor area devoted to sales or service plus 1 space per 500 sq. ft. of storage area.	Same as com- mercial, use requirements for that por- tion used for commercial purposes. Additional spaces for non-commercial uses consis- tent with Subd.12 of this Section.
Drive-In Restaurants	5 spaces for each 100 sq. ft. of business area.	N/A
Furniture, Automobile and Boat sales, and Appliance sales	1 space for ea. 400 sq. ft. of floor area the first 25,000 sq. ft. and 1 space for each 600 sq ft. thereafter.	1 space plus 1 additional space for 25,000 sq. ft. of gross floor area.
Miniature Golf Course, Archery Range, Golf,	10 spaces respectively	N/A

Driving Range

Motel, hotel

1 space for dwelling unit

N/A

Office building, professional offices, banks

1 space for ea. 250 sq. ft. of gross floor area.

1 space for buildings between 30,000 sq.ft. and 100,000 sq. ft. of gross floor area and 1 space for ea. additional 100,000 sq. ft. of gross floor area. 1 for ea. structure over 10,000 sq. ft. of gross floor area.

Restaurants and other food dispensing establishments except drive-in restaurants

1 space for ea. 4 seats plus 1 for each 2 employees

Skating rink or dance hall

1 space for ea. 200 sq. ft. of gross floor area.

N/A

Undertaking establishments

1 space per 50 sq. ft. of gross floor area.

N/A

Industrial Uses:

Manufacturing and Research, Experimental or Testing stations

1 space for ea. employee on the major shift or 1 space for ea. 400 sq. ft. whichever greater.

1 space for each 50,000 sq. ft. of gross floor area. is

Warehousing and Wholesale Business Establishments

1 space for each employee on the major shift plus space for each company vehicle.

1 space for ea. 100,000 sq. ft. or 1 as determined by Planning Commission.

Subd. 12.

Joint Facilities. Provision of joint parking areas for several uses within the same block or same vicinity is permissible providing that the number of stalls required

shall be the sum of the individual requirements for those uses, upon application and approval by the City Council following review of the Planning Commission.

A. The City Council may, upon receiving a recommendation from the Planning Commission, approve a conditional use permit for one (1) or more businesses to provide the required off-street parking facilities by joint use of one (1) or more sites where the total number of spaces provided are less than the sum of the total required for each business, if the following conditions are satisfactorily met:

1. The building or use for which the application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.
2. The applicant shall show that there is no substantial conflict in the operating hours of the two (2) buildings or uses for which joint uses of off-street parking facilities is proposed.
3. The provisions and intent of Section 15 of this Ordinance, or as amended, are considered and satisfactorily met.

Subd. 13.

Off-Street Loading Facilities. Loading space required under this Section shall be at least fifty (50) feet long and twelve (12) feet wide. The regulations of this section are not applicable in the "CBD" District. Every lot used for commercial or industrial purposes and having a building or buildings with a total floor area of at least ten thousand (10,000) square feet and every lot used for office or research purposes on which there is a building or buildings having a total floor area of at least twenty thousand (20,000) square feet, shall be provided with an off-street loading space. An additional off-street loading space shall be required for lots used for commercial or industrial purposes where the floor area of all buildings exceeds one hundred thousand (100,000) square feet.

Subd. 14.

Central Loading. Central loading facilities may be substituted for loading berths on the individual zoning lots provided the following conditions are fulfilled:

- A. Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys at grade.
- B. Total berths provided shall meet the requirements based on the sum of the several types of uses served. (Area of types of uses may be totaled before computing number of loading berths.)
- C. No zoning lot served shall be more than five hundred (500) feet from the central loading zone area.
- D. The tunnel or ramp connecting the central loading area

with the zoning lot served shall not be less than seven (7) feet in width and have a clearance of not less than seven (7) feet.

SECTION 16. SIGNS

Subd. 1.

Purpose of Intent. The provisions of this Ordinance are intended to encourage an opportunity for effective communication and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Ordinance; while at the same time, assuring that the public is not endangered, annoyed or distracted by unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

Subd. 2.

Permits required. Except as herein provided it shall be unlawful for any person to erect, maintain, repair, alter or relocate within the City of Braham, any sign as defined in this Ordinance without first obtaining a permit to do so, and making payment of the permit fee, if applicable.

Subd. 3.

Application for Permit. Each application for a permit under this Section shall be submitted to the City and may include a permit fee which shall be set by Resolution by the City Council. Each application shall state or have attached thereto the following information:

- A. Name, address and telephone number of person for whom sign is being erected. Name or person, firm, corporation or association erecting structure.
- B. A complete description of the sign and a sketch showing its size, manner of construction and such other information as shall be necessary to inform the City of the kind, size, material and construction of the sign, including the proposed location of the sign and the location of building, structure or lot to which, or upon which the sign is to be attached or erected.
- C. Position of the sign and other advertising structure in relation to nearby buildings or structures, and lighting details.
- D. Application for billboards shall show location of building and structures, and lighting details.
- E. At the request of the City, two blueprints or ink drawings of the plans and specifications and method of construction and attachment to the building or in the ground, and any additional information as deemed necessary by the City.
- F. The City may waive requirements for technical information specified above where such information is not necessary to the determination of compliance.

MEMO: To City Council
From: Marshall Lind

RE: Sign Ordinance

City Ordinance #199 Section 16 Signs Subd. 4. General Provisions Applicable to all Signs (B) states: No sign or sign structure shall be placed on or protrude over the public right-of-way, except wall (maximum protrusion 12 inches), canopy, awning, or marquee shall not exceed twelve (12) inches in height. Canopy/awning/ marquee structures and signs shall be setback three (3) feet from the curbline.

In our CBD we have a number of signs that are projection signs that protrude over the public right-of-way. Ex: Braham Hardware Hank, Woodys, Braham Food Locker, Braham Floral, Central Insurance Agency, Pizza Pub, Park Café, Park Party Room, NAPA & Subway all have projection signs.

I recommend changing the Ordinance #199 Section 16 Subd. 4 (B) to state: Except in the Central Business District, no sign or sign structure shall be placed on or protrude over the public right-of-way, except wall (maximum protrusion 12 inches), canopy, awning, or marquee shall not exceed twelve (12) inches in height. Canopy/awning/ marquee structures and signs shall be setback three (3) feet from the curbline.

