

CHAPTER 11-1200 - GENERAL DISTRICT STANDARDS

11-1201 - Compliance.

11- All future development will be required to meet the standards of this Chapter. These standards
1201.1 also apply to existing development where so stated. No structure can be erected, substantially altered, or its use changed unless in compliance with the provisions of this Chapter.

11- No property can be used in a manner that violates the standards of this chapter.

1201.2 11- Violation of these standards will be determined by the Director, the Chief Building
1201.3 Official, or the City Engineer and may be cited under Chapter 2-1100 (Administrative Procedures and Penalties). In matters where technical complexity or great expense makes it difficult to determine if a violation has occurred, the City may retain the necessary personnel to make a determination of the existence of the violation. If a violation is found, the cost of the determination must be paid by the violator, in addition to such penalties as may be appropriate.

11- No building permit will be approved for any structure at the end of a street which would impede
1201.4 the further extension of such street. This provision applies only to dead-end streets and streets possessing temporary cul-de-sacs. It does not apply to permanent cul-de-sacs.

11-1202 - Design Standards for Parking, Driving, Loading, and Open Storage Areas Accessory to Institutional, Commercial, Industrial, Townhouse, Mobile Home, and Multiple Dwelling Uses.

11- Location.

1202.1 (1) Each use must, at a minimum, provide the number of parking, loading, and stacking spaces required in subsections 11-1202.7 and 11-1202.9. Such spaces must be located:

- (a) On the same lot or tax parcel or within the same common interest community as the use they serve, or
- (b) On an adjoining lot or tax parcel to the use they serve, provided:
 - (i) The parking area serves more than one use,
 - (ii) No public street separates the parking spaces and the uses, and
 - (iii) A recorded legal instrument, approved by the City Attorney, provides for the perpetual joint use and maintenance of the parking area.

(2) Spaces on a public street may not be counted toward the minimum requirements.

11- Access and Driveways.

1202.2 (1)

No parking or loading space can directly access a public street. All parking, driving, open storage, and loading areas must be designed so that any vehicle entering or leaving such areas is traveling forward. Driveways must be located so any vehicle entering or leaving a parking, open storage, or loading area is clearly visible to oncoming motorists or pedestrians.

- (2) The maximum driveway width within the boulevard is 36 feet in an Industrial District and 30 feet in all other districts and a minimum width within the boulevard is 14 feet for one-way traffic, and 24 feet for two-way traffic, all excluding entrance radii.
- (3) Notwithstanding subsection 11-1202(1) and (2), a design may allow vehicles leaving tandem parking spaces or attached garage spaces accessory to dwelling units to back onto a public street other than a Principal, A Minor or B Minor Arterial public street. Driveways for such parking spaces must have a minimum width within the boulevard of 10 feet per garage to a maximum of 48 feet per driveway, both excluding the entrance radii.

11- Circulation.

- 1202.3 (1) Parking, driving, open storage areas, and loading and street approaches must be designed to preclude traffic congestion and promote the safe and efficient movement of vehicular and pedestrian traffic on and adjacent to the site. Drives must allow continuous circulation within the paved area. Truck traffic, and other traffic must unless no other arrangement is possible, be excluded from residential streets. Within the site, service traffic must be separated from customer traffic.
- (2) Parking and loading areas must be designed so that vehicles are parked in an orderly pattern. All parking and loading spaces must be striped. The design must include traffic safety islands, barriers, planting strips, signs, markings, or other methods of traffic control as necessary for vehicular and pedestrian safety. Fire lanes must be installed and marked as required by the Fire Chief.

- 11- Paving. All parking, driving, loading, and open storage areas must be paved in accordance with specifications on file in the office of the Chief Building Official. The paved areas must be designed to prevent any damage to adjacent properties by surface water runoff and to minimize the amount of paved area on a site. Pavement may be deleted on any portion of an open storage area which is used for the storage of heavy equipment that would damage pavement.
- 1202.4

11- Curbing.

- 1202.5 (1) Concrete curb or curb and gutter must be used around the entire perimeter of the paved areas required under subsection 11-1202.4 and around any traffic safety or landscape islands. Bituminous curb may be substituted for concrete curb for those portions of the perimeter where expansion of the paved area will occur. Curb may be deleted for low use portions of parking and driving areas for quads, townhouses,

multiple dwellings, and public utility buildings. All dimensions including, but not limited to, setbacks, driveway widths, and parking space widths must be measured from the face of the curb, not the back of the curb.

- (2) Notwithstanding subsection 11-1202.5, concrete curb and gutter must be used where a gutter is required for drainage purposes.
- (3) A sidewalk may be substituted for a curb when the parking lot directly abuts the sidewalk and the grade of the sidewalk is at least six inches above the grade of the paved area.
- (4) Curbs or curb and gutter must be constructed according to standards on file in the office of the Chief Building Official.
- (5) Curb and gutter may be waived with a City Engineer approved Low Impact Design (LID) stormwater management plan.
- (6) Notwithstanding subsection 11-1202.5(1), upon approval of the Planning Commission a fence may be substituted for a curb if all of the following conditions are met:
 - (a) The area enclosed by the fence is used solely for the storage of vehicles or other items in conjunction with a commercial, industrial or institutional use.
 - (b) The entire area used for storage is enclosed by fence or building.
 - (c) The enclosed area is located in the side or rear yard of the principal structure.
 - (d) The enclosed area is not used for the parking of customer or employee vehicles.
 - (e) The fence is at least 80 percent opaque, is at least six feet in height and is constructed of masonry, cedar, redwood, treated lumber or other durable material approved in advance by the City.
 - (f) The fence shall be located no more than 12 inches from the edge of the paved area.
 - (g) Gates meeting the same requirements as a fence are provided at all openings in the enclosure. Gates will be open only to permit the passage of vehicles, other items or individuals into or out of the enclosure in conjunction with the operation of the use. Gates must remain closed at all other times.
 - (h) Curb and gutter is not required for drainage purposes.
 - (i) Curb is not required to protect landscaping from snow removal operations.
 - (j) Movement of vehicles and other items within or into the fenced area is restricted to employees of the use or of delivery services for the use.
 - (k) Such other conditions as the Planning Commission may determine are reasonably necessary to meet the intent of this Code.
 - (l) Upon the failure of any party to conform to the conditions provided for herein, the Planning Commission may amend or revoke its approval. Any party whose approval has been revoked by the Planning Commission will be subject to the provisions of subsection

11-1202.5(1). Any person aggrieved by the decision of the Planning Commission may appeal that decision to the City Council in the same manner as an appeal from an application for Conditional Use Permit under subsection 11-305.6.

11- Lighting. Parking, loading, and stacking spaces must be illuminated to a minimum level of one 1202.6 footcandle at ground level over the entire surface of the paved area, provided that additional lighting may be required as necessary for safety and security.

11- Stall, Aisle, Stacking and Loading Space Dimensions. Stall, aisle, stacking and loading spaces must 1202.7 be constructed to the following minimum specifications:

(1) Standard Parking Stalls.

				Bay Width	
Parking Angle	Stall Width (Including Striping)	Stall Length	Aisle Width	Interlock to Interlock	Wall to Wall
90 degrees	nine feet	20 feet	24 feet	64 feet	64 feet
60 degrees	nine feet	20 feet	16 feet	55.5 feet	60 feet
45 degrees	nine feet	20 feet	16 feet	50.5 feet	57 feet
Parallel	eight feet	22 feet	12 feet (one way)		
24 feet (two way)	n/a	n/a			
Tandem	eight feet	25 feet	24 feet	n/a	n/a

Stall length for 90, 60, and 45 degree angles parking stalls may be reduced by the amount of the curb overhang up to a maximum of two feet.

(2) Accessible Parking Stalls. Accessible parking spaces must be provided according to Chapter 1341 of Minnesota Rules (the Minnesota Accessibility Code).

(3) Off-Street Loading or Stacking Space. An off-street loading or stacking space must be a minimum of 12 feet wide, 50 feet long and 15 feet high, unless the maximum size of trucks used does not necessitate such space.

(4) Drive-Thru Stacking Space. A stacking space shall be a minimum of 12 feet wide and 20 feet long. Six stacking spaces are required per drive thru service window or wash bay.

