

**CITY OF BAXTER, MINNESOTA
ORDINANCE 2026-005**

**AN ORDINANCE AMENDING THE TEXT OF TITLE 10 OF THE BAXTER CITY
CODE (CITY FILE PZ2026-015)**

THE CITY OF BAXTER ORDAINS:

SECTION 1. Amendments. The text of Chapter 3: Section 1 “Use Districts; Purpose” of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

10-3-1: USE DISTRICTS; PURPOSE:

A. Use Districts Established: The zoning districts designated herein are hereby established so as to assist the city in carrying out the intent and purpose of its comprehensive development plan and to control development in a manner consistent with the provisions of adequate services and utilities. For the purpose of this title, the area within the corporate limits of the city is hereby divided into the following use districts: (Ord. 8, 12-17-1996)

RR	Rural residential district
RS	Residential staging district
R-1	Low density residential district
R-1A	Medium density single family residential district
R-1B	High density single family residential district
R-2	Medium density residential district
R-3	High density residential district
C1	Neighborhood commercial district
C2	Regional commercial district
OS	Office service district
I	Industry office district
CI	Annexed commercial industrial district
PB	Public benefit district
MC	Memorial park/cemetery
CP	Community park
NP	Neighborhood park
P	Preservation
PU	Public use
SL	Shore land overlay district

B. Purpose Of Districts:

1. RR rural residential district:
 - a. To provide for long term rural residential development.
 - b. To allow compatible residential development.
 - c. To maintain density limitations.
 - d. To allow development that will not need central sewer service in the future.
 - e. To preserve open space.
 - f. To prohibit development of intensive irrigated agriculture and feedlots.
2. RS residential staging district:
 - a. To provide a staging zone of rural property until a landowner/developer makes application to rezone to develop property, at which time the city may rezone property if the application is consistent with the comprehensive plan and zoning ordinance and does not result in the premature extension of public utilities, roads, facilities and services.
 - b. To allow compatible residential development.
 - c. To maintain density limitations.
 - d. To allow staging of rural residential development to transition to future urban development with public utilities, roads, facilities and services.
 - e. To preserve open space.
3. R-1 low density residential district:
 - a. To establish areas for the development of single-family detached housing at a maximum density of up to three (3) units per net acre.
 - b. To reserve development areas for single-family housing.
 - c. To restrict encroachment of incompatible uses.
 - d. To maintain density limitations.
 - e. To take advantage of municipal utilities.
 - f. To preserve open space.
4. R-1A medium density single family residential district:
 - a. To establish areas for the development of higher density with single-family detached housing than with the R-1 district at a maximum of four (4) units per net acre.
 - b. To reserve development areas for single family housing.
 - c. To restrict encroachment of incompatible uses.
 - d. To maintain density limitations.
 - e. To take advantage of municipal utilities.
 - f. To preserve open space.
5. R-1B high density single family residential district:
 - a. To establish areas for the development of higher density with single-family detached housing than with the R-1 and R-1A districts at a maximum of five (5) units per net acre.
 - b. To reserve development areas for single family housing.
 - c. To restrict encroachment of incompatible uses.
 - d. To maintain density limitations.
 - e. To take advantage of municipal utilities.
 - f. To preserve open space.

SECTION 2. Amendments. The text of Chapter 3, “Zoning Districts”, to establish Article C2. R-1B of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

ARTICLE C2. R-1B HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

SECTION:

10-3C2-1: Permitted Uses

10-3C2-2: Accessory Uses

10-3C2-3: Conditional Uses

10-3C2-4: Interim Uses

10-3C2-5: Lot Area, Height, Lot Width And Yard Requirements

10-3C2-1: PERMITTED USES:

Essential services.

One-family detached dwelling.

Public parks and similar uses.

10-3C2-2: ACCESSORY USES:

Accessory uses incidental and customary to principal uses allowed in section 10-3C1-1 of this article.

Accessory structures as regulated by section 10-5-9, "Accessory Structures", of this title.

Daycare facility accessory to a one-family detached dwelling as defined by statute and licensed by the state.

Domestic animal keeping for non-commercial purposes in compliance with section 10-5-10, "Animals", of this title.

Home occupations pursuant to title 3, chapter 9 of this code.

Off-street parking, loading and service entrances as regulated in sections 10-5-2, "Off Street Parking", and 10-5-3, "Loading Spaces", of this title.

Residential care facility accessory to a one-family detached dwelling, serving six (6) or fewer individuals as defined by statute and licensed by the state.

Signs as regulated by section 10-5-1, "Signs", of this title.

Wireless communication towers as accessory to a permitted principal use subject to title 9, chapter 4 and section 9-4-3 of this code. (Ord. 2019-010, 7-16-2019)

10-3C2-3: CONDITIONAL USES:

Apartment accessory to a one-family detached dwelling.