In the Central Business district, no sign structure shall be placed on the public right-of-way. All signs must be setback three (3) feet from the curbline and meet all other zoning regulations.

Respectfully Submitted,



Marshall Lind
Zoning Administrator

ORDINANCE NO. 261

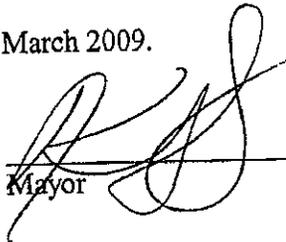
AN ORDINANCE AMENDING ZONING ORDINANCE #199,
SECTION 16 SIGNS, SUBD. 4.

Section 16 Signs, Subd. 4 (B) is amended to read as follows:

Except in the Central Business District, no sign or sign structure shall be placed on or protrude over the public right-of-way, except wall (maximum protrusion 12 inches), canopy, awning, or marquee structures shall not exceed twelve (12) inches in height. Canopy/awning/marquee structures and signs shall be setback three (3) feet from the curbline.

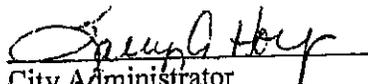
In the Central Business District, no sign structure shall be placed on the public right-of-way. All signs must be setback three (3) feet from the curbline and meet all other zoning regulations.

Adopted by the Braham City Council this 3rd day of March 2009.



Mayor

Attest:



City Administrator

- G. If a sign authorized by permit has not been installed within six months after the date of issuance, the said permit shall become null and void.

Subd. 4.

General Provisions Applicable to all Signs.

- A. It shall be the responsibility of the permit holder and of the owner and lessee of the property and structure upon which any sign is located to:
1. Keep the ground around any sign free of weeds and litter.
 2. Immediately repair or remove any sign or sign structure which becomes unsafe, in a state of disrepair, insecure or a menace to the public following written notice of such condition from the City.
 3. All permanent signs shall comply with maintenance sections of the Minnesota State Building Code as may be amended.
 4. When electrical signs are installed, the installation shall be subject to the State Building Code as may be amended.
- B. No sign or sign structure shall be placed on or protrude over the public right-of-way, except wall (maximum protrusion 12 inches), canopy, awning, and marquee signs. Any sign affixed to the top side of a canopy, awning or marquee shall not exceed twelve (12) inches in height. Canopy/awning/ marquee structures and signs shall be setback three (3) feet from the curblineline. (Based on MN State Building Code Chapter 32)
- C. All signs located over public right-of-way or over public or private access route shall be located a minimum of eight (8) feet over walking surfaces and seventeen feet and four inches (17' 4") over vehicle related access routes. (Based on MN State Building Code Chapter 32 and Highway Department Regulations)
- D. The temporary use of search lights and similar devices shall require a permit. The permit shall be prominently displayed during the period of validity.
- E. All height restrictions on signs shall include height of sign structure and be measured from nearest finished grade.
- F. Any sign now or hereafter existing which no longer advertises or identifies a bonafide business conducted, or a service rendered, or a product sold, shall be removed by the owner, agent, or person having the beneficial use and/or control of the building or structure upon which the signs may be found within ten (10) days after written notice from the City of Braham.
- G. The top edge of a wall sign shall not extend above the main level of the roof, except where there is a mansard roof, in which case the sign shall then not exceed the height of the mansard.
- H. Where a building contains more than one business the

allowable sign area for any single business is its portion of the gross square footage of the building applied as a percentage to the allowable sign of the entire building.

- I. Permanent pylon or permanent freestanding signs where permitted will be limited to one per commercial establishment. Multi-establishment buildings are herein defined as a single commercial establishment, except shopping centers, and are limited to one freestanding or pylon sign.
- J. In shopping centers, shopping center identification signs shall be limited to locations adjacent to the major entrances and limited to one per abutting arterial street.
- K. Signs shall conform to the building setback regulations for the zoning district in which they are located except as may be otherwise specified in this Section.
- L. Signs are allowable as an accessory use in all districts except where prohibited by this Section.

Subd. 5.

Prohibited signs. The following signs are hereby prohibited:

- A. Any sign which purports to be or resembles an official traffic control device, sign, or signal, or railroad sign or signal; or which hides from view or interferes in any material degree with the effectiveness of any traffic control device, sign, or signal, or railroad sign or signal; or which obstructs or interferes with the driver's or pedestrian's view of approaching, merging, or intersecting traffic for a distance not to exceed five hundred (500) feet.
- B. Signs which resemble any official marker erected by a governmental agency on which display such words as "Stop" or "Danger".
- C. Roof signs.
- D. Signs which contain statements, words, or pictures of an obscene, indecent, or immoral character, or such as would offend public morals or decency on any right-of-way in the city limits, except as otherwise provided by law.
- E. Any sign on private land without the written consent of the owner thereof.
- F. Signs which are structurally unsafe, in disrepair, or are abandoned.
- G. Area Identification Sign is not permitted in a residential subdivision consisting of less than twenty (20) lots. Also. see Section 2. Definitions Subd 190..
- H. If a sign is not allowed as permitted in a specific zone, it is prohibited and no special use permit or variance is available.

Subd. 6.