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11- Private Streets. Private streets must be a minimum of 24 feet wide when intended for two-way traffic and 14 feet wide when intended for one-way traffic.

11- Minimum Number of Parking Spaces Required.

1202.9

Parking Requirements

Residential Uses	
Single family detached dwelling	3 spaces
Two-family dwellings	3 spaces per unit
Townhouses	2.5 spaces per unit
Multiple family dwellings	2.25 spaces per unit;
Mobile homes	2.5 spaces per dwelling
Nursing homes and assisted living	1.2 spaces per unit
Boarding Homes	1 space per room plus 2 spaces
Retail Sales and Service	
General retail sales	1 space per 250 sf of floor area
Banks and financial institutions	1 space per 300 sf of floor area
Building material sales	200 spaces for bldg.50,000 to 130,000 sf
Greenhouse, lawn and garden supply store	8 + 1/800sf over 1,000 sf

Personal service establishment	2 spaces per chair or tanning bed or 1 per 300 sf of floor area
Service Business	1 space per 300 sf of floor area
Daycare facility	1 space per 5 students
Self service storage	30 foot wide drive aisles plus one employee space
Furniture store/retail showroom	1 space per 1000 sf of floor area
Automobile Services	
Vehicle repair	4 spaces plus 2 per stall
Vehicle sales	6 spaces plus 1 per 500 sf over 1,000 sf
Convenience store	12 spaces plus pumps
Vehicle rental	2 spaces plus 1 per rental car
Food and Beverage	
Coffee shop/deli	25 spaces with drive thru, 35 spaces without drive thru
Restaurant	1 space per 2 seats plus 1 space for every 40 sf of banquet or meeting area
Bar/tavern	1 space per 100 sf of floor area
Commercial Recreation, Entertainment and Lodging	

Hotel	1 space per guest room plus 1 space per employee plus 1 space per 40 sf of banquet area
Fitness center	<50,000sf = 1/400 sf >50,000sf = 1/667 sf
Theater	1 space per 4 seats
Bowling alley	5/alley
Office and Medical Facilities	
General office	1 space per 200 sf. for the first 20,000 sf, plus 1 space per 450 sf for any additional square footage over 20,000 sf.
Medical office or clinic	1 space per 300 sf of floor area
Hospital	4.5 spaces per bed
Social, Cultural and Places of Assembly	
Club, banquet or meeting hall	1 space per 4 seats
Place of worship	1 space per 4 seats
Library	1 space per 350 sf of floor area
Museum	1 space per 750 sf of floor area
Community center	1 space per 312 sf of floor area
College	.18 spaces per school population
Industrial Uses	

Research and development	1 space per 1,000 sf of floor area
Light industry	1 space per 1,000 sf of floor area
Wholesale business, warehouse, truck terminal	1 space per 2,000 sf of floor area

Parking requirements for uses not listed above will be based on the parking requirements for similar uses and the needs of the proposed use. The minimum parking requirement may be reduced for a specific project if the applicant provides documentation supporting the reduction.

11- Maintenance and Use.

- 1202.10 (1) The surface and curbs of all parking, driving, and loading areas must be maintained in good condition, and remarked or striped when worn or faded.
- (2) Parking, driving, and loading areas must be kept clear of trash and debris.
- (3) Lighting for parking, driving, and loading areas must be kept in good working order. Broken or burned-out light bulbs must be replaced within 24 hours.
- (4) No vehicle, trailer, or truck, truck-tractor, semitrailer, or special mobile equipment may be driven, towed or parked off a paved surface except as provided by subsection 11-1202.4.

11- Nonconforming Parking, Driving, Loading, and Open Storage Areas. Nonconforming parking, 1202.11 driving, loading and open storage areas must comply with subsection 11-1300.2(5).

11- Land Dedication. The City Council may require a developer to dedicate land planned for public 1202.12 streets and service drives before a building permit may be issued. The purpose of such dedication would be to assure safe and efficient traffic circulation.

11-1203 - Sign Regulations.

- 11- Purpose and Intent. It is not the purpose or intent of this sign ordinance to regulate the message 1203.1 displayed on any sign; nor is it the purpose or intent of this Section to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Section is to:
- (1) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety, and welfare;
- (2) Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community;
- (3)

Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics; and

(4) Provide for fair and consistent enforcement of the sign regulations set forth herein.

11- Definitions. For the purposes of this Section, definitions in Chapter 11-200 apply.

1203.2

11- General Provisions.

1203.3

- (1) Permit Required. The following general provisions are applicable to all signs. It shall be unlawful for any person to erect, alter, replace, or relocate any sign or other advertising structure without first obtaining a permit and paying the required fees, except as herein otherwise provided.
- (2) Exempted Signs. The following signs are exempt from the requirements of this Section:
- (a) Signs erected by a public agency in a public right-of-way.
 - (b) Private traffic directional signs not exceeding eight square feet.
- (3) Prohibited Signs.
- (a) No sign will be attached to trees or utility poles.
 - (b) No sign will be painted directly on any exterior building surface. Sign letters and symbols may be attached directly to a wall by adhesive or mechanical means.
 - (c) No sign will overhang the public right-of-way, sidewalk easement, walkway easement or bicycle path easement except a bus bench or approved trash container at a designated public transportation pick up location.
 - (d) No sign will extend above the roof line of a building.
 - (e) Projecting signs must not project further than two feet from the wall to which they are anchored.
 - (f) No sign will be installed that by reason of position, movement, shape, illumination, or color would constitute a traffic hazard by obstructing a driver's vision or by interfering, confusing, or misleading traffic.
 - (g) No sign will noticeably move either by mechanical means or as a result of normal wind pressure.
 - (h) All other signs not expressly permitted by this Section.
- (4) Permit Application. An application for a sign permit must be made on blanks provided by the Director and state or have attached thereto the name and address of the person or company that will be erecting the sign; the location of the building, structure, or lot on which the sign is to be erected; the position of the sign in relation to nearby buildings or structures; the written consent of the owner of the land on which the sign is to be erected; and any other information the Director considers necessary. These requirements may be waived by the Director where they are not applicable. The Director will approve or deny a sign permit

application in an expedited manner no more than 30 days from the receipt of the complete application, including the applicable fee. Any application not approved or denied within 30 days will be deemed denied. If the permit is denied, the Director will issue a written notice of denial within 10 days of the decision, describing the applicant's appeal rights under subsection 11-305.6.

- (5) Fees. Every applicant must pay a fee for each sign regulated by this Section before being granted a permit.
 - (a) The City Council will establish the permit fee by ordinance.
 - (b) Except for maintenance, any substantial alteration, replacement of the business message, or relocation of a sign constitutes a new sign, requiring an additional permit and fee.
 - (c) A double fee will be charged if a sign is erected without first obtaining a permit for such sign.
 - (d) The permit fee for a temporary sign erected without first obtaining a permit may be charged against the lot or parcel of land if the property owner fails to comply with a written request from the Director to obtain a permit. The amount so charged against the lot or parcel of land together with a description of the premises and the name of the owner will be certified to the County Auditor and will be collected in the same manner as taxes or special assessments against said premises. The charge is a perpetual lien on the premises until paid.
- (6) Revocation of Permit. The Director is hereby authorized to revoke a sign permit upon failure of the holder thereof to comply with any provision of this Chapter. Any party aggrieved by such revocation may appeal the action to the Board of Adjustment and Appeals within 10 days after the revocation.
- (7) Expiration of Permit. A permit expires if the sign is not erected within 180 days after issuance and no permit fees or inspection fees for such sign will be refunded.
- (8) Initial Inspection. All sign installations for which a permit is required are subject to inspection by the Director to ensure that such signs are erected according to the permit.

11- Maintenance and Removal of Signs.

1203.4

- (1) All signs must be maintained by the sign owner in a safe, neat, clean and attractive condition. A sign must be replaced or refurbished so as to restore the original appearance thereof whenever it begins to fade, chip or discolor, rust, ceases to be in good repair or becomes unsightly. (2) Removal of signs will be governed by the following:
 - (a) On-premises signs shall be removed from the building and property by the owner of such property within 14 days after the use is terminated.
 - (b)

Off-premises signs shall be removed within 30 days after discontinuation of use of the sign. A sign shall be considered discontinued if the message is removed, the subject of the message no longer exists, or the sign is not maintained.