A. The one-family detached dwelling is owner occupied.

B. The accessory apartment is in the principal building.

C. The apartment accessory use shall be clearly incidental and subordinate.

D. There shall be no separate ownership of the apartment accessory use.

E. Only one such apartment shall be permitted in a one-family dwelling.

Civic buildings such as city halls, fire stations and similar uses (without outside storage).

Columbarium accessory to a religious institution pursuant to the following:

A. Columbaria shall be screened from adjoining residential properties.

B. All portions of the use shall meet the minimum district setback requirements for principal structures.

C. All portions of the use shall be setback a minimum of ten (10) feet from any wetland and shall be located outside of easements, except as approved by the city.

Commercial recreation, outdoor (for example, golf courses, country clubs and similar uses).

A. Accessory structure shall be a minimum of fifty feet (50') from any lot line.

B. The principal structure for any of the above listed uses shall be one hundred feet (100') or more from any abutting lot in an R district.

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C. When abutting a residential use or district, the property shall be screened and landscaped in accordance with section 10-4-8, "Screening/Landscaping/Fencing", of this title. Essential service structures.

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A. No building shall be located within fifty feet (50') of any lot line of an abutting lot in an R district. Garden center and landscape nursery.

A. All structures shall be set back at least one hundred feet (100') from any residential property line.

B. Lighting shall comply with all ordinance requirements. If more than twenty five percent (25%) of the greenhouse spaces are to be lit at night, they shall be screened from residential properties by use of a retractable curtain, landscaping, buildings or other methods to prevent light pollution, including sky glow.

C. On-site storage and use of pesticides and fertilizers shall meet the standards of the Minnesota department of agriculture.

D. When abutting a residential use or district, the property shall be screened and landscaped in accordance with section 10-4-8, "Screening/Landscaping/Fencing", of this title. Religious institutions.

A. No building shall be located within fifty feet (50') of any lot line. Relocation of a previously occupied house within the city pursuant to subsection 10-1-3D7, "Moving Or Relocating Buildings", of this title and complies with conditions in the "Baxter House Moving Policy Manual" as may be amended. School.

A. Provided no building shall be located within fifty feet (50') of any lot line.

B. The site shall be located within one thousand feet (1,000') of a collector or arterial roadway.

C. A master plan shall be submitted that describes proposed physical development for the next ten (10) years. Said plan shall include a description of proposed development phases and plans, development priorities, the probable sequence of proposed development, estimated dates of construction and the anticipated interim use of property waiting to be developed. A transportation management plan shall be submitted to address off-street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.

D. A transportation management plan shall be submitted to address off street parking, bus loading and unloading, traffic control, and the impact of the facility on surrounding roadways.

10-3C2-4: INTERIM USES:

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Accessory building as a principal use.

A. The accessory building is located on a parcel of land adjacent to a parcel of land where the landowner's home is located.

B. Both parcels shall be under the same ownership.

C. Only one accessory building shall be allowed on the lot.

D. The accessory building is used for a private garage or storage space and under no circumstances is used for commercial storage or operations or residential living space.

E. The garage shall be designed for the future addition of a home in compliance with all zoning and building code requirements. Such items shall include, but are not limited to, placement on the lot, architectural design and construction of the accessory building with footings to accommodate a home addition in the future. Plans shall be submitted for city review

and approval to ensure compliance with the purpose and intent of this section as part of the interim use permit application.

F. The landowner agrees to pay the full future assessment on lot where the accessory building is located as a principal use.

G. The accessory building as a principal use is intended to be an interim situation. As a condition of approval, the landowner agrees to either demolish the accessory building as part of the land sale or agrees to construct a new home on the lot with accessory building as principal use within six (6) months of the land sale.

H. The landowner agrees as a condition of approval that the interim use permit shall be terminated if either lot is sold separately or a new home is constructed on the lot where the accessory building is located as a principal use.

Stables: private in compliance with section 10-5-10, "Animals", of this title.

A. Private stables shall be at least three hundred feet (300') from any property line.

10-3C2-5: LOT AREA, HEIGHT, LOT WIDTH AND YARD REQUIREMENTS:

A. New Development: New development shall only be allowed when a full range of municipal services and facilities are available to serve the site.

1. New development for lots without municipal services and facilities of record pursuant to subsection 9-5-3B of this code, provided it complies with subsection 10-1-3D8c, "Nonconforming Lots", of this title.

B. Area Requirements: The following requirements shall be met in the R-1B district. Properties may be subject to special requirements as noted in article L, "SL Shore Land Overlay District", of this chapter.