Permitted Signs Requiring No Permit, Subject to Zoning

District limitation. The following signs shall be permitted without a permit:

A. Signs in all Zoning Districts:

1. Campaign signs shall be removed ten (10) days after an election, and placed with permission of the property owner or lessee.
2. Directional signs located on, above, or beside entrances or exits to buildings or driveways, which direct pedestrians, such as "Employees entrance", "Exit Only", "Rest Rooms", and provided that such signs are no more than four (4) square feet in area.
3. Temporary signs denoting the architect, engineer, or contractor, when placed upon work under construction, provided each such sign is not more than sixteen (16) square feet in area and removed upon completion of construction. Construction signs shall not be erected before issuance of a building permit or remain after issuance of a certificate of occupancy. Construction signs shall be confined to the site of the construction, alteration, or repair and shall be removed within two (2) years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner as determined by the Zoning Administrator/Building Inspector. One (1) sign shall be permitted for each major street the project abuts.
4. Integral signs.
5. Holiday signs
6. Real estate sale or rental sign. Signs must be removed within fourteen (14) days of the closing or rental of property. Signs may not measure more than twelve (12) square feet in Residential Districts, nor more than twenty-five (25) square feet in all other districts. There shall be only one (1) sign per premise. Corner properties and double front lots may contain two (2) signs, one (1) per frontage.
7. Individual property sale or rental signs. Signs must be removed within fourteen (14) days of the closing or rental of property. Signs may not measure more than twelve (12) square feet in Residential Districts, nor more than twenty-five (25) square feet in all other districts. There shall be only one (1) sign per premise. Corner properties and double front lots may contain two (2) signs, one (1) per frontage. Such signs shall not be within or extend over the right-of-way line unless flat against the structure.
8. Flag of any state or nation not exceeding eighty (80) square feet.
9. Rummage/garage sale signs
10. Institutional sign up to fifty (50) square feet.
11. Signs located inside an enclosed building and visible through a window thereof.
12. Lighter than air, inflatable devices and/or balloon, designed and utilized primarily to draw attention to an object, product, place activity, person,

- institution, organization or business, allowing less than three (3) square feet without a permit.
13. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible material and attached to the building.
 14. Artificially lit roofs or walls or portions thereof.
 15. Wellhead Protection Signs may be placed within the designated area as recommended by the Wellhead Protection Program.
- B. Signs in CBD, GB, I-1, I-2 and Institutions in all Zoning Districts:
1. Temporary Portable sign limited to one (1) sign per property and must have written permission of the property owner.
- C. Signs in R-2, R-3, CBD, GB, I-1, and I-2 Zoning Districts:
1. Informational Signs.
- D. Signs in R-2 and R-3 Zoning Districts:
1. Identification signs. One identification sign for each occupant of a premise shall not exceed three (3) square feet in area per surface. The sign shall not contain any advertising information. For Subdivision signs, see Subd. 7 requiring a permit.
- E. Signs in CBD, GB, I-1 and I-2 Zoning Districts:
1. Banners, pennants and Holiday signs and displays should not exceed forty-five (45) square feet. Banners must be affixed against a building or permanent structure and are not allowed in the Residential District.
- F. Signs in City Park Zoning Districts:
1. Signs permitted without a permit. The following described signs are permitted without a sign permit.
 - (a.) Any sign which the City of Braham constructs or pays to have constructed.
 - (b.) The Community sign shall be allowed in the City park for use by non-profit organizations.
 - (1.) Guidelines for owner and users shall be established by Resolution of the Braham City Council from time to time, after receiving the advice of the Braham Park Board.
 - (2.) The City shall own, maintain and control the community sign.
 - (3.) The Park Board shall be responsible for administration of the Community sign. The Park Board shall designate one person who will follow the guidelines established and oversee the placement of messages on the Community Sign. Only one person shall be the contact person.
 - (4.) Community sign messages not permitted: Personal messages, commercial advertising and monopoly of the sign by one

- organization shall not be permitted.
2. Signs permitted with a permit and without a fee. The following described signs are permitted with a permit. A permit application may be obtained from the Zoning Administrator.
- (a.) Special Events. Special events temporary signs for non-profit organizations are permitted which are erected to celebrate, commemorate or observe a civil or religious holiday or for a special event. Such signs shall be removed from the premises within three (3) days following completion of the special event. The special event signs shall not exceed four (4) feet by eight (8) feet in size. Total signage shall not exceed two hundred (200) square feet.
- (1.) Special event signs will be allowed in Freedom Park only and not allowed in Hidden Park, Pleasantview Park, the Rose Garden, nor any other designated City Park.
- (2.) Special events temporary signs shall not be erected more than 15-days before the date of the special event; an extension of this time limit may be obtained only be Planning Commission recommendation and City Council approval.
- (b.) Public Portable. Sign messages may be displayed by the City of Braham and or a non-profit corporation to advertise community-interest events and which public portable signs shall be placed upon public property. All such public portable sign messages shall not be displayed more than 15 days before the date of the special event and shall be removed within 3 days following the event.
- (c.) Banners. Temporary banners are permitted for special events for non-profit organizations. For non-profit organizations banners will be allowed over a public street. The total of all banners shall not exceed one hundred twenty (120) square feet. Banners may be erected the 15 days before the event and taken down within 3 days after completion of the event.
- (d.) Removal of Signs. The Building Inspector may order the removal of any sign erected or maintained in violation of this Ordinance. Three (3) days notice in writing shall be given to the owner of such sign, or the person or persons who erected the sign. Upon failure to remove the sign, the Building Official shall remove the sign. If it appears the condition of the sign is such as to present an immediate threat to safety of the public, the Building Official shall remove the sign immediately

without notice.

- (1.) Any cost of removal incurred by the City of Braham shall be assessed to the owner or the person who erected the sign or may be collected in appropriate legal proceedings. In the event of successful legal proceedings to collect the cost of removal hereunder, as a part of its judgment the City of Braham shall be entitled to judgment against the Defendant-violator for its costs and disbursements, including reasonable attorney's fees.

Subd. 7.

Permitted Signs requiring a permit and are subject to zoning district restrictions. Signs requiring electrical or structural inspection in the following zones:

- A. Signs in all Zoning Districts:
 1. Freestanding sign
 2. Governmental sign
 3. Institutional sign
 4. Monument sign
- B. Signs in R-1, R-2, Subdivision and PUD Zoning Districts:
 1. Area Identification Sign
- C. Signs in CBD, GB, I-1 and I-2 Zoning Districts:
 1. Motion sign
 2. Projecting sign
 3. Wall sign
 4. Canopy or Marquee sign
- D. Signs in CBD and GB Zoning Districts:
 1. Directory sign
 2. Pennants on flag poles require permission from VFW (owner of flag holders) and East Central Electric Assoc. (owner of poles).
 3. Sandwich sign allowance is 3' X 3' or nine (9) square feet. The sign is not to exceed three (3) sixteen (16) day periods per year. The signs must be placed against the commercial building. The application shall note that the Business Owner assumes all of the liability for the sign.
 4. Larger than three (3) square feet air inflatable devices and/or balloons require a permit and have a time limit of 14 days.
- E. Signs in GB, I-1 and I-2 Zoning Districts:
 1. Pylon sign
- F. Signs in GB and PUD Zoning Districts:
 1. Shopping Center sign

Subd. 8.