- (3) If the Director finds that any sign is unsafe, a detriment to the public, not maintained, or constructed, erected, or maintained in violation of the provisions of this Section, the sign owner shall be notified of the violation in writing personally or by U.S. Mail. If the sign owner fails to comply with the standards of this Section within 20 days after such notice is given or mailed, if no appeal is taken pursuant to the provisions of subsection 11-305.6 or if no owner, occupant, or agent can be found, such sign may be removed or altered to comply by the Director; provided, that for temporary signs, the notice and appeal period is seven days. The records showing the cost of such work attributable to each separate lot or parcel shall be delivered to the City Clerk. The amount so charged against said lot or parcel of land, together with a description of the premises and the name of alleged owner, will be certified to the County Auditor and will be collected in the same manner as taxes or special assessments against said premises. The charge shall be a perpetual lien on the premises until paid.

11- Design of Illuminated Signs.

- 1203.5 (1) Signs must not have blinking, flashing, or fluttering lights or change in brightness or color.
- (2) On-premises signs may include dynamic displays, except as regulated in Table 11-1203.7(2), provided that the message is changed at intervals of not less than four seconds by electronic process or remote control and the only movement is the periodic changing of information against a solid, colorless background, engineered for maximum legibility and readability, and having a constant light level and glare-reducing screens. Fading, dissolving, scrolling, traveling, or any transition that creates the illusion of movement is prohibited.
- (3) The light from illuminated signs must not reflect direct rays of light onto adjacent property or public streets.
- (4) No incandescent lamps may be used on exterior surfaces of any sign that exceeds 15 watts during nighttime hours.

11- Temporary Signs.

- 1203.6 (1) Banners, Streamers, Spinners, Revolving Beacons, Search Lights, and Portable Signs.
- (a) The Director may issue permits for the use of portable signs 12 square feet or less in area, banners, streamers, spinners, revolving beacons, search lights or other exterior temporary signs in commercial and industrial districts, as well as for institutional uses in residential districts.
- (b)

Permits for portable signs 12 square feet or less in area, banners, streamers, spinners and other exterior temporary signs must not be issued in conjunction with the same business activity for more than 60 days in any calendar year.

- (c) No more than three portable signs or banners may be displayed under a single permit.
- (d) A business activity may only be issued one permit at any given time. A separate permit is required for each display period.
- (e) Search lights and revolving beacons must not be directed into residential areas or onto streets and are not to be permitted more than six days per calendar year.
- (f) Twenty days will be subtracted as a penalty from a business activity's allotted number of days when that activity maintains a temporary sign past the expiration date for the permit, irrespective of compliance during the period under subsection 11-1202.(2)(e). If the business activity has fewer than 20 allotted temporary sign days remaining for the calendar year in which the penalty is imposed, the balance of those penalty days will be subtracted from that activity's allotted temporary sign days in the following calendar year.

(2) Other Temporary Signs:

- (a) No permit or permit fee is required, however, all other provisions of this Section shall apply.
- (b) A temporary sign under this subsection must be set back at least one foot from a public sidewalk or 18 feet from the street pavement if there is no sidewalk. In no case will a sign be located within a public right-of-way or within 10 feet from any other property line.
- (c) A temporary sign under this subsection must be removed within 10 days after its use has been terminated.
- (d) A temporary sign under this subsection must not exceed eight square feet in a residential district and 32 square feet in all other districts and no more than one temporary sign will be allowed on each street frontage.
- (e) Limitations on size and number of nonconforming speech signs do not apply from 46 days before the state primary in a state general election year until 10 days following the state general election and 46 days before a primary for a special election, or, in the event there is no primary, 46 days before the special election until 10 days following the special election.
- (f) The City may, without notice, remove any sign erected in violation of this Section or any other federal, state, or local law or ordinance. Any signs not claimed within 30 days after removal may be destroyed by the City.
- (g) Temporary window signs will only be permitted in a commercial district, provided that they do not occupy more than 40 percent of the window area on any building frontage.

- (h) One temporary real estate sign constructed of durable materials located on the premises is permitted for sale or lease of building or vacant lot for each street frontage.
- (i) One temporary construction sign constructed of durable materials is permitted on each street frontage of a development under construction

11- On-Premises District Sign Provisions.

1203.7 (1) Wall Signs. Wall signs will be permitted by zoning district in accordance with the standards established in Table 11-1203.7(1):

Table 11-1203.7(1) Wall Sign Allowances by Zoning District

Use Type/Zoning District	Number/Location	Maximum Area per Wall on which signs are permitted
Multi-Family Buildings/ Residential Developments in LDR1, LDR2, MDR, HDR, MH	One per street frontage identifying the name of the building only. A wall containing a public entrance may be signed in lieu of a wall facing a street frontage.	20 square feet
O, Institutional Uses in LDR1, LDR2, MDR, HDR, MH	Unlimited number of signs permitted on one business frontage.	32 square feet or 10 percent of the building face to which the sign is attached whichever is greater, to a maximum of 100 square feet.
Shopping Centers/ Multiple Tenant Buildings in O, NC, I	Unlimited number of signs permitted on each business frontage, not to exceed two walls per business.	40 square feet or 10 percent of the area of the front of the building, whichever is greater, to a maximum of 100 square feet

Other Developments in NC, I	Unlimited number of signs permitted on each business frontage, not to exceed two walls per building, subject to standards in 11-1203.7(1)(a).	40 square feet or 10 percent of the area of the front of the building, whichever is greater, to a maximum of 100 square feet
Shopping Centers/ Multiple Tenant Buildings in CC, GC	Unlimited number of signs permitted on each business frontage, not to exceed two walls per business, subject to standards in 11-1203.7(1)(b).	40 square feet or 10 percent of the face of the building to which the sign is attached, whichever is greater, to a maximum of 200 square feet
Other Developments in CC, GC	Unlimited number of signs permitted on each business frontage, not to exceed two walls per building.	80 square feet or 10 percent of the wall to which it is attached, whichever is greater, to a maximum of 200 square feet
RS	Unlimited number of signs permitted on each building wall facing a street or parking field.	80 square feet or 10 percent of the wall to which it is attached, whichever is greater, to a maximum of 200 square feet
RRO, PORT	Governed by underlying zoning outside of PORT districts. Within PORT districts, governed by district most similar to use.	Governed by underlying zoning outside of PORT districts. Within PORT districts, governed by district most similar to use.
Permitted Uses in CD	One wall or ground sign per street frontage.	32 square feet

Conditional Uses in CD	Governed by district most similar to use, unless otherwise specified in development plans.
PUD	Governed by the approved development plan. This Chapter is the standard by which the PUD sign plan will be evaluated.
Nonconforming Uses	No additional signs permitted.

Zoning Districts

Abbreviation	Zoning District
LDR1	Low-Density Residential 1 District
LDR2	Low-Density Residential 2 District
MDR	Moderate-Density Residential District
HDR	High-Density Residential District
MH	Mobile Home District
O	Office District
NC	Neighborhood Commercial District
CC	Community Commercial District
GC	General Commercial District
I	Industrial District
RS	Regional Shopping District
RRO	River Rapids Overlay District

PORT	Port Evergreen, Port Riverwalk, Port Campus Square, and Port Wellness Districts
CD	Conservancy District
PUD	Planned Unit Development

- (a) Shopping Center Signs in NC. No sign will be erected to the rear of a business except for an identification sign of up to four square feet. Signs in shopping centers and multiple tenant buildings must be standardized in terms of location on building and style. Sign criteria will be documented in standards to be approved by the Director prior to issuance of any sign permit for the center. A copy of the standards will be kept on file with the Director.
 - (b) Shopping Centers/Multiple Tenant Buildings in CC, GC, RS, and I. No sign will be erected to the rear of a business except for an identification sign of up to four square feet if the rear of the business faces a residential district. Signs in shopping centers must be standardized in terms of location on building, method of construction, and style. Sign criteria will be documented in standards to be approved by the Director prior to issuance of any sign permit for the center. A copy of the standards will be kept on file with the Director.
- (2) Ground Signs. Ground signs are permitted by zoning district in accordance with the standards established in Table 11-1203.7(2).