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	<u>With Public Sewer And Water</u>
<u>Minimum lot size</u>	<u>7,000 square feet</u>
<u>Minimum lot width</u>	<u>65 feet interior</u> <u>100 feet corner</u>
<u>Minimum principal building setbacks:</u>	
<u>Front yard</u>	<u>30 feet</u>
<u>Side yard</u>	<u>8 feet interior</u> <u>30 feet abutting corner</u>
<u>Rear yard</u>	<u>25 feet</u>
<u>Minimum accessory structure setbacks:</u>	
<u>Front yard</u>	<u>30 feet</u>
<u>Side yard</u>	<u>10 feet interior</u> <u>30 feet abutting corner</u>
<u>Rear yard</u>	<u>10 feet</u>
<u>Maximum lot coverage</u>	<u>35 percent</u>
<u>Maximum building height</u>	<u>35 feet</u>

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SECTION 3. Amendments. The text of Chapter 3 “Zoning Districts”, Article G, Section 3: “Conditional Uses” of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows

10-3G-3: CONDITIONAL USES:

The following are conditional uses, subject to the conditions outlined in section 10-7-4 of this title and the specific standards and criteria that may be cited for a specific use:

Adult use, principal pursuant to title 3, chapter 4 of this Code.

Car washes.

A. The site shall provide stacking space for the car wash. The amount of stacking space shall take into account the type of car wash and the amount of time it takes to wash a vehicle. Stacking spaces shall not interfere with parking spaces or traffic circulation.

B. The exit from the car wash shall have a drainage system which is subject to the approval of the City and gives special consideration to the prevention of ice buildup during winter months.

C. Hours of operation shall be limited to between seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. daily.

D. A bypass lane shall be provided for each drive-through use, allowing cars to leave the drive-through lane from the stacking area.

Columbarium accessory to a religious institution pursuant to the following:

A. Columbaria shall be screened from adjoining residential properties.

B. All portions of the use shall meet the minimum district setback requirements for principal structures.

C. All portions of the use shall be setback a minimum of ten (10) feet from any wetland and shall be located outside of easements, except as approved by the city.

Convenience stores/meat markets (without motor fuel stations) with accessory propane fill station provided:

A. One tank may be allowed not to exceed one thousand (1,000) pounds.

B. The tank and weighing station shall not exceed six feet (6') in height and shall be set back ten feet (10') or more from property lines.

C. The tank and weighing station shall be fully screened from view to public streets and adjacent properties with a solid fence or wall. The fence/wall shall include an earth tone color and be consistent in appearance with the principal structure.

D. Coniferous trees shall be planted on the outside of the fence/wall to soften the appearance of the fence/wall from adjacent properties and rights-of-way.

E. The propane tank shall be painted an earth tone color.

F. The weigh station building shall be painted an earth tone color or stainless steel.

G. Exterior signage is not allowed at the fill station.

Daycare facility provided:

A. Unless exempted by the Zoning Administrator, where an outdoor play area of a daycare facility abuts any commercial or industrial use or zone, or public right-of-way, the daycare facility shall provide screening along the shared boundary of such uses, zones or public rights-of-way. All of the required fencing and screening shall comply with section 10-4-8, "Screening/Landscaping/Fencing", of this title.

B. There shall be adequate off street parking which shall be located separately from any outdoor play area. Parking areas shall be screened from view of surrounding and adjoining residential uses in compliance with section 10-5-2, "Off Street Parking", of this title.

C. When a daycare facility is an accessory use within a structure containing another principal use, parking for each use shall be calculated separately for determining the total off street parking spaces required. An exception to this requirement may be granted by the Zoning Administrator in instances where no increase in off street parking demand will result.

D. Off street loading space in compliance with section [10-5-3](#), "Loading Spaces", of this title.

E. All signing and informational or visual communication devices shall be in compliance with section [10-5-1](#), "Signs", of this title.

F. The structure and operation shall be in compliance with State of Minnesota Department of Human Services regulations and shall be licensed accordingly.

Drive-through business subject to section [10-5-5](#), "Drive-Through Businesses", of this title provided:

A. Adequate stacking distance shall be provided, as determined by the City Engineer, which does not interfere with other driving areas, parking spaces, or sidewalks.

B. Electronic speaker devices, if used, shall not be audible beyond the property being served and shall not be operated between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M., unless extended by the City Council as part of the conditional use permit.

C. Screening shall be provided of automobile headlights in the drive-through lane to adjacent [residential zoned or residential used](#) properties subject to section [10-4-8](#), "Screening/Landscaping/Fencing", of this title. Such screening shall be at least three feet (3') in height and fully opaque, consisting of a wall, fence, dense vegetation, berm, or grade change.

D. A bypass lane shall be provided for each drive-through use, allowing cars to leave the drive-through lane from the stacking area.