District Regulations for Signs. The following signs shall be allowed in the indicated zoning districts, in accordance with the permit provisions of this Section:

A. Signs in Residential Districts.

1. R-1 District. One (1) non-illuminated wall or free-standing sign no more than four (4) square feet except institutional signs located in R-1 District which shall not exceed forty (40) square feet and institutional signs can be illuminated. The location of Area Identification signs for Subdivisions must be identified on preliminary plats and can not be illuminated. The size of Area Identification Signs is limited to forty (40) square feet.
2. R-2 District. One (1) sign at each entry with a maximum of two (2) signs with no more than seventy (70) percent of the total sign area contained in any one sign. The total allowable sign area shall be twenty (20) square feet for dwellings or complexes containing from four (4) to twenty (20) units, and thirty-two (32) square feet for dwellings or complexes containing twenty-one (21) or more units. Duplexes and triplexes are allowed one (1) non-illuminated wall or freestanding sign no more than two (2) square feet and one face.
3. R-3 District. One (1) sign at each entry with a maximum of two signs with no more than seventy (70) percent of the total sign area contained in any one sign. Total allowable sign area shall be twenty (20) square feet.

B. Signs in CBD and GB District.

1. No business shall place more than two signs on the principal building in which it is located, except two or more principal wall frontages may be allowed if each is held by the zoning Administrator/Building Inspector to be a separate frontage.
2. The maximum area for signs on a building occupied by a single business shall be determined by taking twenty (20) percent of the gross silhouette area of the front of the building. The maximum area for signs for each business which occupies a part of a principal building shall be determined by taking twenty (20) percent of the gross silhouette area of the store front of the business. The silhouette shall be defined as that area within an outline drawing of the front of the building or store front as may be applicable. The same provision shall apply to a business occupying only part of a principal building.
3. In no case shall an individual sign exceed one hundred (100) square feet in area, nor shall 2 or more signs be so arranged and integrated as to cause an advertising surface over (200) square feet.
4. Murals or painted wall signs are permitted, however, written permission of the property owner is required.
5. If the size of a sign request in CBD or GRD exceeds the maximum permitted sizes, a Conditional Use Permit request shall be used. Conditions for approval of

the CUP require written permission from the adjacent property owners and are based on safety and other sign criteria as established in Section 16. Signs. Subd. 1. Purpose of Intent.

- C. Signs in GB District. Signs in GB District are subject to Subd. 8. B. as minimum provisions, however, the maximum requirements may be exceeded by the following provisions:
1. Combination of signs may be utilized and shall not exceed one (1) pylon sign, one freestanding sign, wall signs, and one canopy/marquee/awning. In no case shall the maximum allowable sign area exceed 700 square feet.
 2. Pylon Signs.
 - (a.) Area, Height Regulations: A maximum of two hundred (200) square feet of area per face shall be permitted and a maximum height not to exceed thirty-five (35) feet.
 - (b.) Area as determined by the above formula applies to one (1) face of a two-faced pylon sign and no more than two (2) faces per pylon.
 - (c.) Actual sign height is determined from lot grade or from the grade of the road which the sign gains its principal exposure.
 3. Shopping centers shall be allowed one shopping center identification sign, not to exceed three hundred (300) square feet in area and thirty-five (35) feet in height, in addition to the allowable sign area for individual businesses.
 4. All other standards including setbacks that are applicable to other signs and structures shall apply to billboards including the following provisions:
 - (a.) Billboards shall be located so as not to obstruct any existing business or sign.
 - (b.) A billboard may not be a principal use of the property.
 - (c.) The maximum height of any portion of the sign, including trim and extensions, shall be not more than thirty five (35) feet.
 - (d.) No billboard shall be erected on the roof of any building.
 - (e.) Billboards are not permitted within five hundred (500) feet of residential districts.
 - (f.) No permit shall be granted for any proposed billboard if it is within fifteen hundred (1,500) feet of any existing billboard. Existing billboards shall be defined as any billboard located within or outside the City's municipal boundaries.
- D. Signs in I-1 and I-2 Districts. Total allowable sign area, inclusive of freestanding and pylon sign where permitted, shall not exceed twenty (20) percent of the building's principal wall frontage. Two or more principal wall frontage shall be allowed if each

is held by the Zoning Administrator/Building Inspector to be a separate frontage. No individual sign shall exceed two hundred (200) square feet.

1. Setbacks. Permanent signs in the industrial district shall be set back at least ten (10) feet from a public right-of-way, except in the case of a street that does not meet Section 160.461 of the Subdivision Regulations, regulating Street Design. In such case, permanent signs shall be set back ten (10) feet from the recommended right-of-way for the Type of Road classified in Section 160.461 of the Subdivision Regulations.
2. Height Regulations. Pylon signs shall not exceed thirty-five (35) feet in height. Freestanding signs shall not exceed twelve (12) feet in height.
3. Advertising signs as a principal use shall not exceed a maximum sign area of two hundred (200) square feet.

Subd. 9.

General Provisions Regulating Use of Artificial Light

Sources. The following provisions shall govern the use of artificial light sources for all signs within the City:

- A. No illuminated signs shall be permitted in R-1 Districts, with the exception of institutional signs. Minimal illumination is permitted. Internally illuminated signs shall be permitted in R-2 and R-3 Districts. Otherwise, signs illuminated with artificial light shall be permitted in accordance with the provisions of this Section.
- B. All artificially illuminated signs shall use only that amount of artificial light as is needed to light the sign. Specifically, wattage and lumen output of all light sources shall be kept to the minimum necessary to accomplish the intended purpose. Glare or reflected light which is a by-product of such light also shall be considered artificial light and similarly shall be kept to a minimum. Artificial light sources shall not be placed at any height taller than is essential to accomplish the intended purpose.
- C. Except for internally illuminated signs artificial light source is fully enclosed by opaque materials and does not project beyond them, and such that light may be transmitted in only one direction, except that incandescent light bulbs with a wattage of fifty (50) watts or less need not be fully enclosed. Any diffusers must be flush mounted to the opaque fixture such that no part of the light source, the diffuser itself, or the like projects beyond the opaque portion of the fixture.
- D. All artificial light sources shall be contained in fully opaque fixtures which control the light such that it is directed either straight down or straight up, or is located so close to the sign that there is no broadcast or glare of light beyond the sign. It is intended that the visibility of the light source itself be minimal.

Subd. 10.

Conforming Sign Removal. All conforming signs and sign structures not used by a tenant or owner shall be removed by the owner of the premises after six months of non-use.

Subd. 11.

Non-Conforming signs. All signs, except temporary signs, existing upon the effective date of this Ordinance shall be allowed to continue in the manner of operation providing there is no change in use. All signs shall be in good repair and any alterations or repairs to the sign shall not increase the non-conformity. After a non-conforming sign has been removed, it shall not be replaced by another non-conforming sign. After the non-conforming use to which the sign relates has ceased for six (6) months, the sign shall be removed.

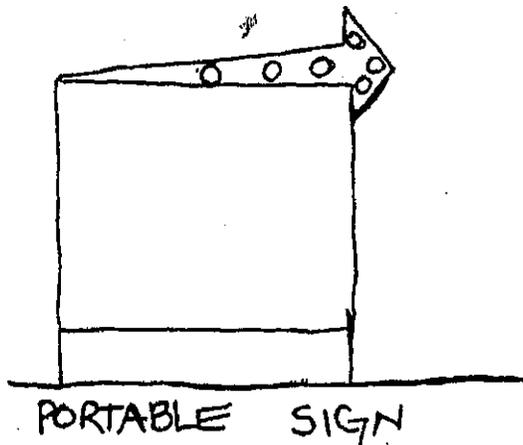
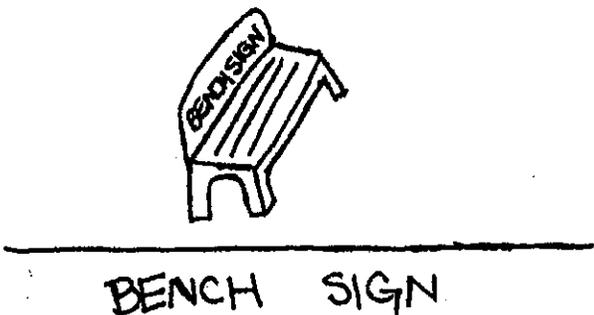
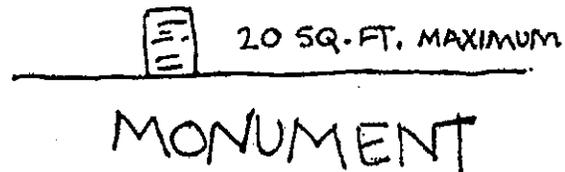
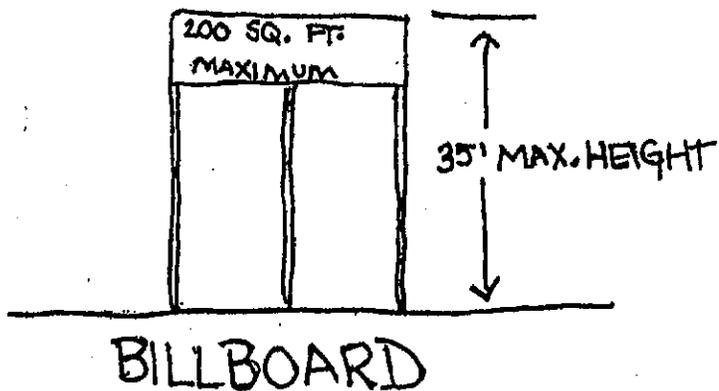
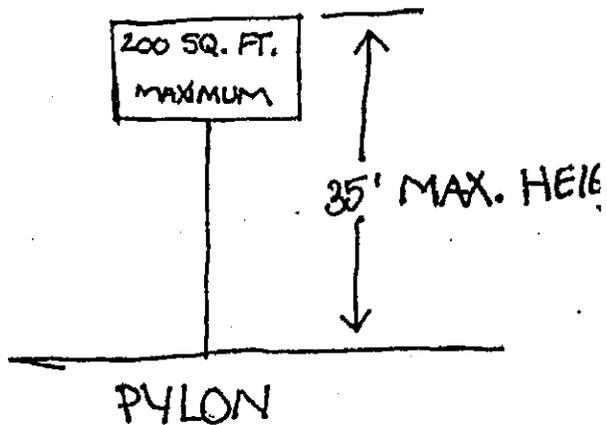
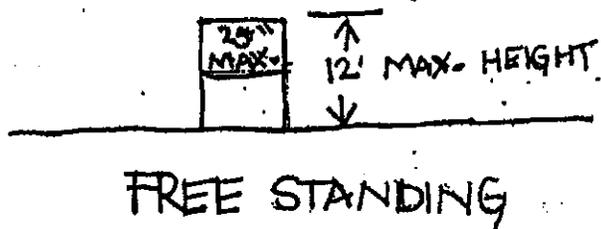
Subd. 12.

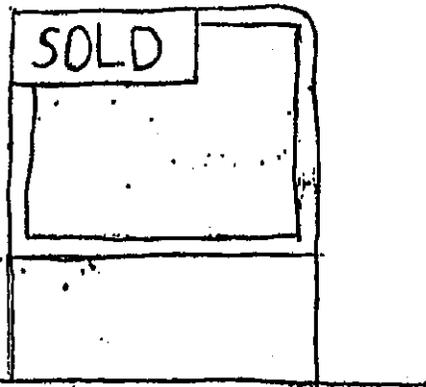
Unlawful Erected Signs. If the Zoning Administrator finds that any sign has been erected without the necessary permit(s) or any sign is being maintained in violation of any provision of this Section, he may give written notice of such violation to the installer of said sign, to the permit holder and/or to the owner, lessee or manager of said property. If after receiving said notice such person fails to remove or alter said sign so as to comply with the provisions of this Section, the sign shall be deemed to be a nuisance and may be removed by the City under Minnesota Statutes, Chapter 429. The cost of such an removal, including administrative expenses and reasonable attorney's fees, may be levied as a special assessment against the property upon which the sign is located.

Subd. 13.

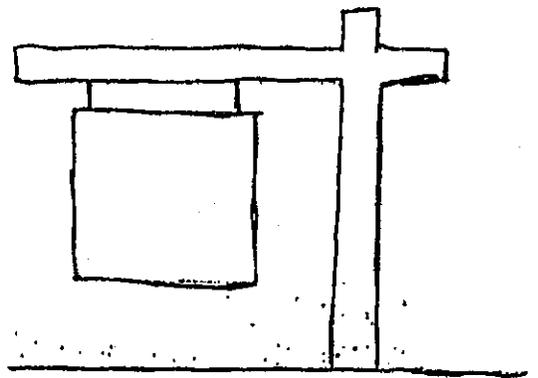
Appeals. An applicant for a sign permit or permit holder may appeal any order, requirement, decision or determination made by the Zoning Administrator/Building Inspector in the enforcement of this Section by filing a letter of appeal with the Zoning Administrator/Building Inspector requesting a hearing before the Planning Commission and the City Council. The City Council shall decide all such appeals.

EXAMPLES OF VARIOUS SIGNS

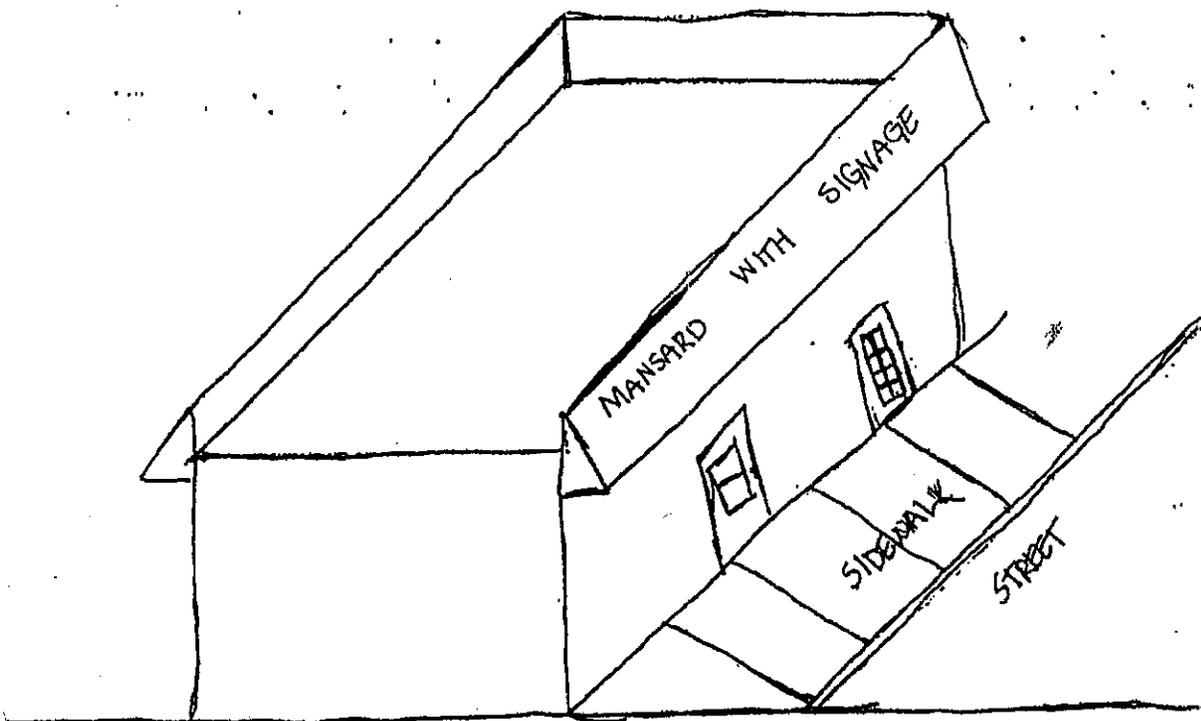




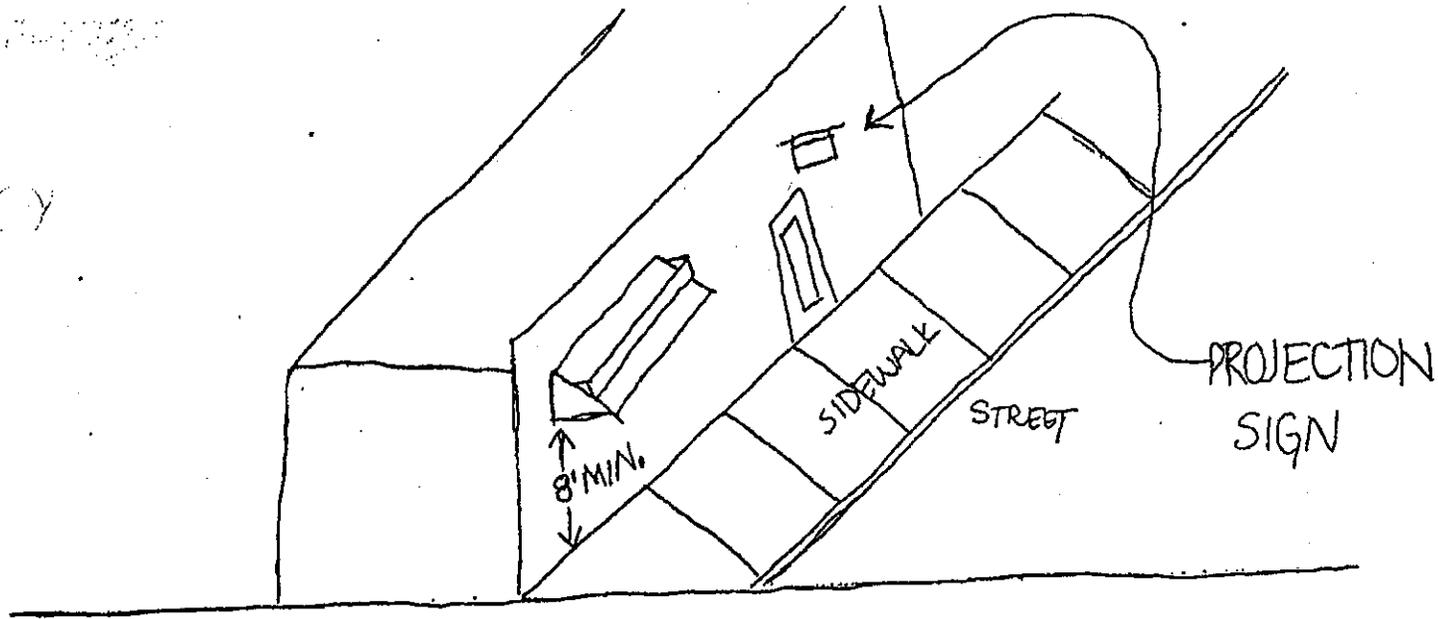
REAL ESTATE
SIGN



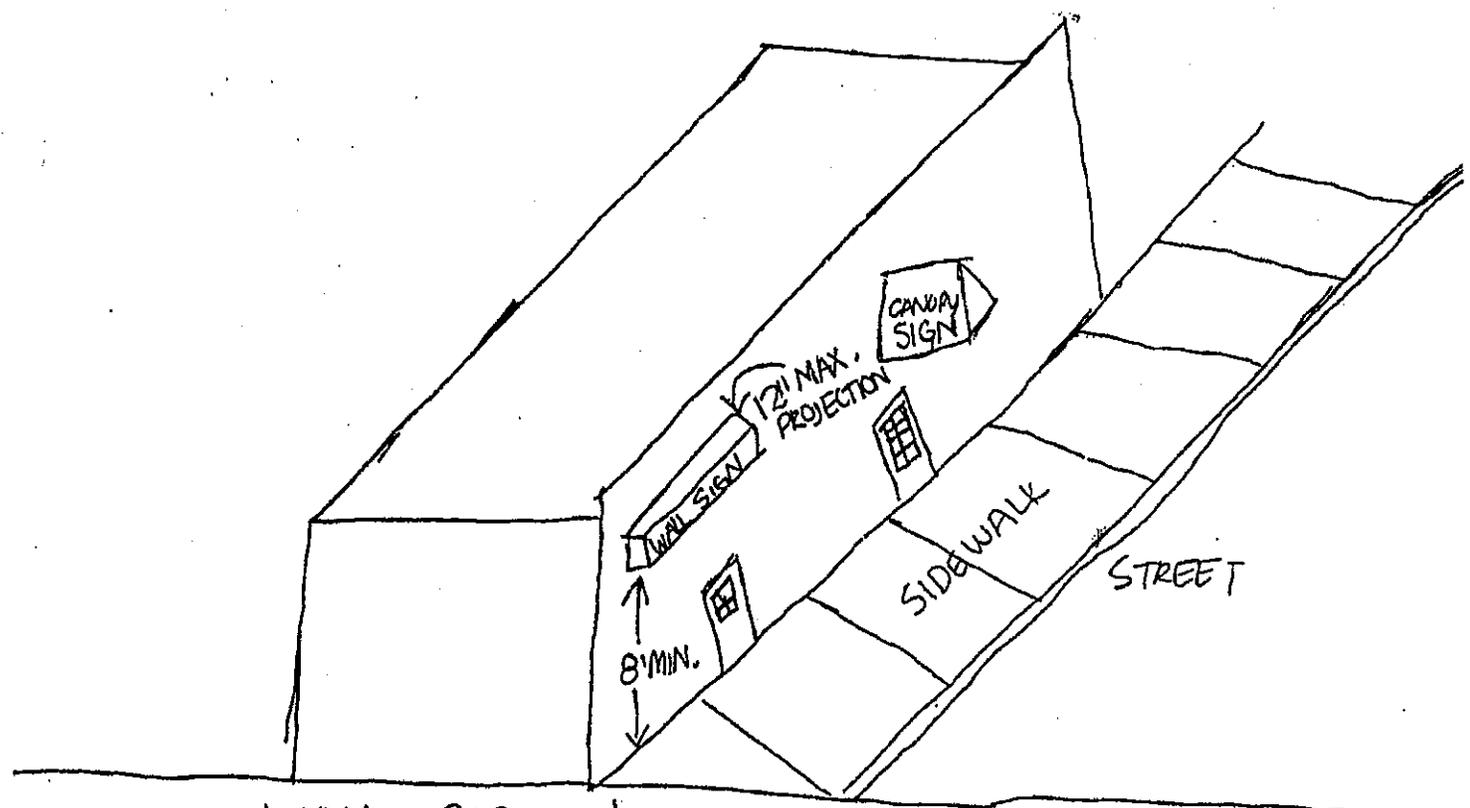
REAL ESTATE
SIGN



MANSARD



AWNING WITH SIGNAGE



WALL SIGN & CANOPY WITH SIGNAGE

ORINANCE NO. 240
AN ORDINANCE AMENDING ZONING AND SUBDIVISION ORDINANCE NO.
199 AND 199A

City Ordinance No. 199 and 199A are amended to incorporate building design standards for the Central Business District (CBD), General Business District (GBD), Limited Industrial District (I-1), General Industrial District (I-2) and the General Business - Industrial District (GB - I):

Section 7. (CBD) CENTRAL BUSINESS DISTRICT

Subd. 11.

Building Design and Construction Standards. On all walls that face a public street, at least twenty-five (25%) percent of the entire exterior wall surface but not less than three (3 ft.) feet of the entire exterior wall surface measured from the ground up, shall be constructed of one of the following materials:

- a. face brick
- b. rock face block
- c. cementitious siding
- d. natural stone
- e. glass
- f. masonry stucco
- g. synthetic stucco
- h. other comparable or superior material as approved by the Zoning Administrator.

Buildings may be constructed of primarily one of the materials listed (a-h), if the design exceeds the intent of the design and construction standards.

Accent Materials. Wood and metal may be used as accent materials, provided that they are appropriately integrated into the overall building design and not situated in areas that will be subject to physical or environmental damage.

Exceptions. The following exception is permitted.

- I. The twenty-five (25%) percent of the exterior wall surface and/or the three (3ft.) feet of exterior wall surface measured from the ground up does not include doors, doorways or windows.
- C. The building sides that do not face a street must have a minimum of waynes coating on the exterior a minimum of three (3 ft.) feet of the entire exterior wall surface measured from the ground up.
- D. Additions and Alterations. All subsequent additions and alterations constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the City to require upgrading of the quality of materials used in a remodeling or expansion program.

SECTION 8. (GBD) GENERAL BUSINESS DISTRICT

Subd. 11.

Building Design and Construction Standards. On all walls, at least twenty-five (25%) percent of the entire exterior wall surface but not less than three (3 ft.) feet of the entire exterior wall surface measured from the ground up, shall be constructed of one of the following materials:

- a. face brick
- b. rock face block
- c. cementitious siding
- d. natural stone
- e. glass
- f. masonry stucco
- g. synthetic stucco
- h. waynes coating
- i. other comparable or superior material as approved by the Zoning Administrator.

Buildings may be constructed of primarily one of the materials listed (a-h), if the design exceeds the intent of the design and construction standards.

A. Accent Materials. Wood and metal may be used as accent materials, provided that they are appropriately integrated into the overall building design and not situated in areas that will be subject to physical or environmental damage.

B. Exceptions. The following exception is permitted.

1. The twenty-five (25%) percent of the exterior wall surface and/or the three (3ft.) feet of exterior wall surface measured from the ground up does not include doors, doorways or windows.

C. Additions and Alterations. All subsequent additions and alterations constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the City to require upgrading of the quality of materials used in a remodeling or expansion program.

Section 9 (I-1) LIMITED INDUSTRIAL DISTRICT

Subd. 11. Building Design and Construction Standards. On all walls, at least twenty-five (25%) percent of the entire exterior wall surface but not less than three (3 ft.) feet of the entire exterior wall surface measured from the ground up, shall be constructed of one of the following materials:

- a. face brick
- b. rock face block
- c. cementitious siding
- d. natural stone
- e. glass
- f. masonry stucco
- g. synthetic stucco
- h. waynes coating
- i. other comparable or superior material as approved by the Zoning Administrator.

Buildings may be constructed of primarily one of the materials listed (a-h), if the design exceeds the intent of the design and construction standards.

A. Accent Materials. Wood and metal may be used as accent materials, provided that they are appropriately integrated into the overall building design and not situated in areas that will be subject to physical or environmental damage.

B. Exceptions. The following exception is permitted.

1. The twenty-five (25%) percent of the exterior wall surface and/or the three (3ft.) feet of exterior wall surface measured from the ground up does not include doors, doorways or windows.

C. Additions and Alterations. All subsequent additions and alterations constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the City to require upgrading of the quality of materials used in a remodeling or expansion program.

Change existing Section 9. Subd. 11 to Subd. 12, existing Subd. 12 to Subd. 13.

SECTION 10 (I-2) GENERAL BUSINESS DISTRICT

Subd. 11. Building Design and Construction Standards. On all walls, at least twenty-five (25%) percent of the entire exterior wall surface but not less than three (3 ft.) feet of the entire exterior wall surface measured from the ground up, shall be constructed of one of the following materials:

- a. face brick
- b. rock face block
- c. cementitious siding
- d. natural stone
- e. glass
- f. masonry stucco
- g. synthetic stucco
- h. waynes coating
- i. other comparable or superior material as approved by the Zoning Administrator.

Buildings may be constructed of primarily one of the materials listed (a-h), if the design exceeds the intent of the design and construction standards.

A. Accent Materials. Wood and metal may be used as accent materials, provided that they are appropriately integrated into the overall building design and not situated in areas that will be subject to physical or environmental damage.

B. Exceptions. The following exception is permitted.

1. The twenty-five (25%) percent of the exterior wall surface and/or the three (3ft.) feet of exterior wall surface measured from the ground up does not include doors, doorways or windows.

C. Additions and Alterations. All subsequent additions and alterations constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the City to require upgrading of the quality of materials used in a remodeling or expansion program.

Change existing Section 10. Subd. 11 to Subd. 12, existing Subd. 12 to Subd. 13.

SECTION 11 A. (GB-I) GENERAL BUSINESS – INDUSTRIAL DISTRICT

Subd. 11. Building Design and Construction Standards. On all walls, at least twenty-five (25%) percent of the entire exterior wall surface but not less than three (3 ft.) feet of the entire exterior wall surface measured from the ground up, shall be constructed of one of the following materials:

- a. face brick
- b. rock face block
- c. cementitious siding
- d. natural stone
- e. glass
- f. masonry stucco
- g. synthetic stucco
- h. waynes coating
- i. other comparable or superior material as approved by the Zoning Administrator.

Buildings may be constructed of primarily one of the materials listed (a-h), if the design exceeds the intent of the design and construction standards.

A. Accent Materials. Wood and metal may be used as accent materials, provided that they are appropriately integrated into the overall building design and not situated in areas that will be subject to physical or environmental damage.

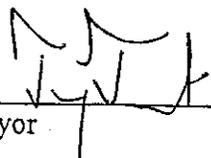
B. Exceptions. The following exception is permitted.

1. The twenty-five (25%) percent of the exterior wall surface and/or the three (3ft.) feet of exterior wall surface measured from the ground up does not include doors, doorways or windows.

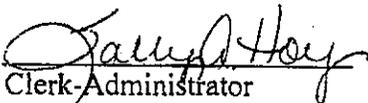
C. Additions and Alterations. All subsequent additions and alterations constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the City to require upgrading of the quality of materials used in a remodeling or expansion program.

Change existing Section 11 A. Subd. 11 to Subd. 12, existing Subd. 12 to Subd. 13.

Adopted by the Braham City Council this 7th day of June, 2005.



Mayor

Attest: 
Clerk-Administrator