Table 11-1203.7(2) Ground Sign Allowances by Zoning District

Use/District	Number	Maximum Area	Maximum Height	Min. Setback
Multi-Family Buildings/ Residential Developments in LDR,1 LDR2, MDR, HDR, MH	One per frontage.	32 square feet	10 feet	See 11-1203.8

Other Residential Uses, including Home Occupations in LDR1 LDR2, MDR, HDR, MH	One per lot. Cannot be illuminated.	Six square feet	Three feet	See 11-1203.8
O, Institutional Uses in LDR1, LDR2, MDR, HDR, MH	One per building	100 square feet A sign greater than 25 square feet may only be displayed on a frontage greater than 100 feet	See 11-1203.9	See 11-1203.8
Shopping Centers/ Multiple Tenant Buildings in O, NC, I	One area identification sign per center.	100 square feet	See 11-1203.9	See 11-1203.8
Other Developments in NC, I	One	100 square feet	See 11-1203.9	See 11-1203.8

<p>Shopping Centers/ Multiple Tenant Buildings in CC, GC</p>	<p>For centers less than 15 acres, One identification sign is permitted per arterial/ collector frontage. For centers greater than 15 acres, two identification signs are permitted or two area identification signs per arterial/ collector street frontage, whichever is greater.</p>	<p>For centers less than 15 acres, the maximum size of an identification sign is 264 square feet, but no more than 200 square feet may be devoted to the permanent message portion of the sign with the remainder being reader board or electronic display. For centers greater than 15 acres, the maximum size of an identification sign is 300 square feet.</p>	<p>See 11-1203.9</p>	<p>See 11-1203.8</p>
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Unified Developments in CC, GC	One per business frontage, not to exceed two per building. One area identification sign per development subject to standards in 11-1203.7(2)(a)	100 square feet for individual building signs; 300 square feet for area identification signs if there are no other ground signs on the same frontage.	See 11-1203.9	See 11-1203.8
Other Developments in CC, GC	One per building frontage.	For properties with less than 300 feet of frontage-100 square feet; for properties with 300 feet of frontage or more-100 square feet + one square foot for each additional foot of frontage over 300 feet for a maximum of 200 square feet	See 11-1203.9	See 11-1203.8

RS	Governed by the approved development plan.	Governed by the approved development plan.	See 11-1203.9	See 11-1203.8
RRO PORT	One; must be monument sign, limited to two faces, per property or residential development, subject to standards in 11-1203.7(2)(b).	100 square feet, including base and supporting material. Base and supporting material must constitute at least 25 percent of the total area. A reader board or electronic display must not exceed 50 percent of the area containing sign copy.	10 feet	See 11-1203.8 (4)
Permitted Uses in CD	One wall or ground sign per street frontage.	32 square feet	See 11-1203.9	See 11-1203.8
PUD	Governed by the approved development plan. This Section will be the standard by which the PUD sign plan will be evaluated.			
Nonconforming Uses				No additional signs permitted.

(a)

Signs for Unified Developments. All ground signs on the same frontage must be the same height. All ground signs must be mounted on supports of identical design. Area identification signs for shopping centers 20 or more acres in size located within unified developments may be placed on a lot within the unified development less than 20 acres in size. The following requirements apply to such signs:

- (i) The sign must be located within 500 feet of the shopping center.
 - (ii) The sign must not be separated from the shopping center by an arterial street.
 - (iii) The sign will be subject to the height, setback and separation requirements of a ground sign in the zoning district in which it is located. It will otherwise be subject to the requirements of 11-1202.7(2).
 - (iv) The sign will not be included in the total signage permitted for the property on which it is located.
 - (v) The general location of area identification signs for shopping centers within unified developments must be approved by the Planning Commission as part of the site plan approval.
- (b) Monument Sign Design in River Rapids Overlay District. The monument sign base must be constructed of materials similar in appearance to those of the principal structure and consist of brick, natural stone, stucco, textured cast stone, or integrally colored concrete masonry units. The structure surrounding the face of the sign from the base to the top of the sign must be solid, continuous, and consist of the base materials or complementary materials that match the appearance and color of the principal building. The 200 square feet of ground area around the base of a monument sign must be landscaped with shrubs or perennials. Landscape material must be selected to withstand the environmental conditions of the site and provide seasonal interest.
- (3) Fuel Pump Canopy Signs. Signs may be placed on two faces of a fuel pump canopy. Canopy signs are limited to a business logo and/or graphic design not to exceed 10 percent of each canopy face area or 24 square feet on each canopy face, whichever is greater. Canopy signage will be deducted from the permitted wall signage area for the business. Fuel pump canopy signs must not project above or below the canopy area. Dynamic displays are not permitted on fuel pump canopies.

11- On-Premises Sign Setbacks.

1203.8

- (1) Permanent pylon signs must be set back at least 15 feet from any right-of-way line and at least 10 feet from any other property line. Permanent monument signs must be set back at least 10 feet from any property line or right-of-way line.
- (2) A sign (including supporting structure) within the sight triangle must either have maximum height of two and one half feet or a minimum clearance of 10 feet above the center line grade of the intersecting streets.

- (3) A ground sign of over 25 square feet may be displayed only on a frontage of 100 feet or more and must not be closer than 100 feet to any other ground sign of over 25 square feet.
- (4) Signs must be located a minimum of 10 feet from a public street right-of-way, except that along Coon Rapids Boulevard the minimum setback is 20 feet from the curb of the roadway, two feet behind a public sidewalk, or two feet from the right-of-way of Coon Rapids Boulevard, whichever location places the sign farthest from the roadway.

11- On-Premises Sign Height. Ground signs must not exceed the following height as measured 1203.9 perpendicularly from the highest point of the sign structure to the grade level directly below the sign. Existing grade may not be altered for the purpose of increasing the sign height.

- (1) River Rapids Overlay District. Maximum height for ground signs in the River Rapids Overlay district is 10 feet.
- (2) Zoning Districts Outside of River Rapids Overlay District. Maximum height for monument signs is 10 feet. Maximum height for pylon signs is established in Table 11-1203.9.

Table 11-1203.9: Maximum Permitted Pylon Sign Height

Square Footage of Sign	Maximum Height Permitted
40 square feet or less	20 feet
41 to 80 square feet	24 feet
81 to 264 square feet	30 feet
Over 264 square feet	36 feet

11- Off-Premises Signs.

- 1203.10
- (1) Applicability. No off-premises sign may be placed, erected, or maintained in the City, nor may an owner or lessee permit property under the control of the owner or lessee to be used for such a sign, except in accordance with this Section.
 - (2) Prohibition. No off-premises signs not already existing as of September 10, 2001 may be placed or erected in the City except that a nonconforming off-premises sign located outside the highway corridor may be replaced with a conforming off-premises sign placed or erected within the highway corridor in accordance with this subsection.

(3)

Conforming Off-premises Signs. Off-premises signs located within the highway corridor are conforming signs and may be structurally maintained and replaced as needed provided they otherwise comply with this Section.

(4) Requirements. All off-premises signs must meet the following requirements:

- (a) May not exceed 250 square feet of display area on any single side. The sign faces must be roughly perpendicular to the roadway. A sign will have no more than two display sides with the two sides mounted back-to-back. The angle of intersection between the display sides will be no greater than 15 degrees.
- (b) May not exceed 30 feet in height as measured perpendicularly from the highest point of the sign structure to the grade level directly below the sign. The existing grade level may not be altered for the purpose of increasing sign height.
- (c) Must be of mono-pole design. Any exposed metal on the supporting structure must be painted a single dark color.
- (d) May be located only in areas zoned Community Commercial, General Commercial or Industrial.
- (e) May not be located within an interchange.
- (f) Maintain the following setbacks and separations:

Public parks and rest areas		
	Measured laterally along roadway	500 feet
	Measured in any other direction	200 feet
Residentially zoned property		
	Measured laterally along roadway	500 feet
	Measured in any other direction	200 feet
Non-residential buildings		200 feet
On-premises sign		100 feet
Property line		100 feet
Right-of-way line		50 feet

Another off-premises sign on same side of roadway	1,000 feet
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(5) Dynamic Display Techniques. Nonconforming off-premises signs may not use dynamic display techniques. Any conforming off-premises sign using dynamic display techniques in whole or in part must meet the following operational standards:

- (a) Duration. In all districts the full sign image or any portion thereof must have a minimum duration of 60 seconds and must be a static display. No portion of the image may flash, scroll, twirl, change color, or in any manner imitate movement.
- (b) Transition. In all districts where the full sign image or any portion thereof changes, the change sequence must be accomplished by means of instantaneous re-pixelization. Fading, dissolving, scrolling, traveling, or any transition that creates the illusion of movement is prohibited.
- (c) Brightness. The sign must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.
- (d) Dimmer Control. Electronic graphic display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.
- (e) Fluctuating or Flashing Illumination. No portion of any sign may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams zooms, twinkles, sparkles, or in any manner creates the illusion of movement.
- (f) Video Display. No portion of any sign may change its message or background in a manner or by a method of display characterized by motion or pictorial imager, or depicts action or a special effect to imitate movement, or the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion or the illusion of moving objects, moving patterns or bands of light or expanding or contracting shapes.

11- Wall Graphics. Wall graphics are considered wall signs for purposes of calculating area and are subject to the size requirements established in table 11-1203.7(1). The Board of Adjustment and Appeals may permit a larger wall graphic if:

- (1) It is compatible in scale, color, and size with the surrounding land uses;
- (2) There is a unique feature to the design which requires more area than is permitted; and
- (3) The wall graphic is the minimum size necessary for the effective presentation of the design.

11- Municipal Entry Monuments. Signs or monuments located at street or highway entry points to the
1203.12 City which indicate, exclusive of any commercial message, that one is entering the City are permitted in all districts, subject to the following requirements:

- (1) Municipal entry monuments must be of a design approved by the City Council and shall be owned and maintained exclusively by the City.
- (2) Municipal entry monuments must be set back at least 10 feet from any street right-of-way or property line.
- (3) Any municipal entry monument located within 25 feet of the intersection of a street right-of-way line and a driveway entrance must have a minimum vertical clearance of 10 feet above the centerline of the street pavement.
- (4) The message portion of a municipal entry monument cannot exceed 60 square feet in area. Nor more than four additional square feet in area may be used to set forth the name or logo of any donor.
- (5) The monument or sign structure cannot exceed 30 feet in height as measured perpendicularly from the height of the highest point of the structure to the grade level directly below the monument or sign. Existing grade may not be altered for the purpose of increasing monument or sign height.

11- Nonconforming Signs. It is recognized that signs exist within the zoning districts which were
1203.13 lawful before this Section was enacted but will be prohibited under the terms of this Section. Nonconforming signs must not be enlarged or expanded nor used as grounds for adding other signs or uses prohibited elsewhere in the same district. Permitting legal nonconforming signs existing on the effective date of this Section may continue as legal nonconforming signs provided such signs are safe and are maintained as not to be unsightly, and have not been abandoned or removed, subject to the following provisions:

- (1) No sign will be enlarged or altered in a way which increases its nonconformity.
- (2) If the use of the nonconforming sign or sign structure is discontinued for a period of one year the sign or sign structure cannot be reconstructed or used except in conformity with the provisions of this Chapter.
- (3) Should such nonconforming sign or sign structure be damaged or structure be destroyed by any means to an extent greater than 50 percent of its market value and all required permits for its reconstruction have not been applied for within 180 days of when the sign or sign structure was damaged, it must not be reconstructed or used except in conformity with the provisions of this Section.
- (4) Should such nonconforming sign or sign structure be moved for any reason for any distance whatsoever, it must conform to the regulations for the zoning district in which it is located.
- (5)

No existing sign devoted to a use not permitted in the zoning district in which it is located will be enlarged, expanded, or moved except to change the sign to a sign permitted in the zoning district in which it is located.

- (6) When a building loses its nonconforming status all signs devoted to the structure must be removed, and all signs painted directly on the structure must be repainted in a neutral color or a color which will harmonize with the structure.

11- Enforcement.

- 1203.14 (1) The Director or designated agent will be responsible for enforcement of this Section.
- (2) Violation of any provision of this Section shall be a misdemeanor. Each day the violation continues in existence shall be deemed a separate violation. All signs are subject to penalty for violation even when not required to pay a fee or acquire permit.
- (3) Inspections to determine compliance with the provision of this Section will be carried out periodically.
- (4) The owner of any sign which is otherwise allowed by this Code may substitute nonconforming copy in lieu of any other commercial or nonconforming copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over nonconforming speech, or favoring of any particular nonconforming message over any other nonconforming message. This provision prevails over any more specific provision to the contrary.

- 11- Severability. If any subsection, sentence, clause, or phrase of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have adopted the Section and each sub-section, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, sentences, clauses, or phrases may be deemed invalid.

11-1204 - Fences and Walls.

For the purpose of this Section, "Fence" includes any non-vegetative freestanding structure, including a wall, designed or functioning to impede movement across or mark a boundary, act as a barrier or enclosure, or obstruct vision; "Wall" is a fence made of rock, brick, concrete, or similar materials.

11- Construction and Maintenance.

- 1204.1 (1) Fences must be constructed in accordance with applicable building code and City Code provisions, in a professional and workmanlike manner, and of materials suitable and intended for the purpose for which they are used.
- (2)

Fences must be maintained in accordance with applicable building code provisions and Chapter 12, Building and Fire Codes, of the Coon Rapids Revised-1982 City Code. Every fence must be maintained in a condition of good repair and must not be allowed to become a danger or fall into a state of disrepair. Any fence that becomes a danger or falls into a state of disrepair is hereby declared a nuisance. Any side of a fence facing a neighboring property or street must be finished. For this clause, a "finished" side means a side on which framing, supports, or posts are not visible.

- (3) Electric, barbed, razor, wire, and chain link less than 11 gauge fences are prohibited.
- (4) Maximum height without building permit: seven.
- (5) No part of a fence shall exceed the maximum height allowed in subsection 11-204.4, as measured from the finished grade at the base of the fence. The height of a fence built on a berm or wall is measured from the base of the berm or wall.
- (6) Fences must be constructed of the same material for a minimum run length of 30 feet. No fence less than six feet in height may have boards, planks, or panels larger than 12 inches in width.
- (7) No temporary fence may be permitted on any property for a period in excess of 30 days unless otherwise approved in writing by the City for good cause. Snow fences are allowed between November 1st and April 15th. A temporary fence is any fence that is not permanently secured or anchored to the ground by posts which are suitable to the fencing material used. Prohibited materials are not acceptable as a temporary fence.

11- Location.

- 1204.2
- (1) A fence placed within a drainage or utility easement must not impede the flow of runoff or interfere with planned or installed utilities. The City or any utility company having authority to use such easement will not be liable for any damages, or to repair or replace such a fence, in the event it is moved, damaged, or destroyed in the maintenance of the easement or the installation, maintenance, or repair of utilities thereto.
 - (2) Walls are prohibited within drainage or utility easements.
 - (3) Fences are prohibited within site triangles as defined in subsection 11-1206.2(3).

11- Setbacks.

- 1204.3
- (1) Property Boundary: Within the boundary lines.
 - (2) Public Rights of Way, Trail or Sidewalk Easements: Three feet.

11- Height Maximums.

- 1204.4
- (1) Front Yard Setback: Four feet, except as provided in subsection 11-1204.4(6).
 - (2)

Street Side Yard, Single Family or Two-Family Residential Uses: Four feet; provided, if the front of the house faces the front yard, seven feet between the rear lot line and the front of the house.

(3) Interior Side Yard: Seven.

(4) Rear Yard: Seven.

(5) Side and Rear Yards where a Residential District abuts a Commercial, Industrial, or Office District: Eight feet.

(6) Front or Street Side Yard, Commercial, Industrial or Office Districts: Four feet, except in an approved site plan.

(Ord. No. 2146, 9-15-15)

11-1205 - Screening.

11- 1205.1 Screening must satisfy the requirements of subsections 11-1205.2 through 1205.6 and the requirements of the current version of the *Landscape Standards on File in the Office of the Community Development Director*.

11- Residential Uses.

- 1205.2 (1) Where any multiple-family use with more than four parking spaces adjoins another residential use, the off-street parking for such use must be screened from adjoining properties. Parking for two-family homes is exempt from this requirement.
- (2) The light from automobile headlights and other sources must be screened whenever it may be directed onto residential windows to the extent that it will cause an unreasonable disturbance.

11- All Districts.

- 1205.3 (1) Exterior storage of goods or materials which are not prohibited under Chapter 8-1000 must be screened. If such permitted storage is not screened, it will be considered a public nuisance.
- (2) All parking areas containing more than four spaces which adjoin a public street must be screened.

- 11- 1205.4 Trash and Recycling Storage Screening. Trash, recycling, and similar containers provided in conjunction with institutional, public, commercial, or industrial uses, or with residential uses where a common collection location is designated for three or more dwelling units must be screened by a masonry enclosure constructed on three sides with materials compatible with the exterior materials of the principal structure being served by the enclosure. For all residential uses where such screening is required, the fourth side must consist of a durable gate. For all other uses requiring such screening, a durable gate must be provided where the open side of the enclosure is visible from a public street or from an abutting residential zoning district. All gates must provide 100 percent opaqueness and must be constructed in conformance with standards

on file in the office of the Director. Enclosures for trash, recycling, and similar containers must be of sufficient size to accommodate the containers and any mechanical means of servicing the containers. Screening enclosures must be located in the side or rear yard of the property in such a manner as to provide easy access thereto, and must conform to the setback requirements for accessory structures. Screening enclosures may be attached to principal or accessory structures with Fire Department approval. Screening enclosures must be maintained in a good condition.

11- Mechanical Screening. Except for mobile homes, townhouses, and single- and two-family homes, 1205.5 all mechanical equipment on the ground or roof, such as heating and air conditioning, must be screened, located or painted so as not to be readily visible from public streets or adjoining property. Screening structures, if used, must be designed and constructed of a material that is compatible with the principal building.

11- Screening Materials and Maintenance.

1205.6 (1) Requirements. The screening requirements of subsections 11-1205.1 through 11-1205.5 must be satisfied by the use of one or more of the following:

- (a) Screening Fence. A screening fence or wall at least six feet in height, or of sufficient height to completely block the view of items within the screening fence enclosure from surrounding properties, with a minimum opaqueness of 80 percent. The fence must be constructed of wood, masonry or other durable material and must be compatible with the principal building and surrounding properties. Screening fences must be painted or stained, whenever necessary, to prevent fading, chipping or discoloration. Damaged or destroyed fences must be repaired or restored.
- (b) Planting Screen. A planting screen consisting of a row of evergreen trees planted 10 feet on center in two parallel rows. When planted, the evergreen trees must have a minimum height of six feet. The planting screen must be maintained in a neat and healthy condition. Dead trees must be replaced.
- (c) Berm. A berm no less than six feet in height with a side slope of no greater than one and one-half to two. The berm must be sodded. Slopes greater than one and one-half to one may be used if the slopes are stepped using retaining walls. Plant materials resistant to erosion may be substituted for sod with the approval of the Planning Commission. Dead sod or plant materials must be replaced.
- (d) Parking Areas. Except in the River Rapids Overlay and Port Districts where subsections 11-1003.11(13)(b)(i) and (ii) apply, a continuous hedge or sodded berm not less than three feet in height.
- (e) Others. Topography, existing vegetation, permanent buildings, or other barriers may be substituted for the above if, the Planning Commission finds, they provide equivalent screening.

- (f) Maintenance. The owner or occupant of the premises must maintain screening in good condition. Screening fences must be promptly repaired, replaced or refinished as necessary. All diseased, damaged or dead sod and plant materials must be promptly replaced with the same materials or equivalent materials approved by the Director.
- (2) The Planning Commission or, where required by this Chapter, the City Council, with a recommendation from the Planning Commission, must approve how the screening requirement is satisfied.
- (3) Compliance. Existing uses must comply with the screening requirements of this Chapter within three months of notice by the Director and with the maintenance requirements within three weeks of notice. The Director must specify in what manner the screening requirement must be satisfied and specify the compliance dates to correspond with appropriate planting seasons.
- (4) Bufferyard. A bufferyard must provide plant materials between adjacent residential and non-residential districts and abutting residential and non-residential uses in residential districts. A bufferyard must meet the requirements of the *Landscape Standards on File in the Community Development Director's Office* and the following requirements.
 - (a) Bufferyard width and type and number of plants required abutting an adjacent residential district must be in conformance with the following table.

Adjacent District or Use	Required Along Boundary Between Adjacent Residential and Non-Residential Districts and Between Adjacent Residential and Non-Residential Use in Residential Districts					
	Minimum Bufferyard Width in Feet (Bufferyard width may include width of required rear and side yard setbacks)					Bufferyard Landscape Units (1) Required for Each 100 Feet of Adjacent Residential
	Low Density Residential-1	Low Density Residential-2	Mobile Home	Moderate Density Residential	High Density Residential	
Moderate Density Residential	25	25	0	0	0	40

High Density Residential	30	30	30	20 (2)	20 (2)	80
Office	20	20	20	20	20	80
Neighborhood Commercial	30	30	30	30	30	120
General Commercial	30	30	30	30	30	120
Community Commercial	30	30	30	30	30	120
Industrial	50	50	50	50	50	160
Regional Shopping	30	30	30	30	30	120
Ports	30	30	30	0	0	80

(1) Landscape Units: Over story tree = 10, Evergreen or Ornamental Tree = 8 and Shrub = 1. No single plant type may exceed one third of the number of required Landscape Units.

(2) Applies only to day care facilities serving more than 17 persons.

- (b) There can be no buildings, patios, decks, stairways, walkways or mechanical equipment within a bufferyard.
- (c) The width of required building rear and side yard setbacks may be used as part of the required width of the bufferyard.
- (d) The owner or the occupant of the premises must maintain bufferyard in good condition. All diseased, damaged or dead plant materials must be promptly replaced with the same materials, or equivalent materials approved by the Director.

11-1206 - Encroachments into Setbacks and Street Frontage.

11- The following are not considered as encroachments on setback and height requirements:

- 1206.1
- (1) In any yard: patios, awnings, steps, or chimneys that are no closer than three feet to any lot line, underground garages that are no closer than five feet to a lot line, flag poles, light poles, and public utilities (subject to the requirements of subsection 11-601.9).
 - (2) Roof eaves, overhangs, balconies, and similar appurtenances must not encroach more than two feet into a setback area.
 - (3) In rear yards: recreational equipment, clotheslines, and detached outdoor living rooms that are not closer than five feet to a lot line.
 - (4) Height limitations for the following uses may be increased by 50 percent:
 - (a) Antenna—radio and television.
 - (b) Belfries.
 - (c) Church spires and steeples.
 - (d) Cooling towers.
 - (e) Flag poles.
 - (f) Elevator penthouse.
 - (g) Smoke stacks.
 - (h) Water towers.
 - (i) Barns, silos, and windmills.

Heights in excess thereof may be permitted only by a conditional use permit after determining that such structure would not be dangerous and would not adversely affect adjacent property.
 - (5) Parapet walls will not exceed more than four feet above the limiting height of the building.
 - (6) Upon written approval of the Director, trash containers may be placed within a public right-of-way at a designated public transportation pick up location provided:
 - (a) Only one such container is located at any pick up location; and
 - (b) Approval is received from the State or County before placing the container within any State or County right-of- way; and
 - (c) The container is of sufficient weight or will be securely anchored to avoid tipping, as determined by the City; and
 - (d) The container is adequately designed to prevent trash from being blown out of the container or removed by rodents, birds or other wildlife; and

- (e) The container is so located as to provide the greatest accessibility with the least possible visual impact; and
- (f) Advertising on the container is limited to the business or the product of the container owner, and will not comprise more than 20 percent of the total exterior area of the container; and
- (g) The owner of the container enters into a written agreement with the City regarding maintenance and City Code compliance. Such agreement may be executed on behalf of the City by the Director.

11- Street Frontage Required. A building is not permitted on a lot unless the lot abuts at least 20 feet on a public street, or has a permanent easement of access to a public street of at least 20 feet in width. A private easement cannot be used as the access for more than one principal building, except by permission of the City Council after a public hearing and recommendation by the Planning Commission. In any case, a private easement cannot be approved for more than one principal building unless there is a minimum of 20 feet of width for each principal building. In no case will more than 60 feet of width be required.

11-1207 - Performance Standards.

11- Environmental Standards.

- 1207.1
- (1) Nuisance Uses. No land, existing building, or proposed structure can be used or occupied in any manner creating dangerous, noxious, or otherwise objectionable conditions which could adversely affect the surrounding area.
 - (2) Radiation and Electrical Emissions. No activity can emit dangerous radioactivity beyond enclosed areas approved for such use. No equipment, other than domestic household appliances, can be utilized which creates electrical disturbances.
 - (3) Noise. Noise must be muffled or otherwise controlled so as not to become a nuisance. Noise levels are regulated by the standards of the Minnesota Pollution Control Agency.
 - (4) Odor. The emission of odorous matter is subject to the regulations established by the Minnesota Pollution Control Agency for Odor Control in Ambient Air.
 - (5) Vibrations. No vibration is permitted which is discernible without instruments on any adjoining property in a residential district. Within commercial and industrial districts, no vibration is be permitted which is discernible beyond the property line to the human sense of feeling for three minutes or more duration in any one hour.
 - (6) Smoke. The emission of visible smoke is subject to the Minnesota Pollution Control Agency's restrictions on the emission of visible air contaminants.
 - (7) Particulate Matter.
 - (a)

Particulate matter includes fly ash, soot, and similar materials.

- (b) Particulate matter emission from industrial processes, substances, products, or materials subject to becoming airborne must be in accordance with the Minnesota Pollution Control Agency's regulations.
- (8) Toxic Matter. The ambient air quality standards of the Minnesota Pollution Control Agency are the guide to the release of airborne toxic materials within the City.
- (9) Erosion. No erosion is permitted which will carry objectionable substances onto neighboring properties or into natural waterways. A property owner must not permit his property to be used or built on without applying all such reasonable measures as may be required to prevent wind or water erosion. The City Engineer may require reasonable measures of a property owner or developer to prevent wind or water erosion. The "Minnesota Storm Water Manual," published by the Minnesota Pollution Control Agency, is the guide for the planning, design, and layout of the conservation measures required. If required, a Nationwide Pollutant Discharge Elimination System (NPDES) Construction Storm Water General Permit must be obtained from the Minnesota Pollution Control Agency prior to commencing construction activities. The associated Storm Water Pollution Prevention Plan (SWPPP) should be submitted to the City for approval. Proof of NPDES permit acquisition must be provided to the City prior to construction. The City Engineer may review any development plan to ensure that erosion and sedimentation must be effectively controlled. The following conditions must be placed on new developments where applicable:
- (a) The development plan must be designed to minimize erosion potential.
 - (b) Landscaping, streets, storm sewers, and other drainage and erosion controls must be installed as early in the construction schedule as is practical.
 - (c) The area and duration of exposure of disturbed soils must be kept to a practical minimum, as determined by City staff but in no event can exposure of disturbed soils exceed 14 days.
 - (d) Whenever feasible, natural vegetation must be retained, protected, and supplemented.
 - (e) Where there is inadequate vegetation to protect erosion-prone areas during or after development, temporary or permanent vegetation and/or mulching must be established.
 - (f) Cut and fill slopes must not be steeper than four to one unless stabilized by a retaining wall or cribbing or approved by the City Engineer.
 - (g) Cut and fill must not endanger adjoining property.
 - (h) Fill must be placed and compacted so as to minimize sliding or erosion of the soil.
 - (i) Fill must not encroach on floodways, natural watercourses, or constructed channels.
 - (j)

Grading must not be done in such a way so as to divert water onto the property of another landowner without the written consent of that landowner.

- (k) Provisions must be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.
 - (l) The use of temporary and permanent erosion control Best Management Practices including, but not limited to, rock construction entrances, silt fence, turf stabilization mats, and storm drain protection may be required.
 - (m) If sediment and debris is deposited on paved areas, street sweeping must be performed by and at the cost of the responsible party(ies) as determined by the City Engineer. Cleaning must be performed in a manner acceptable to the City Engineer. If this work is not performed by responsible party(ies), the City may perform street sweeping and bill the appropriate party(ies) for this work.
 - (n) The use of debris basins, sediment basins, silt traps, or similar measures may be required to trap sediment in runoff water until a disturbed area is stabilized.
 - (o) The use of ponds for temporary storm water storage is encouraged to reduce peak rainfall runoff and peak stream flows.
- (10) Water Pollution. The discharge of raw sewage, industrial wastes, or other pollutants into waterways, lakes, or Municipal Separate Storm Sewer System (MS4) of the City is subject to the regulations of the Minnesota Pollution Control Agency.
- (11) Solid Waste. Sanitary landfills or other areas used for the accumulation of solid waste, including garbage, refuse, sludge, slag, fly ash, demolition debris, and other discarded solid materials, is be subject to the solid waste disposal regulations of the Minnesota Pollution Control Agency and Anoka County. In addition, use of all such areas must be approved by the City Council after receiving a recommendation from the Planning Commission. Reasonable measures may be required to ensure that the disposal site will not endanger the public health, safety, or welfare; create a public nuisance; result in scenic blight; adversely affect property values; reduce the usability of the site; or be incompatible with present and future surrounding land uses, including the posting of a bond in an amount determined by the Council to ensure satisfactory compliance.
- (12) Glare. Lighting cannot be directed into a residential district from another property or obscure drivers' vision on public streets. No lighting fixture can create more than three footcandles of light intensity at the property line.
- (13) Maintenance of Waterway Slopes. The owner or occupant of property on which is located a ditch, creek or man-made and/or natural waterway, that is part of the public drainage system and which was constructed or reconstructed on or after September 1, 1985, is responsible for the maintenance of all slopes of such ditch, creek or man-made and/or natural waterway

located on their property. The owner or occupant will, at a minimum, maintain the lawn on such slopes and keep the slopes free of debris. This provision will not apply if the City has waived the requirements of Section 11-1506.

- (14) Maintenance of Improvements. The owner or occupant of the premises must maintain the building and site in good condition, free from refuse and debris. All improvements must be repaired, replaced, or repainted as necessary. All diseased or dead plant materials must be promptly replaced with the same or equivalent materials.

[Revised 10/15/13 Ordinance 2109]

11- Miscellaneous Performance Standards.

1207.2

- (1) Semitrailer and Container Storage. The City Council finds that the use of semi-trailers and ground level storage containers for the storage of goods and materials is unsightly, causes public safety concerns, circumvents the intent of the City Code regarding exterior storage, and is detrimental to surrounding property values. The reasonable control of the use of such semitrailer and containers is therefore necessary to protect the public health, safety, and general welfare.
- (a) Except as provided below, it is illegal to park, store, or maintain, or permit to be parked, stored, or maintained on any property a semitrailer, a ground level storage container, or similar container.
- (b) This subsection does not apply to:
- (i) Semitrailers parked at or cued for an approved loading dock or, in the absence of a loading dock, which are being actively loaded or unloaded in Neighborhood, Community, Regional and General Commercial and Industrial Zoning Districts and at institutional uses in residential zoning districts;
 - (ii) Semitrailers located in parking spaces which have received Site Plan Review approval specifically for such use in the Industrial Zoning District;
 - (iii) Semitrailers parked, stored or maintained in an approved, screened open storage area in the Industrial Zoning District; and
 - (iv) Semitrailers and ground level storage containers being used as part of an active development, redevelopment, construction, reconstruction, or remodeling project, provided that the container or trailer is removed within five business days after completion of the project or within five business days after the project has been inactive for a period of 30 consecutive calendar days.
- (c) For the purposes of this subsection, the term "cued for" means waiting to be immediately moved into a loading dock as soon as a dock is available.

(2)

Vehicle Sales in Non-residential Areas. No person, firm, business, or other entity of any kind may display a vehicle for sale on any commercial, industrial, office, or institutional property except as provided in this subsection.

- (a) A state licensed motor vehicle dealer may display vehicles for sale in accordance with the terms of that license and all state and local laws and ordinances.
- (b) If no state license is required, one vehicle may be displayed for sale provided such sale is in conjunction with a business or institutional activity.
- (c) A vehicle displayed for sale must be displayed on property where the business, firm, or entity offering the vehicle for sale is located.
- (d) A vehicle displayed for sale must be located on an improved surface and within a designated parking space. Such vehicle may not interfere with the normal circulation pattern of the property.
- (e) For the purposes of this subsection, the term "vehicle" will have the meaning provided in subsection 11-1206.2(2) as that subsection may be amended from time to time.

(3) Visibility at Intersections.

- (a) A minimum sight triangle must be established on each corner lot at every street intersection through which motorists have reasonable unobstructed view.
- (b) The minimum sight triangle is defined as a triangle located at the corner of intersecting streets. The adjacent sides are located along the curb line, or gutter line of streets without curb and gutter, of the intersecting streets and must be 50 feet in length. The third side is a straight line joining the end points of the adjacent sides.
- (c) The City has the authority to order removal of vision obstructions located within the minimum sight triangle.
- (d) A vision obstruction is defined as any object, living or inanimate, which materially obstructs visibility within this minimum sight triangle between the heights of two and one-half and 10 feet above the center line grade of the intersecting streets.
- (e) Obstructions must be removed within a reasonable period of time as determined by the City Engineer and/or designee and, which time will not exceed 90 days after written notice is given to the property owner of record.
- (f) Visual obstructions which are not removed may be justification for installation of a traffic control device.
- (g) An appeal from the Engineer's order to remove a vision obstruction may be made by the aggrieved party to the Safety Commission. The appeal must be filed in writing with the Public Works Director within 10 days after receipt of the order to remove the obstruction. The Public Services Director must refer the appeal to the Chairperson of the Safety

Commission within seven days after receipt of the appeal. The appeal must be placed on the agenda of the next regularly scheduled Commission meeting, unless a special meeting of the Commission is called by the Chairperson. Notification of the time and place of the meeting must be given to the property owner. Within 30 days after the hearing the Safety Commission must make its recommendation in writing to the City Council. Such recommendation must take into account whether a vision obstruction exists in a sight triangle, the implications for traffic and pedestrian safety because of the alleged hazard, to what extent the hazard remains even after the vision obstruction is removed, the availability of less burdensome means to reduce or eliminate the hazard and the means by which the vision obstruction can be eliminated. At its next available regular meeting following its receipt of the Safety Commission's written recommendation, the City Council must affirm, repeal, or modify the order of the Engineer.

- (4) Sidewalks. A sidewalk must be provided with any new development along any street designated on the City Sidewalk Plan, on any arterial or collector street, or where required by the City Council as part of a permit, rezoning, or subdivision plat. With regard to collector or arterial streets which are adjacent to or extend through the interior of industrial parks, the Council, upon petition of the owner or developer, may postpone the construction of such sidewalks until such time as the Council may determine the need for sidewalks on one or both sides. Such determination must be based upon, but not limited to, consideration of the following factors: the presence of labor-intensive industry; access to public transportation; anticipated frequent use by pedestrians.
- (5) Lighting Districts. In order to promote the identity and aesthetic quality of neighborhoods and the welfare, convenience and living environment of residents, the City Council may by resolution establish lighting districts in the City to provide for a uniform street light style within the district. The resolution must establish the boundaries of the district and may set out the style of street lights to be installed therein and such other requirements as the Council shall deem appropriate.
- (6) Restrictions on Accessory Structures. An accessory structure shall not:
 - (a) Be constructed on any lot prior to the time of construction of the principal building.
 - (b) Exceed the height of the principal building, except when on a farm and related to a farming operation.
 - (c) Be located within the required front setback area or within five feet of a lot line.
 - (d) Be located nearer to the front lot line than the principal building. This provision shall not apply to attached garages or to those lots which have the shoreline of the Mississippi River or Crooked Lake as the rear lot line.
 - (e)

An accessory structure larger than 200 square feet in floor area must have a permanent concrete slab under the entire structure. Accessory structures 200 square feet in floor area or less must include ground anchors per building code.

- (7) Donation Drop-Off Boxes. Donation drop-off boxes are allowed in all Commercial and Industrial Districts and at institutional uses in residential districts. Designated recycling collection centers, as determined by the Community Development Director, are exempt from these regulations.
- (a) The placement of donation drop-off boxes are subject to the following conditions:
- (i) Requires written approval of the property owner.
 - (ii) Must be placed against the building in the side and rear yards only.
 - (iii) Can not take up required parking or loading area and can not block sidewalks.
 - (iv) Can not be placed in a drive aisle or landscaped area.
 - (v) Can not be placed on vacant or undeveloped property.
 - (vi) Only one drop-off box per property.
 - (vii) Must be kept free of exterior materials, litter and graffiti.
 - (viii) Display ownership and contact information in a prominent location on the box; it must be visible and legible.
- (b) The boxes are subject to the following design standards
- (i) The drop box must be no larger than six feet wide, six feet deep and eight feet high.
 - (ii) The drop box must be constructed of painted metal or plastic, maintained in a safe and good condition, free from graffiti, rust, holes or other discoloration and firmly anchored to the ground.
 - (iii) All bins must be safely designed in a manner that prevents the tipping over and prevents individuals from entering the bin.
- (c) Violation of these regulations will be deemed a public nuisance and subject to an Administrative Citation pursuant to Section 2-1100.
- (8) Required Dumpster Enclosure Installation at Multi-family Buildings. Dumpsters at all apartments and multi-family buildings must be stored within an approved enclosure by June 1, 2014. The enclosure must be designed and constructed per the standards in Subsection 11-1205.4.

(Ord. No. 2209, 6-19-18)

11-1208 - Satellite Dish Antennas.

11- Permits and Exceptions. Unless preempted by federal law, no satellite dish antenna will be
 1208.1 erected unless a building permit is first obtained from the Building Department and it complies with the regulations of this Section.

11- Installation.

1208.2 (1) In all zoning districts, except for commercial, office and industrial satellite dish antennas larger than one meter must be placed in the rear yard. In commercial, office and industrial districts satellite dish antennas larger than two meters must be placed in the rear yard. The Community Development Director may permit building mounted satellite dish antennas as alternatives to ground mounted antennas if it can be demonstrated that a ground mounted location would result in obstruction of antenna reception window.

(2) Building mounted satellite dishes cannot exceed one meter, 39.37 inches, in diameter in a residential district. In commercial, office and industrial districts, any antenna which exceeds two meters (78.74 inches) in diameter shall be of open mesh (screen) design, must be painted to blend with the background and must not exceed the height of the roof by more than 12 feet and be setback an equal distance from the nearest roof edge.

(3) Satellite dish antennas must comply with the applicable accessory structure setbacks of the district in which it is located.

11- Commercial Use Antennas and Antenna Towers. Notwithstanding any provisions of this Code to
 1208.3 the contrary, all commercial use antennas and antenna towers shall comply with the zoning and regulatory requirements of Section 11-1400.

11-1209 - Adult Oriented Business.

11- No adult oriented business, as defined by Revised City Code-1982, Subsection 5-2202(1), can be
 1209.1 operated or maintained

(1) Except as specifically authorized by this Title 11.

(2) Except in accordance with Revised City Code-1982, Chapter 5-2200.

(3) Within 1,000 feet of: a public park; church; public or private educational facility serving persons under the age of 18 years; private or public junior high, middle, or elementary school; public or private high school; or day care facility.

11- The distances in this Section must be measured on a straight line from the nearest lot line of the
 1209.2 adult oriented business to the nearest lot line of any use listed in 11-1209(1).

11- No adult-oriented business can display or allow to be displayed on or from its premises actual or
 1209.3 representations of specified anatomical areas, as defined by Revised City Code-1982 subsection 5-2202(20), or specified sexual activities, as defined by Revised City Code-1982 subsection 5-

2202(21), so as to be viewable by either the general public, or a person under the age of 18 years.