SECTION 4. Amendments. The text of Chapter 5, Section 1 "Signs" of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the [underlined](#) material as follows

10-5-1: SIGNS:

F. Signs Permitted In OS, I, CI, C1 And C2 Districts:

1. Size: One freestanding pylon, multi-tenant pylon, or monument sign is allowed per property, unless a conditional use permit is approved to allow multiple entrance signage pursuant to subsection G2 of this section. The aggregate square footage of the freestanding business signage and directional signage per lot shall not exceed the sum of one square foot for each front foot of lot to a maximum of two hundred (200) square feet except for multi-business signs approved pursuant to subsection G1 of this section. Any lot upon which three (3) or more businesses are located may add an additional 0.25 square feet of sign space for every linear foot along a side lot line to a maximum of two hundred fifty (250) square feet of sign space to accommodate lots that extend a farther distance from the front lot line. Front footage is measured as a linear distance across the front lot line only, not a cumulative road frontage wherein a roadway is adjacent to two (2) or more property lines.

2. Setback: Freestanding signs shall be set back at least ten feet (10') from any property line.

3. Height: No freestanding sign shall extend more than six feet (6') in height above the principal structure found by adding the wall height to half of the gabled peak or parapet, not to exceed a maximum of forty feet (40').

4. Additional Signage Space: ~~In Commercial Districts, u~~Up to ten percent (10%) of any face of the building and any face of the canopy may be dedicated to signage in addition to the aggregate maximum for cumulative signage referenced in subsection F1 of this section. This may include wall signs, window signs, awning signs and raised lettering.

SECTION 5. Amendments. The text of Chapter 5, Section 5 “Drive-Through Businesses” of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows

10-5-5: DRIVE-THROUGH BUSINESSES:

A. Where allowed, drive-through businesses shall comply with the following:

1. Location: The business shall be located on a site with direct access to a minor arterial street, collector or service road.
2. Drive-Through Lanes: Drive-through or drive-in lanes are not allowed between the building and a lot line that faces a public street. This does not pertain to driveways.
3. Separation From Residential Property: Drive-through facilities, including, but not limited to, the service windows and stacking spaces, shall be separated from residentially zoned or guided property by an arterial or collector street or shall be set back at least two hundred feet (200') from residentially zoned or guided property.
4. Order System Noise: The public address or order system shall not be audible from any adjacent residentially zoned or guided property.
5. Stacking Distance And Spaces: Adequate stacking distance shall be provided, which does not interfere with other driving areas, parking spaces, or sidewalks. Stacking spaces shall not interfere with parking spaces or traffic circulation. The following minimum standards are required:
 - a. Pharmacies: Pharmacies with one drive-through lane shall provide stacking space for at least five (5) vehicles, and pharmacies with two (2) or more drive-through lanes shall provide stacking space for at least three (3) vehicles per lane, as measured from and including the last pick up station, window, or the like.
 - b. Banks Containing Less Than Six Thousand Square Feet: Banks containing less than six thousand (6,000) square feet of gross floor area with one drive-through lane shall provide stacking space for at least six (6) vehicles, and banks containing less than six thousand (6,000) square feet of gross floor area with two (2) or more drive-through lanes shall provide stacking space for at least three (3) vehicles per lane, as measured from and including the last pick up station, window, or the like.
 - c. All Other Uses: Businesses with one drive-through lane shall provide stacking space for at least ten (10) vehicles, and businesses with two (2) or more drive-through lanes shall provide stacking space for at least six (6) vehicles per lane, as measured from and including the last pick up station, window, or the like.
6. Existing Level Of Service On Streets: The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections. The city may require a traffic study to be prepared.
7. Screening: ~~As regulated in the respective zoning districts, s~~Screening ~~shall may~~ be ~~provided~~required -of automobile headlights in the drive-through lane to adjacent properties. Such

screening shall be at least three feet (3') in height and fully opaque, consisting of a wall, fence, dense vegetation, berm, or grade change.

8. Bypass Lane Required: A bypass lane shall be provided for each drive-through use, allowing cars to leave the drive-through lane from the stacking area. (Ord. 2016-021, 5-17-2016)

SECTION 6. Summary Publication. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The City Council adopted an ordinance amending the standards of Title 10 “Zoning Regulations” as follows:

Chapter 3: Section 1 “Use Districts; Purpose” & Article C2 to establish the R-1B, High Density Residential District.

Chapter 3 “Zoning Districts”, Article G, Section 3: “Conditional Uses” to reduce drive through screening requirements.

Chapter 5, Section 1 “Signs” to add clarity to the ordinance that wall signage is allowed for business use.

Chapter 5, Section 5 “Drive-Through Businesses” to reduce drive through screening requirements.

SECTION 5. Effective Date. This amendment shall take effect upon its passage.

Whereupon, said Ordinance is hereby declared adopted on this 19th day of May 2026.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal