

Chapter 30 - COMMERCIAL DISTRICTS

30.00 - NEIGHBORHOOD BUSINESS (B-1)

30.01 - Intent.

The purpose of this district is to allow small commercial areas to serve principally residential neighborhoods. These areas are generally located along or at the intersection of collector streets and arterials with a minimum lot size of one (1) acre.

(Ord. No. 87-1016, added 4-2-1987; Ord. No. 20-2447, 7-20-2020)

30.02 - Permitted uses.

- (a) Grocery—Convenience store.
- (b) Beauty shop, barber shop.
- (c) Laundry, dry cleaning.
- (d) Business and professional offices as permitted in Section 30.32(a). (Ord. No. 97-1691, amended 1-8-1998)

(Ord. No. 20-2447, 7-20-2020)

30.03 - Accessory uses.

Signs as regulated in Section 34.07(b).

(Ord. No. 20-2447, 7-20-2020)

30.04 - Conditional uses.

- (a) Gasoline station without auto repair.
- (b) Specialty shops.
- (c) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)

(Ord. No. 20-2447, 7-20-2020)

30.05 - Standards.

- (a) Minimum lot area—One (1) acre.
- (b) Minimum frontage—One hundred fifty (150) feet.
- (c) Minimum depth—One hundred fifty (150) feet.

- (d) Front yard setback—Forty (40) feet.
- (e) Side yard setback—Ten (10) feet, corner lot—Forty (40) feet.
- (f) Rear yard setback—Thirty (30) feet.
- (g) Maximum building height shall not exceed two (2) stories or thirty (30) feet, whichever is less.
- (h) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord. No. 85-898, amended 8-15-1985)
 - (1) Front yard/corner side yard 30 feet.
 - (2) Side yard 10 feet.
 - (3) Rear yard 10 feet.(Ord. No. 95-1553, amended 4-20-1995)

When a B-1 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

- (i) Off-street loading—Refer to Section 33.15.

(Ord. No. 20-2447, 7-20-2020)

30.06 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage shall be landscaped with trees, shrubs, berms, and planted ground covers.
- (b) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (c) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.
- (d) All lots in this district shall provide a landscaped yard. This yard shall be kept clear of all structures, storage and off-street parking. Except for driveways, the yard shall extend along the entire boundaries of the site. This yard shall have a minimum width of not less than ten (10) feet.
- (e) For additional landscaping requirements, refer to Section 33.07.
- (f) Underground irrigation shall be required for all yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved.
(Ord. No. 89-1177, added 1-4-1990)

(Ord. No. 88-1075, amended 3-17-1988; Ord. No. 20-2447, 7-20-2020)

30.07 - Screening.

On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high solid fence constructed of maintenance free materials. All screening within thirty (30) feet of any driveway or street intersection shall not be over thirty-six (36) inches in height above

the curb or center line of the street.

(Ord. No. 20-2447, 7-20-2020)

30.08 - Storage.

(a) Refuse facilities, except for individual containers for public use, shall be located in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(b) No outdoor storage of any materials is permitted except as provided for in Section 30.09. (Ord. No. 02-1948, amended 6-20-2002)

(Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

30.09 - Outside display.

(a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.

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

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

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

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

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

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

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

(Ord. No. 02-1948, added 6-20-2002; Ord. No. 20-2447, 7-20-2020)

30.091 - Architectural control.

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
- (1) Brick.
 - (2) Natural or cultured stone.
 - (3) Glass.
 - (4) Stucco or EIFS.
 - (5) Cementitious siding.
 - (6) Architectural metal.
 - (7) Integrally colored rock faced block.
- (b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
- (c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
- (d) All buildings to incorporate four sided design.
- (e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principal building to a minimum height of 5 feet.

(Ord. No. 20-2447, 7-20-2020)

30.10 - COMMUNITY COMMERCIAL (B-2)

30.11 - Intent.

Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a trade area of nearby residential neighborhoods.

(Ord. No. 20-2447, 7-20-2020)

30.12 - Permitted uses.

- (a) General retail, except when specifically listed elsewhere in the ordinance
- (b) Banks.

- (c) Restaurants.
- (d) Brew Pubs.
- (e) Personal services, including massage, hair salons, and similar businesses.
- (f) Dry cleaning and laundry.
- (g) Repair services, excluding repair of vehicles and small engines.
- (h) Business and professional offices, including medical offices.
- (i) Personalized instructional services, total floor area limited to 4,000 square feet without a conditional use permit.
- (j) Portrait or art studio.
- (k) Medical cannabis dispensary.

(Ord. No. 20-2447, 7-20-2020)

30.13 - Accessory uses.

Signs as regulated in Section 34.07(c).

(Ord. No. 20-2447, 7-20-2020)

30.14 - Conditional uses.

- (a) Animal hospitals.
- (b) Amusement and recreation.
- (c) Fitness center.
- (d) Gasoline station.
- (e) Minor auto repair.
- (f) Car wash.
- (g) Construction and contractor's offices.
- (h) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)
- (i) Educational uses not meeting the requirements of 30.12 (i). (j)
- (j) Small equipment rental; moving van rental and minor repair. Moving vans are limited to single rear axle vans and trucks up to thirty-three (33) feet in total overall length. Repair activities are limited to moving vans owned or leased by the equipment rental facility. (Ord. No. 95-1575, amended 9-21-1995)
- (k) Meeting/assembly halls.
- (l) Motels/hotels.
- (m) Open sales lot.

- (n) Private clubs.
- (o) Restaurants with live entertainment or outdoor dining. (Ord. No. 95-1573, amended 9-21-1995)
- (p) Theaters.
- (q) Vocation, technical, and trade schools.
- (r) Zero lot line splits with shared parking and/or access.
- (s) Off-Sale Liquor Stores. (Ord 86-928, amended 2-20-1986)
- (t) Two (2) or more buildings on same lot. (Ord. No. 88-1087, amended 6-16-1988)
- (u) Churches. (Ord. No. 91-1266, amended 10-3-1991)
- (v) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
- (w) Domestic animal indoor kennel and training facilities. (Ord. No. 93-1479, amended 11-18-1993)
- (x) Major automobile repair for passenger vehicles. (Ord. No. 94-1534, amended 9-1-1994)
- (y) Funeral Homes. (Ord. No. 03-1983, added 6-26-2003; Ord. No. 03-1990, Amended 8-21-2003)
- (z) Vehicle Rental Agency with up to 15 vehicles on site. (Ord. No. 05-2063, added 10-20-2005; Ord No. 18-2407, amended 6-21-2018)
- (aa) Pawn shop. (Ord. No. 09-2179, added 2-19-2009)
- (bb) Indoor vehicle sales associated with and on the same property as major automobile repair. (Ord. No. 14-2295, added 10-16-2014; Ord. No. 20-2447, 7-20-2020)

30.15 - Standards.

- (a) Minimum lot size—One (1) acre.
- (b) Front yard setback—Fifty (50) feet. (Ord. No. 93-1491, amended 12-16-1993)
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; corner lot fifty (50) feet; when adjacent to residential districts—One hundred (100) feet. (Ord. No. 93-1491, amended 12-16-1993)
 - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts—One hundred (100) feet.
- (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.
- (f)

Maximum building height shall not exceed three (3) stories, or fifty (50) feet in height, whichever is less.

- (g) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord 85-898, amended 8-15-1985)
- (1) Front yard/corner side yard 30 feet.
 - (2) Side yard 10 feet.
 - (3) Rear yard 10 feet.(Ord. No. 95-1553, amended 4-20-1995)

When a B-2 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

- (h) Off-street loading—Refer to Section 33.15.
- (i) Major Automobile Repair Standards. (Ord. No. 94-1534, amended 9-1-1994)
- (1) No outside storage of vehicle that have exterior damage or are dismantled.
 - (2) No air quality or noise impact to adjacent properties shall be permitted.
 - (3) Additional screening as determined by the Zoning Administrator.
 - (4) A seventy-five-foot landscaped buffer between a major automobile repair facility and all residential zoning districts. (Ord. No. 94-1539, amended 11-17-1994; Ord. No. 20-2447, 7-20-2020)

30.16 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers.
- (b) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (c) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.
- (d) All lots in this district shall provide a landscaped yard. This yard shall be kept clear of all structures, storage and off-street parking. Except for driveways, the yard shall extend along the entire boundaries of the site. This yard shall have a minimum width of not less than ten (10) feet.
- (e) For additional landscaping requirements, refer to Section 33.07.
- (f) Underground irrigation shall be required for all yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 88-1075, amended 3-17-1988; Ord. No. 89-1177, added 1-4-1990; Ord. No. 20-2447, 7-20-2020)

30.17 - Screening.

On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high solid fence made of maintenance free materials.

(Ord. No. 20-2447, 7-20-2020)

30.18 - Storage.

- (a) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (b) No outdoor storage of any materials is permitted except as provided for in Section 30.19. (Ord. No. 02-1948, amended 6-20-2002)
- (c) Employee service vehicles with a maximum of 10,000 GVW, associated with a commercial retail business that is specifically mentioned in this zoning district, may be parked outside under conditions as approved by the Zoning Administrator. Vehicles associated with a commercial retail business specifically mentioned in this zoning district greater than 10,000 GVW may be parked in a loading area with at least one overhead door approved by the Zoning Administrator and meeting the requirements of 33.14 of the Zoning Code. (Ord. No. 91-1267, amended 10-3-1991)

(Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

30.19 - Outside display.

Outside display in B-2 retail sites is allowed provided the following standards are met:

- (a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings larger than 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
- (b) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (c) Outside display shall not exceed a height of sixty (60) inches.
- (d)

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

- (e) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (f) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (g) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (h) Products shall be able to be sold from the display.

(Ord No. 02-1948, added 6-20-2002; Ord. No. 20-2447, 7-20-2020)

30.191 - Architectural control.

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
 - (1) Brick.
 - (2) Natural or cultured stone.
 - (3) Glass.
 - (4) Stucco or EIFS.
 - (5) Cementitious siding.
 - (6) Architectural metal.
 - (7) Integrally colored rock faced block.
- (b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
- (c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
- (d) All buildings to incorporate four sided design.
- (e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principal building to a minimum height of 5 feet.

(Ord. No. 20-2447, 7-20-2020)

30.20 - REGIONAL COMMERCIAL (B-3)

30.21 - Intent.

Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a regional trade area.

(Ord. No. 93-1491, amended 12-16-1993; Ord. No. 20-2447, 7-20-2020)

30.22 - Permitted uses.

- (a) General retail, except when specifically listed elsewhere in the ordinance.
- (b) Banks.
- (c) Restaurants.
- (d) Brew Pubs.
- (e) Personal services, including massage, hair salons, and similar businesses.
- (f) Dry cleaning and laundry.
- (g) Repair services, excluding repair of vehicles and small engines.
- (h) Business and professional offices, including medical offices.
 - (i) Personalized instructional services, total floor area limited to 4,000 square feet without a conditional use permit.
 - (j) Portrait or art studio.
 - (k) Medical cannabis dispensary.

(Ord. No. 84-850, amended 11-15-1984; Ord. No. 20-2447, 7-20-2020)

30.23 - Accessory uses.

Signs as regulated in Section 34.07(a).

(Ord. No. 93-1491, amended 12-16-1993; Ord. No. 20-2447, 7-20-2020)

30.24 - Conditional uses.

- (a) Animal hospitals.
- (b) Amusement and recreation.
- (c) Fitness center.
- (d) Vehicle sales lot, for passenger vehicles only subject to the following standards.

- (1) Minimum lots size shall be four (4) acres.
 - (2) Minimum building size shall be twenty five thousand (25,000) square feet.
 - (3) Site shall incorporate extensive berming along street frontages.
 - (4) Vehicle storage and display areas to have minimum twenty-five (25) foot setback from all interior property lines and forty (40) foot setback from any public right of way.
- (e) Gasoline station.
 - (f) Minor auto repair.
 - (g) Indoor vehicle sales.
 - (h) Boat sales and display areas.
 - (i) Bowling alleys.
 - (j) Car wash.
 - (k) Construction and contractor's offices.
 - (l) Dance Hall.
 - (m) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)
 - (n) Educational uses.
 - (o) Meeting/assembly halls.
 - (p) Manufactured home sales lots.
 - (q) Hotels.
 - (r) Private clubs.
 - (s) Recreational vehicle sales lots and showrooms.
 - (t) Restaurants with live entertainment or outdoor dining. (Ord. No. 95-1573, amended 9-21-1995)
 - (u) Skating rinks.
 - (v) Small equipment rental; moving van rental and minor repair. Moving vans are limited to single rear axle vans and trucks up to thirty-three (33) feet in total overall length. Repair activities are limited to moving vans owned or leased by the equipment rental facility. (Ord. No. 95-1575, amended 9-21-1995)
 - (w) Theaters.
 - (x) Vocational, technical, and trade schools.
 - (y) Zero lot line split with shared access and/or parking.
 - (z) Off-Sale Liquor Stores. (Ord No. 86-928, amended 2-20-1986)
 - (aa) Two (2) or more buildings on same lot. (Ord. No. 88-1087, amended 6-16-1988)
 - (bb) Churches. (Ord. No. 91-1266, amended 10-3-1991)
 - (cc)

Adult Uses—Principal. As defined and licensed under Article VI—Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)

- (dd) Domestic animal indoor kennel and training facilities. (Ord. No. 93-1479, amended 11-18-1993)
- (ee) Major automobile repair for passenger vehicles. (Ord. No. 94-1534, amended 9-1-1994)
- (ff) Funeral homes. (Ord. No. 03-1983, added 6-26-2003; Ord. No. 03-1990, amended 8-21-2003)
- (gg) Vehicle Rental Agency with up to 15 vehicles on site. (Ord. No. 05-2063, added 10-20-2005; Ord. No. 18-2407, amended 6-21-2018)
- (hh) Pawn shop. (Ord. No. 09-2179, added 2-19-2009)

(Ord. No. 20-2447, 7-20-2020)

30.25 - Standards.

- (a) Minimum lot size—One (1) acre.
- (b) Front yard setback—Fifty (50) feet.
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts.
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts.
- (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.
- (f) Buildings exceeding three (3) stories or fifty (50) feet in height, whichever is less, must obtain a conditional use permit. (Ord. No. 90-1235, amended 10-18-1990)
- (g) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord. No. 85-898, amended 8-15-1985)
 - (1) Front yard/corner side yard 30 feet.
 - (2) Side yard 10 feet.
 - (3) Rear yard 10 feet. (Ord. No. 95-1553, amended 4-20-1995)

When a B-3 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

- (h) When a regional shopping center district is adjacent to any residential district, all building setbacks shall be one hundred (100) feet along any side adjacent to a residential district. (Ord. No. 85-898, amended 8-15-1985)
 - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (i) Off-street loading—Refer to Section 33.14.

- (j) Major Automobile Repair Standards: (Ord. No. 94-1534, amended 9-1-1994)
- (1) No outside storage of vehicles that have exterior damage or are dismantled.
 - (2) No air quality or noise impact to adjacent properties shall be permitted.
 - (3) Additional screening as determined by the Zoning Administrator.
 - (4) A seventy-five-foot landscaped buffer between a major automobile repair facility and all residential zoning districts. (Ord. No. 94-1539, amended 11-17-1994)

(Ord. No. 20-2447, 7-20-2020)

30.26 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers.
- (b) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (c) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.
- (d) For additional landscaping requirements, refer to Section 33.07.
- (e) Underground irrigation shall be required for all yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved.
(Ord. No. 89-1177, added 1-4-1990)

(Ord. No. 88-1075, amended 3-17-1988; Ord. No. 20-2447, 7-20-2020)

30.27 - Screening.

On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high solid fence constructed of maintenance free materials.

(Ord. No. 20-2447, 7-20-2020)

30.28 - Storage.

- (a) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (b) No outdoor storage of any materials is permitted except as provided for in Section 30.29. (Ord. No. 02-1948, amended 6-20-2002)

- (c) Employee service vehicles with a maximum of 10,000 GVW, associated with a commercial retail business that is specifically mentioned in this zoning district, may be parked outside under conditions as approved by the Zoning Administrator. Vehicles associated with a commercial retail business specifically mentioned in this zoning district greater than 10,000 GVW may be parked in a loading area with an overhead door approved by the Zoning Administrator and meeting the requirements of 33.14 of the Zoning Code. (Ord. No. 91-1267, amended 10-3-1991)

(Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

30.29 - Outside display.

Outside display in B-3 retail sites is allowed provided the following standards are met:

- (a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings over 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
- (b) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (c) Outside display shall not exceed a height of sixty (60) inches.
- (d) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
- (e) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (f) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (g) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (h) Products shall be able to be sold from the display.

(Ord. No. 02-1948, added 6-20-2002; Ord. No. 20-2447, 7-20-2020)

30.291 - Architectural control.

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
 - (1) Brick.
 - (2) Natural or cultured stone.
 - (3) Glass.
 - (4) Stucco or EIFS.
 - (5) Cementitious siding.
 - (6) Architectural metal.
 - (7) Integrally colored rock faced block.
- (b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
- (c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
- (d) All buildings to incorporate four sided design.
- (e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principal building to a minimum height of 5 feet.

(Ord. No. 20-2447, 7-20-2020)

30.30 - OFFICE PARK (B-4)

30.31 - Intent.

The intent of this district is to encourage contemporary, professional and research offices in a park like setting for both individually developed lots or planned parks within the district. This district serves to provide for professional services to immediate residential neighborhoods and the City as well.

(Ord. No. 97-1680, amended 10-16-1997; Ord. No. 20-2447, 7-20-2020)

30.32 - Permitted uses.

- (a) Business and professional offices, including medical offices.
- (b)

Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

(Ord. No. 97-1680, amended 10-16-1997; Ord. No. 20-2447, 7-20-2020)

30.33 - Accessory uses.

Signs as regulated in Section 34.07.

(Ord. No. 97-1680, amended 10-16-1997; Ord. No. 20-2447, 7-20-2020)

30.34 - Conditional uses.

- (a) Restaurants meeting standards of [Section] 30.355.
- (b) Zero lot line split, with shared access and/or shared parking.
- (c) Daycare—Commercial. (Ord. No. 91-1252, amended 6-20-1991)
- (d) Banks and financial institutions.
- (e) Churches.
- (f) General retail and service uses. (Ord. No. 98-1729, amended 6-25-1998)
- (g) Funeral homes. (Ord. No. 98-1729, amended 6-25-1998)
- (h) Animal clinics. (Ord. No. 98-1729, amended 6-25-1998)

(Ord. No. 97-1680, amended 10-16-1997; Ord. No. 20-2447, 7-20-2020)

30.35 - Standards.

- (a) Minimum lot size—One (1) acre.
- (b) Front yard setback—Fifty (50) feet.
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; corner lot—One hundred (100) feet.
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts.
- (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.
- (f) Maximum building height shall not exceed two and one-half (2½) stories, or thirty-six (36) feet in height, whichever is less. Buildings exceeding three (3) stories or fifty (50) feet in height, whichever is less, must obtain a conditional use permit. (Amended 11-1-90. Ord. No. 90-1235)
- (g) Parking and driveways may be constructed to within the following minimum setbacks of property line. (Ord. No. 85-898, amended 8-15-1985)

- (1) Front yard/corner side yard 30 feet.
- (2) Side yard 10 feet.
- (3) Rear yard 20 feet.

For additional parking requirements—Refer to Section 33.14.

When a B-4 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

(h) When an office park district is adjacent to any residential district, all building setbacks shall be one hundred (100) feet along any side adjacent to a residential district. (Ord. No. 85-898, amended 8-15-2985)

(1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.21, Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)

(i) Off-street loading—Refer to Section 33.15.

(Ord. No. 97-1680, amended 10-16-1997; Ord. No. 20-2447, 7-20-2020)

30.355 - Standards for restaurants.

- (a) Freestanding restaurants shall have a minimum first floor building square of six thousand (6,000) square feet.
- (b) Drive-up window or separate take-out facilities not permitted.
- (c) No live entertainment permitted.
- (d) Outdoor dining permitted as part of a Conditional Use Permit.
- (e) Restaurants are permitted in a multi-tenant building if the multi-tenant building contains a minimum first floor area of not less than six thousand (6,000) square feet.

(Ord. No. 98-1729, amended 6-25-1998; Ord. No. 20-2447, 7-20-2020)

30.36 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage shall be landscaped with trees, shrubs, berms, and planted ground covers.
- (b) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (c) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.
- (d) For additional landscaping requirements, refer to Section 33.07.
- (e)

Underground irrigation shall be required for all yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 89-1177, added 1-4-1990)

(Ord. No. 88-1075, amended 3-17-1988; Ord. No. 20-2447, 7-20-2020)

30.37 - Screening.

On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high solid fence constructed of maintenance free materials.

(Ord. No. 20-2447, 7-20-2020)

30.38 - Storage.

(a) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(b) No outdoor storage of any materials is permitted.

(Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

30.39 - Architectural control.

(a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.

(1) Brick.

(2) Natural or cultured stone.

(3) Glass.

(4) Stucco or EIFS.

(5) Cementitious siding.

(6) Architectural metal.

(7) Integrally colored rock faced block.

(b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.

- (c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
- (d) All buildings to incorporate four sided design.
- (e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principal building to a minimum height of 5 feet.

(Ord. No. 20-2447, 7-20-2020)

30.40 - REGIONAL RECREATION (RR)

30.41 - Intent.

The Regional Recreation district is intended for a public recreation facility that provides facilities for a regional clientele.

(Ord. No. 20-2447, 7-20-2020)

30.42 - Conditional uses.

- (a) Indoor/outdoor public recreation of regional clientele, and maintenance facilities necessary for the operation thereof.
- (b) Fitness center.
- (c) Public assembly, exhibition and conference center.
- (d) Sports medicine clinic.
- (e) Educational uses. (Ord. No. 17-2376, added 4-6-2017)
- (f) Building taller than 50 feet in total height. (Ord. No. 18-2414, added 10-18-2018)
- (g) Sports dome with membrane supported roof not meeting architectural standards of Zoning Section 30.57. (Ord. No. 18-2414, added 10-18-2018)
- (h) Restaurant.
- (i) Dormitory.
- (j) Outdoor storage accessory to operation of a maintenance facility for a public recreation facility and located in rear yards.

(Ord. No. 20-2447, 7-20-2020; Ord. No. 21-2476, 8-2-2021)

30.43 - Standards.

- (a) Minimum area to be zoned RR—Eighty (80) acres.
- (b) Minimum lot size—Five (5) acres with City water and sewer services.

- (c) Minimum lot width—Two hundred (200) feet.
- (d) Minimum building size—Five thousand (5,000) square feet.
- (e) Front yard building setback—Forty (40) feet.
- (f) Corner side yard building setback—Forty (40) feet.
- (g) Side yard building setback—Fifteen (15) feet.
- (h) Rear yard building setback—Twenty (20) feet.
- (i) All buildings shall be sprinkled and contain other fire and life safety standards denoted in N.F.P.A. 101 and subject to Metropolitan Airport Commission regulations. (Ord. No. 18-2414 , amended 10-18-2018)
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
 - (1) Front yard/corner side yard 25 feet.
 - (2) Side yard 10 feet.
 - (3) Rear yard 10 feet.

If rear yard or side yard parking setback is adjacent to a collector/arterial street as designated in the City's Transportation Plan, the parking setback shall be twenty-five (25) feet. Such setback shall be fifty percent (50%) opaquely screened with berms, shrubs, trees, fence, or a combination thereof.

(Ord. No. 20-2447, 7-20-2020)

30.44 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.07, including the following:
 - (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard and into general parking islands, except natural areas to be preserved.
 - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.
 - (3) Ground covers used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within twelve (12) months after planting.

(Ord. No. 20-2447, 7-20-2020)

30.45 - Storage refuse facilities.

- (a) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (b) No outdoor storage of any materials is permitted, except for outdoor storage approved by a conditional use permit in 30.42 (j).

(Ord. No. 20-2447, 7-20-2020; Ord. No. 21-2476, 8-2-2021; Ord. No. 22-2494, 1-19-2022)

30.46 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Minnesota Building Code, except Type V.
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, precast panel, cast-in-place panel, architectural concrete in combination with glass or other permitted materials.

Based on building size, height, location and/or special use, the Zoning Administrator may approve the use of modern metal paneling materials or its equivalent for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed seventy percent (70%) of the cumulative area of all building walls. Modern metal paneling shall be used primarily on the rear wall and secondarily on the side and/or front wall.

- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.

In addition, the City is desirous of such building design which will enhance energy conservation and attempt to use active or passive solar design.

- (e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.

(Ord. No. 20-2447, 7-20-2020)

30.50 - PLANNED BUSINESS DISTRICT (PBD)

30.51 - Intent.

It is the intent of the Planned Business District to accomplish the following:

- (a) To promote a planned environment for integrated industrial, office, commercial and multi-floor residential uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.
- (b) To encourage orderly development of property through conditional uses, since proposed uses may be traditionally considered incompatible or may present special problems in an environment of mixed uses.
- (c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.
- (d) To encourage patterns of development in harmony with the objectives of the City's Comprehensive Plan.
- (e) To encourage more attractive and enduring business neighborhoods.
- (f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.
- (g) To accommodate uses requiring access to major highways.
- (h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.

(Ord. No. 20-2447, 7-20-2020)

30.52 - Land uses.

Uses Allowed By Conditional Use Permit (CUP). Land Uses may include industrial, office, commercial, and multi-floor residential developments as specifically indicated below. All land uses not specified below are prohibited. All land uses shall be reviewed and approved pursuant to the Conditional Use Permit procedures in Section 27.04 of this Ordinance.

The proposed land uses, their mix, lot sizes, and location must be compatible and complementary both internally and with adjacent land uses. The proposed land uses must not create any internal and/or external traffic congestion or traffic flow problems.

- (a) General retail,
 - (a) Retail except when specifically listed elsewhere in the ordinance.
 - (b) Personal services, including massage, hair salons, and similar businesses.
 - (c) Dry cleaning and laundry.
 - (d) Repair services, excluding repair of vehicles and small engines.
 - (e) Business and professional offices, excluding medical offices.

- (f) Non-classroom personalized instructional services.
- (g) Portrait or art studio.
- (h) Medical cannabis dispensary.
- (b) Restaurants, with or without live entertainment or outdoor dining,
- (c) Brew Pubs.
- (d) Medical offices.
- (e) Bank.
- (f) Hotel.
- (g) Trade and convention center.
- (h) Fitness center.
- (i) Gasoline station, with or without passenger vehicle auto lube/oil change service or automated car wash.
- (j) Manufacturing.
- (k) Multifamily residential.
- (l) Research and development laboratories.
- (m) Churches.
- (n) Commercial childcare.
- (o) Theaters.
- (p) Indoor amusement and recreation.
- (q) Corporate office/distribution/warehouse (requires a combination of office space or manufacturing space consisting of not less than twenty-five percent (25%) of gross building area either attached to or as part of a larger office manufacturing campus, operated by the same facility). (Ord. No. 03-1994, added 9-18-2003)
- (r) Post secondary education.
- (s) Brewer tap room as defined by Section 6-33 [of the Blaine Code] associated with and on the same site as a licensed brewery. (Ord. No. 15-2334, added 12-17-2015)
- (t) Motorcycle sales and maintenance.
- (u) Zero lot line splits with shared access and/or shared parking.
- (v) Ground mounted solar as an accessory use.

(Ord. No. 20-2447, 7-20-2020)

30.53 - Development procedure.

- (a) Prior to applying for a conditional use permit for development within the PBD zone, the developer shall meet with the Zoning Administrator, or their designee, to review the applicable ordinances, regulations and plans that will affect the area to be developed.
- (b) The developer shall present a concept plan or site plan to the zoning administrator. The zoning administrator shall review the concept design and recommend changes as needed to comply with performance standards and the standards of 27.04.
- (c) Upon staff approval of the concept design a formal application may be made for a conditional use permit. The conditional use permit shall be considered as outlined under section 27.04 of this ordinance.
- (d) Prior to approval of building permits, the zoning administrator shall find that all standards listed in the conditional use permit have been satisfied in the site plan and building permit applications.
- (e) The conditional use permit shall outline all allowed uses within the development, including square footages allotted to each use. A conditional use permit amendment shall be required for any deviation.

(Ord. No. 20-2447, 7-20-2020)

30.54 - Standards.

(a) *Building Setbacks (minimum).*

- (1) Front Yard—Fifty (50) feet, or one-half (½) the total building height whichever is greater.
- (2) Side Yard—Fifteen (15) feet, or one-half (½) the total building height, whichever is greater.
- (3) Rear Yard—Twenty (20) feet, or one-half (½) the total building height, whichever is greater.
- (4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

(b) *Parking Lot Setbacks (minimum).*

- (1) Front Yard—Thirty (30) feet. (Ord No. 02-1955, amended 9-5-2002)
- (2) Side Yard—Fifteen(15) feet. (Ord. No. 04-2005, amended 1-22-2004)
- (3) Rear Yard—Twenty (20) feet.
- (4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

(c) *Building Sizes (minimum).*

- (1) Industrial—Twelve thousand (12,000) square feet.
- (2) Freestanding Commercial—Five thousand (5,000) square feet with the exception of freestanding restaurants which shall have a minimum building size of four thousand (4,000) square feet. (Ord. No. 01-1896, Amended 3-15-2001; Ord. No. 02-1955, amended 9-5-2002)

- (d) *Building Height.* There shall be no height limitations, provided all buildings are in compliance with Metropolitan Airport Commission regulations.
- (e) *Building Exteriors.*
- (1) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
 - (aa) Brick.
 - (bb) Natural or cultured stone.
 - (cc) Glass.
 - (dd) Stucco or EIFS.
 - (ee) Cementitious siding.
 - (ff) Architectural metal.
 - (gg) Integrally colored rock faced block.
 - (2) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
 - (3) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
 - (4) All buildings to incorporate four sided design.
 - (5) Gasoline canopy support columns shall be constructed of masonry materials consistent with the principal building to a minimum height of 5 feet.

Under no circumstances shall sheet aluminum, corrugated aluminum, asbestos, iron, plain or painted plain concrete block be deemed acceptable as major exterior wall materials on buildings within the City.

- (f) *Landscaping.* In addition to the provisions of Section 33.07 of the Ordinance, the following requirements shall be met:
- (1) Underground irrigation shall be required.
 - (2) Traffic safety islands and/or general parking islands, were deemed appropriate by the Zoning Administrator, shall be landscaped and irrigated. At least five percent (5%) of the surface area of land within a parking area shall be landscaped.
 - (3) On any given site there shall be at least three (3) different shrub species.
- (g) *Open Space.* The minimum area of permeable surface shall be thirty percent (30%) of the total project area. The Zoning Administrator may approve a modification to the requirement provided additional architectural or landscape enhancements are provided.

- (h) *Loading Spaces/Overhead Doors.* Loading spaces/overhead doors shall be located primarily in designated rear yards and secondarily in designated side yards. Overhead doors will be permitted in front yards under unusual circumstances, as approved by the Zoning Administrator.
- (1) Loading spaces and overhead doors should be designed to be compatible with the principal building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.
 - (2) Loading spaces and overhead doors should be designed to be compatible with the principal building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.
 - (3) Overhead doors limited to not more than one door per six-thousand (6,000) square feet of floor area.
 - (4) Outside storage of trucks or semi trailers is limited to not more than the number of dock or overhead doors. (Ord. No. 03-1994, added 9-18-2003)
- (i) *Refuse Enclosures.* Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (j) *Lighting.* A lighting plan shall be submitted depicting type and design, layout of fixtures, and the illumination pattern. The design shall preclude any off-site glare.

(Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

30.60 - PLANNED BUSINESS DISTRICT—AIRPORT (PBD-A)

30.61 - Land uses.

All uses allowed in this district require a Conditional Use Permit (CUP) from the City.

Land Uses may include industrial, office and retail developments as specifically indicated below. All land uses not specified below are prohibited. All land uses shall be reviewed and approved pursuant to the Conditional Use Permit procedures ([Zoning Section 27.04](#)).

The proposed land uses, their mix, lot sizes, and location must be compatible and complementary both internally and with adjacent land uses. The proposed land uses must not create any internal and/or external traffic congestion or traffic flow problems.

This zoning category applies to only two (2) separate locations located entirely on the MAC property generally described as the MAC South site (NW corner of 93rd Lane Extension and 85th Avenue) and the MAC North site (SW corner of 105th Avenue and Radisson Road).

The MAC South Site and MAC North Site are allowed the following uses:

- (a) Offices—Business, medical, professional and governmental.
- (b) Research and development laboratories.
- (c) Hotels and motels.
- (d) Financial institution with drive thru.
- (e) Restaurants (Class I) without drive thru.
- (f) Outdoor dining associated with Class I restaurant.
- (g) Athletic clubs.
- (h) Manufacturing with warehouse limited to not more than fifty percent (50%).
- (i) Freestanding car wash.
- (j) Automotive accessory stores including minor auto repair.
- (k) Vet clinic.
- (l) Garden centers.

(Ord. No. 20-2447, 7-20-2020)

30.62 - Standards.

(a) *Building Setbacks (minimum).*

- (1) Front Yard—Fifty (50) feet, or one-half (½) the total building height, whichever is greater.
- (2) Side Yard—Fifteen (15) feet, or one-half (½) the total building height, whichever is greater.
- (3) Rear Yard—Twenty (20) feet, or one-half (½) the total building height, whichever is greater.
- (4) Minimum building setback from existing residential districts is fifty (50) feet. Additional setback from residential may be required in the CUP review process.
- (5) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

(b) *Parking Lot Setbacks (minimum).*

- (1) Front Yard—Thirty (30) feet.
- (2) Side Yard—Fifteen (15) feet.
- (3) Rear Yard—Twenty (20) feet.
- (4) Minimum parking and driveway setback from existing residential districts is fifty (50) feet. Additional setback from residential may be required in the CUP review process.

- (5) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.
- (c) *Building Sizes (minimum).*
- (1) Industrial—Twelve thousand (12,000) square feet.
 - (2) Freestanding Commercial—Five thousand (5,000) square feet with the exception of freestanding restaurants which shall have a minimum building size of four thousand (4,000) square feet.
- (d) *Building Height.* There shall be no height limitations, provided all buildings are in compliance with Metropolitan Airport Commission regulations.
- (e) *Building Exteriors.*
- (1) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
 - (aa) Brick.
 - (bb) Natural or cultured stone.
 - (cc) Glass.
 - (dd) Stucco or EIFS.
 - (ee) Cementitious siding.
 - (ff) Architectural metal.
 - (gg) Integrally colored rock faced block.
 - (2) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
 - (3) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
 - (4) All buildings to incorporate four sided design.
 - (5) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principal building to a minimum height of 5 feet.
- (f) *Landscaping.* In addition to the provisions of Section 33.07 of the Ordinance, the following requirements shall be met:
- (1) Underground irrigation shall be required for all yards.
 - (2)

Traffic safety islands and/or general parking islands, were deemed appropriate by the Zoning Administrator, shall be landscaped and irrigated. At least five percent (5%) of the surface area of land within a parking area shall be landscaped.

(3) On any given site there shall be at least three (3) different shrub species.

(g) *Open Space*. The minimum area of permeable surface shall be thirty percent (30%) of the total project area. The Zoning Administrator may approve a modification to the requirement provided additional architectural or landscape enhancements are provided.

(h) *Loading Spaces/Overhead Doors*. Loading spaces/overhead doors shall be located primarily in designated rear yards and secondarily in designated side yards. Overhead doors will be permitted in front yards under unusual circumstances, as approved by the Zoning Administrator.

(1) Loading spaces and overhead doors should be designed to be compatible with the principal building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.

(2) Loading spaces and overhead doors should be designed to be compatible with the principal building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.

(3) Overhead doors limited to not more than one door per six thousand (6,000) square feet of floor area.

(4) Outside storage of trucks or semi trailers is limited to not more than the number of dock or overhead doors.

(i) *Refuse Enclosures*. Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(j) Business signage as permitted and regulated by Zoning Sections 34.07(a)(1) and (2).

(Ord. No. 15-2322, added 9-17-2015; Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

30.70 - PLANNED OFFICE DISTRICT (POD)

30.71 - Intent.

It is the intent of the Planned Office District (POD) to accomplish the following:

(a)

To promote a planned environment for integrated business, office and manufacturing uses which feature design continuity. POD development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.

- (b) To encourage orderly development of property through conditional uses, since proposed uses may be traditionally considered incompatible or may present special problems in an environment of mixed uses.
- (c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.
- (d) To encourage patterns of development that result in high quality, high value, physical development and employment generation consistent with the objectives of the City's Comprehensive Plan.
- (e) To encourage more attractive and enduring business parks or corporate office campuses.
- (f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.
- (g) To accommodate large scale uses requiring access to major roadways such as Lexington Avenue, 109th Avenue and 35W.
- (h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.

(Ord. No. 07-2133, added 6-21-2007; Ord. No. 20-2447, 7-20-2020)

30.72 - Land uses.

Uses Allowed By Conditional Use Permit (CUP). Land Uses may include office, manufacturing and specific service use developments as specifically indicated below. All land uses not specified below are prohibited. All land uses shall be reviewed and approved pursuant to the Conditional Use Permit procedures in Section 27.04 of this Ordinance. The POD zoning classification is intended to be a companion to the PI (Planned Industrial) Land Use designation.

The proposed land uses, their mix, lot sizes, and location must be compatible and complementary both internally and with adjacent land uses. The proposed land uses must not create any internal and/or external traffic congestion or traffic flow problems. Existing business of industrial uses that were legal conforming uses as of the day of this ordinance adoption shall continue to be considered legal conforming uses under the provisions of this ordinance.

- (a) Offices—Business and professional.
- (b) Research and development laboratories.
- (c) Financial institutions.

- (d) Medical office/clinic.
- (e) Trade and convention centers.
- (f) Zero lot line and multi-building developments.
- (g) Manufacturing.
- (h) Distribution and warehousing of products limited to not more than thirty-three percent (33%) of total floor area.
- (i) Coffee shops, restaurants, day cares, and other service/retail uses accessory to a principal use and located within an office building.
- (j) Athletic clubs.
- (k) Full service or Business class hotel consisting of a minimum of four (4) floors, multiple meeting rooms, business data center, in-room desks, indoor pool and fitness area.

(Ord. No. 07-2133, added 6-21-2007; Ord. No. 20-2447, 7-20-2020)

30.73 - Development procedure.

- (a) Prior to applying for a conditional use permit for development within the PBD zone, the developer shall meet with the Zoning Administrator, or their designee, to review the applicable ordinances, regulations and plans that will affect the area to be rezoned.
- (b) The developer shall present a concept plan or site plan to the zoning administrator. The zoning administrator shall review the concept design and recommend changes to comply with performance standards and section 27.04.
- (c) Upon staff approval of the concept design a formal application may be made for a conditional use permit. The conditional use permit shall be considered as outlined under section 27.04 of this ordinance.
- (d) Prior to approval of building permits, the zoning administrator shall find that all standards listed in the conditional use permit have been satisfied in the site plan and building permit applications.
- (e) The conditional use permit shall outline all allowed uses within the development, including square footages allotted to each use. A conditional use permit amendment shall be required for any deviation.

(Ord. No. 20-2447, 7-20-2020)

30.74 - Standards.

- (a) *Building Setbacks (minimum).*
 - (1) Front Yard—Forty (40) feet.
 - (2) Side Yard—Fifteen (15) feet.
 - (3)

Rear Yard—Twenty (20) feet.

(4) The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.

(5) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

(b) *Parking Lot Setbacks (minimum).*

(1) Front Yard—Twenty-five (25) feet.

(2) Side Yard—Ten (10) feet.

(3) Rear Yard—Fifteen (15) feet.

(4) The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.

(5) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

(c) *Building Sizes (minimum).*

(1) Forty Thousand (40,000) square feet for professional, medical or corporate office use.

(2) Fifty thousand (50,000) square feet for mixed use buildings containing manufacturing, product distribution or product warehousing. Mixed use buildings to contain a minimum office use component of at least fifty percent (50%) of the gross building area.

(d) *Building Height.* There shall be no height limitations, provided all buildings are in compliance with Metropolitan Airport Commission regulations. Multi-floor buildings are encouraged.

(e) *Building Exteriors.* Major exterior surfaces of all walls shall be face brick, stone, glass, stucco, architecturally treated concrete cast in place or pre-cast panels, decorative block, wood, or architectural metal, or approved equivalent, as determined by the City. Wood and metal may be used, provided that they are appropriately integrated into the overall building design and not placed in areas, which may be subject to damage associated with heavy use.

Under no circumstances shall sheet aluminum, corrugated aluminum, asbestos, iron, plain or painted plain concrete block be deemed acceptable as major exterior wall materials on buildings within this district.

(f) *Landscaping.* In addition to the provisions of Section 33.07 of the Ordinance, the following requirements shall be met:

(1) Underground irrigation shall be required for all yards.

(2) Traffic safety islands and/or general parking islands, were required as part of plan approval, shall be landscaped and irrigated. At least five percent (5%) of the surface area of land within a parking area shall be landscaped.

(3) Applicable landscaping requirements set forth in Section 33.08 shall be increased by 1.5 times, which shall include at least twenty-five percent (33%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard or in

areas within view of the public right-of-way.

(g) *Loading Spaces/Overhead Doors:*

- (1) Loading spaces and overhead doors should be designed to be compatible with the principal building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.
- (2) Loading spaces/overhead doors shall be located primarily in designated rear yards and secondarily in designated side yards.
- (3) Overhead doors limited to not more than one (1) door per twenty thousand (20,000) square feet of building area with the exception that all buildings are allowed a minimum of three (3) overhead doors and all City approved multi-tenant spaces are allowed a minimum of two (2) overhead doors.
- (4) Outside storage of trucks or semi trailers is limited to not more than the number of dock or overhead doors. All truck storage areas to be one hundred percent (100%) screened by a combination of earth berms, architectural elements such as fencing or building extensions and landscaping.

(h) *Refuse Enclosures.* Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

30.80 - TOWN COMMERCIAL (B-5)

30.81 - Intent.

It is the intent of this district to accomplish the following:

- (a) To promote a planned environment for integrated commercial uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.
- (b) To encourage orderly development of property.
- (c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.
- (d) To encourage patterns of development in harmony with the objectives of the City's Comprehensive Plan.

- (e) To encourage more attractive and enduring business neighborhoods.
- (f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.
- (g) To accommodate uses requiring access to major highways.
- (h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.

(Ord. No. 21-2480, 8-16-2021)

30.82 - Permitted uses.

- (a) General retail.
- (b) Personal services, including massage, hair salons, and similar businesses.
- (c) Dry cleaning and laundry.
- (d) Repair services, excluding repair of vehicles and small engines.
- (e) Business and professional offices, including medical offices.
- (f) Portrait or art studio.
- (g) Pharmacies.

(Ord. No. 21-2480, 8-16-2021)

30.83 - Conditional uses.

- (a) Class I and II Restaurants.
- (b) Brew Pubs.
- (c) Bank.
- (d) Hotel with convention facilities.
- (e) Churches.
- (f) Theaters.
- (g) Private community/recreation centers.
- (h) Animal hospitals/clinics.
 - (i) Brewery with taproom.
 - (j) Coffee Shop.
 - (k) Liquor Stores.
 - (l) Commercial daycare.
- (m) Indoor amusement and recreation not including fitness uses.

(n) Zero lot line splits with shared access and/or shared parking.

(Ord. No. 21-2480, 8-16-2021)

30.84 - Accessory uses.

(a) Signs as regulated in Section 34.07.

(Ord. No. 21-2480, 8-16-2021)

30.85 - Prohibited uses.

- (a) Pawn shops.
- (b) Residential including memory care and assisted living facilities.
- (c) Event Centers.
- (d) Tobacco/Vape Shops.
- (e) Fitness Centers including yoga and gyms.
- (f) Auto repair and service.
- (g) Car washes.
- (h) Gas/convenience stores.

(Ord. No. 21-2480, 8-16-2021)

30.86 - Standards

(a) *Building Setbacks (minimum).*

- (1) Front Yard—Fifty (50) feet, or one-half (½) the total building height whichever is greater.
- (2) Side Yard—Fifteen (15) feet, or one-half (½) the total building height, whichever is greater.
- (3) Rear Yard—Twenty (20) feet, or one-half (½) the total building height, whichever is greater.
- (4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

(b) *Parking Lot Setbacks (minimum).*

- (1) Front Yard—Thirty (30) feet. (Ord No. 02-1955, amended 9-5-2002)
- (2) Side Yard—Fifteen (15) feet. (Ord. No. 04-2005, amended 1-22-2004)
- (3) Rear Yard—Twenty (20) feet.
- (4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

(c) *Building Sizes (minimum).*

- (1) Freestanding Class II Restaurants—Five thousand (5,000) square feet minimum building size.

- (d) *Building Height.* There shall be no height limitations, provided all buildings are in compliance with Metropolitan Airport Commission regulations.
- (e) *Building Exteriors.*
- (1) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
 - (aa) Brick.
 - (bb) Natural or cultured stone.
 - (cc) Glass.
 - (dd) Stucco or EIFS.
 - (ee) Cementitious siding.
 - (ff) Architectural metal.
 - (gg) Integrally colored rock faced block.
 - (2) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
 - (3) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
 - (4) All buildings to incorporate four-sided design. Under no circumstances shall sheet aluminum, corrugated aluminum, asbestos, iron, plain or painted plain concrete block be deemed acceptable as major exterior wall materials on buildings within the City.
- (f) *Landscaping.* In addition to the provisions of Section 33.07 of the Ordinance, the following requirements shall be met:
- (1) Underground irrigation shall be required.
 - (2) Traffic safety islands and/or general parking islands, were deemed appropriate by the Zoning Administrator, shall be landscaped and irrigated. At least five percent (5%) of the surface area of land within a parking area shall be landscaped.
 - (3) On any given site there shall be at least three (3) different shrub species.
- (g) *Open Space.* The minimum area of permeable surface shall be thirty percent (30%) of the total project area. The Zoning Administrator may approve a modification to the requirement provided additional architectural or landscape enhancements are provided.
- (h) *Refuse Enclosures.* Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of

masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

- (i) *Lighting*. A lighting plan shall be submitted depicting type and design, layout of fixtures, and the illumination pattern. The design shall preclude any off-site glare.

(Ord. No. 21-2480, 8-16-2021; Ord. No. 22-2494, 1-19-2022)

30.90 - 105th AVENUE REDEVELOPMENT DISTRICT (RD)

30.901 - Definitions.

Definitions listed apply only to this district. If something is not defined in this section the definition in the city code shall apply.

Brew pub is a brewer who holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted by state statute.

Brewer is a person or entity who manufactures malt liquor for sale.

Brewer taproom is an area on the premises of a brewery or on the premises adjacent to a brewery owned by the brewer in which the brewer sells or otherwise provides exclusively malt liquor produced by the brewer for consumption within the brewer taproom.

Brewery is a facility that brews malt liquor for distribution off site.

Cocktail room means on-sale of distilled liquor or wine produced for consumption on the premises owned by the distillery.

Distillery is a place or establishment where strong alcoholic drinks are produced by the process of distilling.

Farmers market is a food market at which local farmers sell fruit and vegetables and often meat, cheese and bakery products directly to consumers.

Live entertainment is an activity performed in person by one or more individuals for the purpose to amuse or interest an audience including, but not limited to bands and disc jockeys.

Market is a place where buyers and sellers can meet to facilitate the exchange or transaction of goods and services.

Microdistillery is a place or establishment where strong alcoholic drinks are produced by the process of distilling in small quantities usually done in a single batch.

Professional office uses means those commercial activities that take place in office buildings, where goods are not produced, sold, or repaired does not include medical or clinics.

Spa is a business that offers at least two out of three types of treatments: massage, skin care or other services like body wraps and scrubs.

(Ord. No. 22-2506, 7-18-2022)

30.902 - Intent.

The intent of the redevelopment district is to promote development and redevelopment consistent with the master plan for the 105th Avenue Redevelopment Area by encouraging residential uses in conjunction with commercial and expanded recreational activities to create an entertainment district. To create greater flexibility in land uses, and at the same time protect the interest of surrounding properties in the following ways:

- (a) By promoting a planned environment for integrated commercial uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping and lighting.
- (b) By encouraging a more creative approach in development, that will result in quality living environments through innovative design and aesthetic controls.
- (c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
- (d) By providing enhanced oversight through site plan approvals to ensure compatibility of mixed uses and consistency with the approved master plan.
- (e) By encouraging pedestrian access.
- (f) By allowing flexibility in setback and height restrictions.
- (g) By ensuring high standards of site design, architectural design, building materials and landscape design are achieved through design guidelines and approvals.
- (h) By providing the means for greater creativity and flexibility in environmental design than is provided under the strict application of the Blaine Zoning Ordinance and Subdivision Ordinance, while, at the same time, preserving the health, safety, order, convenience, prosperity, and general welfare of the City of Blaine.

(Ord. No. 22-2506, 7-18-2022)

30.903 - Development procedure.

- (a) All new buildings and additions require site plan approval through the planning commission and city council.

- (b) A development agreement is required as part of the development approval and shall address, at a minimum, approved site and building design criteria, approved sign locations and design criteria, construction phasing, parking, cash escrow and/or letter of credit for construction of on-site and off-site improvements generated by the development.
- (c) All buildings are subject to and must meet the design guidelines for the district.
- (d) The district shall be governed by and maintained through an owner's association which will provide maintenance on sidewalks, private streets, landscaping, snow removal, trash removal and parking for the district.

(Ord. No. 22-2506, 7-18-2022)

30.904 - Permitted uses.

- (a) Art galleries and studios.
- (b) Bakery.
- (c) Candy or ice cream shops.
- (d) Coffee shop.
- (e) Delicatessen stores.
- (f) Entertainment - such as live music.
- (g) General retail.
- (h) Market under 5,000 square feet.
- (i) Multi-family residential.
 - (1) Multi-level multiple unit (apartments).
 - (2) Townhomes.
- (j) Professional office not including medical or clinics.
- (k) Restaurants.
 - (1) Class I.
 - (2) Class II under 3,000 square feet without drive-thru.

(Ord. No. 22-2506, 7-18-2022)

30.905 - Conditional uses.

All land uses listed below shall be reviewed and approved pursuant to the conditional use permit procedures in Section 27.04 of the zoning code.

- (a) Brewer tap room as associated with and on the same site as a licensed brewery.
- (b) Buildings over 50 feet in height.
- (c)

Farmers market.

- (d) Hotel with or without banquet/convention space.
- (e) Indoor/outdoor recreation, such as driving range, sports field, axe throwing, bowling, not including fitness uses.
- (f) Licensed cocktail room with and on the same site as a licensed distillery/micro distillery or winery.
- (g) More than one principal building on one lot.
- (h) Outdoor seating/dining.
- (i) Rooftop signage.
- (j) Shared or off-site parking.
- (k) Spa as defined in this ordinance.
- (l) Structured parking including parking ramps.

(Ord. No. 22-2506, 7-18-2022)

30.906 - Prohibited use.

- (a) Auto sales - indoor or outdoor sales.
- (b) Automobile repair.
- (c) Car washes.
- (d) Daycare.
- (e) Drive-thru facilities.
- (f) Fitness centers including yoga and gyms.
- (g) Gas/convenience stores.
- (h) Outdoor storage.
- (i) Pawn shops.
- (j) Self-storage/mini storage.
- (k) Tobacco/vape shop.
- (l) Any uses not listed as permitted, or conditional.

(Ord. No. 22-2506, 7-18-2022)

30.907 - Residential standards.

- (a) *Setbacks.* A consistent street edge must be maintained at the right-of-way line along all street frontages. Street edge elements may consist of the principal building, landscaping, or a combination of these elements. Exceptions may include: property is adjacent to a water feature, surface parking or other instances the city council deems appropriate.

- (b) Building height is a minimum of two stories. There shall be no height limitations, provided all buildings are in compliance with Federal Aviation Administration regulations. Any building over 50 feet requires a conditional use permit, with a maximum height of 150 feet.
- (c) Sidewalks are required along all public and private streets. The location and alignment of new sidewalks shall connect directly to existing sidewalk network.
- (d) *Mechanical equipment.* All mechanical equipment shall be screened and properly maintained with material similar to the material used on the main structure. Screened mechanical equipment shall not be located in the front or street side yards.
- (e) *Trash enclosure.* Refuse facilities shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the zoning administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(Ord. No. 22-2506, 7-18-2022)

30.908 - Residential parking.

- (a) Minimum spaces required: 1.5 spaces per unit for multi-unit building minimum of one underground. Townhouse two garage spaces per unit.
- (b) Parking areas shall have access to a public alley or street. Driveways shall be located to minimize interference with traffic movement. Parking will be reviewed as part of the site plan a parking analysis is required as part of the review.
 - (1) Surface parking.
 - (aa) Parking lots shall be located to the rear of the buildings, or side yards if a rear location is not feasible.
 - (bb) When parking areas abut the street, the sidewalk edge must be delineated with landscaping, architectural fencing (meeting design guidelines) or other decorative features.

(Ord. No. 22-2506, 7-18-2022)

30.909 - Architectural control residential.

- (1) *[Exterior wall finishes.]* At least 50 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation. All buildings must meet and be consistent with design guidelines.
 - (a) Brick.
 - (b) Natural or cultured stone.

- (c) Glass.
 - (d) Stucco or EIFS.
 - (e) Cementous siding.
 - (f) Architectural metal.
 - (g) Integrally colored rock faced block.
 - (h) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.
 - (i) Building articulation elements shall be provided at a maximum average spacing of 40 feet.
 - (j) Flat roof lines are encouraged.
 - (k) Façade articulation shall be provided through any of the following elements:
 - (1) A projecting bay, entry vestibule, or recess extending from the ground level through the second floor.
 - (2) A ground-level recess.
 - (3) A change in the rhythm of windows at the ground level and second floor, combined with a change of parapet height or material.
 - (l) All buildings shall provide ground floor windows along facades, parks, plazas or other public outdoor spaces. Darkly tinted windows or windows that block two-way visibility are prohibited.
- (2) *Awnings.*
- (a) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.
 - (b) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
 - (c) Backlit or illuminated awnings are not permitted.
 - (d) Retractable or fixed awnings may be used.
 - (e) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
 - (f) Awning colors and materials shall complement the building façade.
 - (g) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
 - (h)

Awnings and canopies deteriorate over time; regular maintenance and replacement is required. If material shows signs of wear, including, but not limited to, fraying, fading, or physical damage to the awning.

- (i) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.

(Ord. No. 22-2506, 7-18-2022)

30.910 - Commercial standards.

- (a) *Setbacks.* A consistent street edge must be maintained at the right-of-way line along all street frontages. Street edge elements may consist of the principal building, landscaping, outdoor seating, or a combination of these elements. Exceptions may include: property is adjacent to a water feature, surface parking or other instances the city council deems appropriate.
- (b) *Building height.* All buildings shall be in compliance with Federal Aviation Administration regulations. Any building over 50 feet, with a maximum height of 150 feet, requires a conditional use permit.
- (c) Sidewalks are required along all public and private streets. The location and alignment of new sidewalks shall connect directly to existing sidewalk network.
- (d) *Mechanical equipment.* All mechanical equipment shall be screened and properly maintained with material similar to the material used on the main structure. Screened mechanical equipment shall not be located in the front or street side yards.
- (e) *Trash enclosure.* Refuse facilities shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the zoning administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (f) *Outdoor display.* Outside display area is limited to a maximum of 30 percent of the width of a building frontage and is not to exceed a total of 150 square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings larger than 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two frontages.
 - (1) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than 50 inches.
 - (2) Outside display shall not exceed a height of 60 inches.
 - (3) Vending machines or cabinets for items such as beverages, ice and propane are not permitted.

- (4) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six inches is the minimum width required to maintain pedestrian access.
- (5) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (6) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (7) Products shall be able to be sold from the display.

(Ord. No. 22-2506 , 7-18-2022)

30.911 - Commercial parking.

Parking. Parking areas shall have access to a public alley or street. Driveways shall be located to minimize interference with traffic movement. Parking will be reviewed as part of the site plan a parking analysis is required as part of the review. On street parking, parking structure, and shared parking are encouraged.

(a) *Surface parking.*

- (1) Parking lots when feasible should be located to the rear of the buildings, or side yard.
- (2) When parking areas abut the street, the sidewalk edge must be delineated with landscaping, architectural fencing (meeting design guidelines) or other decorative features.

(b) *Parking structure.*

- (1) Parking structures shall be appropriately located and behind the rear of the building when practical.
- (2) Parking structures abutting any public street or walkway shall be compatible with the materials and architectural style of surrounding buildings.
- (3) Parking structures shall be designed so that vehicles are not visible from the sidewalk and the only opening at the street level are those to accommodate vehicle ingress and egress
- (4) Snow storage areas shall not be located in the front or side yard abutting a street. If storage is not accommodated onsite it should be hauled out.

(c) *Shared parking.*

- (1) A conditional use permit may be granted for one or more businesses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces provided are less than the sum of the total required for each business should they provide them separately.
- (2) Conditions required for shared parking.
 - (aa)

The building or use for which application is being made to utilize off-street parking facilities provided by another building or use shall be located within 800 feet of such parking facilities.

- (bb) The application shall demonstrate there is no substantial conflict in using shared facilities through a professional parking analysis.
- (cc) Shared parking facilities shall record with the county an irrevocable covenant running with the land. A certified copy of the recorded agreement shall be provided to the zoning administrator prior to issuance of a building permit.
- (d) *Off-site parking.* Any off-site parking which is used to meet the requirements below shall be a conditional use
 - (1) Reasonable access from the off-site parking facilities to the use being served shall be provided.
 - (2) An agreement or lease shall be approved as part of the conditional use permit. The agreement/lease shall specify the total number and location of parking spaces under contract.
- (e) The off-street parking requirements shall be established by the zoning administrator based upon the characteristics and functional similarities between uses including, but not limited to: the size of building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. For structures containing multiple uses, each shall be calculated separately. The requirements may be revised upward or downward by the city council as part of an application for a conditional use permit based on verifiable information pertaining to parking.
 - (1) Approved parking spaces must be located on the same lot as the principal use, unless shared parking or off-site parking is approved for the use.
- (f) *Parking analysis requirements.* A parking analysis is required when a new building is proposed on a site, for tenant improvements or when a more intense use is proposed in an existing building. The parking analysis is to be prepared by a professional who has knowledge and experience with parking needs and assessments. The analysis should consist of the following information:
 - (1) A site plan of the property identifying where the proposed project is located, showing all existing uses/tenant spaces and all existing parking space locations.
 - (2) Parking analysis matrix that includes (1) names of all existing/proposed uses with tenant address; (2) each tenants total building square footage existing and proposed (3) lists dining and seating counts for restaurant, bar, brewery, cocktail room and coffee shop uses; and (4) lists an accurate total number of all existing parking spaces on-site.
 - (3) Proposed parking layout and number of stalls for the development.
 - (4)

Floor plan layouts may be required to determine relevant seating areas and other-relevant square-footage areas.

- (5) Parking adequacy should be determined prior to making major financial and legal commitments related to the property. In some cases, insufficient on-site parking may prevent the proposed project/use from being permitted.

(Ord. No. 22-2506, 7-18-2022)

30.912 - Outdoor seating and service of food and beverages.

- (a) The use shall not be located in the interior or rear yard if the use is adjacent to a parcel that is occupied by a residential use. This will not apply if the first floor of the building located on the adjacent parcel is not occupied by a residential use or if a residential use is located above the principal use.
- (b) Additional parking will not be required if the outdoor seating area does not exceed 500 square feet or ten percent of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 square feet or ten percent of the gross building area, whichever is less.

(Ord. No. 22-2506, 7-18-2022)

30.913 - Architectural control commercial.

- (1) *[Exterior wall finishes.]* At least seventy-five percent (75%) of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation. All buildings must meet and be consistent with design guidelines.
 - (a) Brick.
 - (b) Natural or cultured stone.
 - (c) Glass.
 - (d) Stucco.
 - (e) Cementous siding.
 - (f) Architectural metal.
 - (g) Integrally colored rock faced block.
 - (h) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.
 - (i) All buildings to incorporate four-sided design.

- (j) Franchises or national chains with standardized architecture and signage shall comply with the standards contained in this section. Aggressive and bright signage must be altered and scaled down to meet the intentions of these standards.
 - (k) Building articulation elements shall be provided at a maximum average spacing of 40 feet.
 - (l) Façade articulation shall be provided through any of the following elements:
 - (1) A projecting bay, entry vestibule, or recess extending from the ground level through the second floor.
 - (2) A ground-level recess.
 - (3) A change in the rhythm of windows at the ground level and second floor, combined with a change of parapet height or material.
 - (m) All buildings shall have at least one customer entrance facing an abutting public or private street, rather than just the parking area. A building may have more than one entrance. Customer entrances shall be open to the public during business hours.
 - (n) Main building entrances shall be architecturally emphasized and visible from the street by utilizing design features such as awnings, pillars, special building materials or architectural details.
 - (o) All buildings shall provide ground floor windows along facades, parks, plazas or other public outdoor spaces. Darkly tinted windows or windows that block two-way visibility are prohibited.
- (2) *Awnings.*
- (a) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.
 - (b) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
 - (c) Backlit or illuminating awnings are not permitted.
 - (d) Retractable or fixed awnings may be used.
 - (e) Awnings shall not extend across multiple storefronts and/or multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
 - (f) Awning colors and materials shall complement the building façade.
 - (g) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
 - (h)

Awnings and canopies deteriorate over time; regular maintenance and replacement is required if material shows signs of wear, including but not limited to fraying, fading, or physical damage to the awning.

- (i) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.

(Ord. No. 22-2506, 7-18-2022)

30.914 - District landscaping.

The use of window boxes, hanging flower baskets, or other seasonal landscaping is encouraged. Window boxes, hanging plants and planters should be near entrances.

- (a) The periphery of all parking lots shall be well landscaped along the public right-of-way to maintain an edge that contains low shrubs, street trees, decorative fencing (per design guidelines) or a combination of these elements.
- (b) Trees, shrubs, groundcover, and perennial plantings shall be required at the base of a parking structure. Perimeter planters may be required around the upper-level decks of the parking structure, particularly when facing a public right-of-way.
- (c) Sodding and ground cover. All open areas of any site not occupied by building, parking, or storage, shall be sodded over four inches of topsoil. Exceptions to this are as follows:
 - (1) Seeding over four inches of topsoil of future expansion areas as shown on approved plans.
 - (2) Undisturbed areas containing existing natural vegetation which can be maintained free of foreign and noxious materials.
 - (3) Areas designated as open space for future expansion area properly planted and maintained with grass.
- (d) Slopes and berms:
 - (1) Final slope grade steeper than the ratio of 3:1 will not be permitted without special approval or treatment, such as terracing or retaining walls.
 - (2) Berming used to provide required screening of parking lots and other open areas shall not have a slope to exceed 3:1.
- (e) Use of landscaping for screening:
 - (1) Where natural materials, such as trees are approved in lieu of the required screening by means of walls or fences, density and species of planting shall be such to achieve opaqueness year-round.
 - (2) Landscaping may be permitted in utility and drainage easements or road right-of-way with the approval of the zoning administrator.

(Ord. No. 22-2506, 7-18-2022)

30.915 - District lighting.

Any lighting used to illuminate off-street parking and driving areas, signs, or structures shall, consist of downcast style fixtures with a concealed or shielded light source to prevent glare or spill to adjacent right-of-way or properties.

- (a) Pole-mounted lighting shall not have pole heights exceeding 20 feet.
- (b) No light or combination of lights, including illuminated signs, that cast light upon a public street shall exceed one foot-candle meter reading as measured at the edge of roadway. No light or combination of lights that cast light upon a residentially zoned property shall exceed .4 foot-candle meter reading as measured at the residential property line. All measurements shall be made after dark at the property line or edge of roadway. The city may limit the hours of operation of outdoor lighting if it is deemed necessary by the city to reduce impacts on the surrounding neighborhood.
- (c) Light fixtures shall be consistent with design guidelines.

(Ord. No. 22-2506, 7-18-2022)

30.916 - District signage.

The following sign standards apply only to this district if not regulated in this section, Chapter 34 of the city code shall apply. All signage must meet and be consistent with design guidelines.

In addition to the signs allowed without a permit pursuant to Chapter 34, two signs are allowed per business. The two allowed signs must be one wall sign and either a three-dimensional sign, projecting sign or awning sign.

- (a) All signs shall adhere to the following design standards:
 - (1) Use simple sign shapes to complement the architecture of the building.
 - (2) Signs shall not obscure architectural features of buildings, including window or door openings.
 - (3) Sign shall be used to display the primary name of the business only.
 - (4) Use only one line of lettering, if possible.
 - (5) Only one sign containing the business name or graphic logo shall be permitted per street facing side. Projecting signs are allowed in addition to the one sign allowed facing the street. Use simple, bold lettering with sufficient contrast between the lettering and the background.
- (b) *Sign lighting.*

- (1) Indirect incandescent lighting shall be permitted.
 - (2) Place spotlights discreetly to shield from pedestrians and vehicular traffic.
 - (3) Neon signage may be used if approved as part of the overall sign plan.
 - (4) Wall signs. Wall signs shall meet the following requirements:
 - (5) The total building signage may have an aggregate area not exceeding one square foot for each foot of building face parallel or substantially parallel to a street lot line with a maximum of 150 square feet.
 - (6) It must not project more than 12 inches from the wall to which the sign is affixed.
 - (7) Where a principal building is devoted to two or more permitted uses, the operator of each use may install a wall sign for its use consistent with a building sign plan approved by the city. The total gross signage for the entire building may not exceed one square foot for each foot of the building face parallel, or substantially parallel, to a street lot line with a maximum of 25 square feet per business.
- (c) *Multi-tenant wall signs.*
- (1) Design the sign plan to emphasize the whole width and geometry of the building and individual storefronts and tenant spaces.
 - (2) Placement of individual tenant signs shall be coordinated to achieve a unified signage appearance in sign heights, widths, depths, coloring and lettering sizing.
 - (3) Signs shall use a common lettering style and color scheme.
 - (4) A sign shall not span across different buildings.
- (d) *Monument signs.*
- (1) The area of a monument sign may not exceed 15 square feet.
 - (2) A monument sign may be located in a required yard but must be pedestrian in scale and does not block architecture features, including window and door openings.
 - (3) A monument sign may not project higher than five feet, as measured from the base of the sign or grade of the nearest roadway, whichever height is less.
 - (4) Signs shall use a common lettering style and color scheme.
- (e) *Awning signs.*
- (1) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
 - (2) The gross surface area of an awning or canopy sign may not exceed 50 percent of the gross surface area of the smallest face of the awning or canopy to which the sign is affixed.
- (f) *Projecting signs.*

- (1) The total area of a projecting sign may not exceed six square feet.
- (2) It must be easily visible from the sidewalk and not be a hazard to pedestrians.
- (3) The bottom of the sign and bracket must be at least eight feet above sidewalk grade.
- (4) Projecting signs shall generally be oriented to visibility by pedestrians and small in size so that they do not obscure other signs.
- (5) No part of any sign shall be placed higher than the height of the sills of the second story windows of a multi-story building.
- (6) The mounting bracket for a projecting sign shall be a black metal material and designed as a decorative element of the sign that is complementary of the building's architectural style.

(g) *Roof signs.*

- (1) One roof sign shall be permitted for each building, but no roof sign shall be permitted for a building exceeding 80 feet in height. Individual letter signs only and shall be six feet or less in height and shall not exceed 100 square feet.
- (2) The roof signage can be in combination with wall signage but both signs shall not exceed the overall sign square footage allotment for the building. A conditional use permit is required.

(h) *Sandwich board signage.*

- (1) *Definition.* "Sandwich board signs" are freestanding signs that advertise items or specials that are available from the business and which have no more than 20 percent of the total area for such a sign utilized for business identification.

(2) *Display standards.*

- (aa) *Sign size and types of signs.* Signs may not exceed a width of two feet and a height of three feet. The signs shall be either an A-Frame style or poster style sign that is attached to a frame and a base.
- (bb) *Sign placement.* Sandwich board sidewalk signs shall be placed only within the boundaries of the applicable business - street frontage. The sign may be placed on the edge of the sidewalk that is furthest from the street and closest to the business. The sign cannot be placed on property that is adjacent to the street side of the sidewalk. Further, the sandwich board sign shall be positioned so that it will not:
 - (i) Reduce the sidewalk clearance below a width of 36 inches;
 - (ii) Impede any line of sight for motorists at vehicular public right-of-way intersections, as determined by the city engineer; or
 - (iii) Interfere with persons entering or exiting parked cars.

(cc)

Sandwich board signs may not be displayed from vehicles parked in front of or adjacent to the businesses, whether on public or private property.

- (dd) *Stabilization.* The sign shall be stabilized so as to withstand wind gusts or shall be removed during windy conditions.
- (ee) *Sign elements.* Signs shall be designed to incorporate the colors and other architectural features of the building in front of which they are to be placed. (A white sign background and/or white framing is acceptable in any situation.) Signs made of plywood, pressboard, or paper products shall not be permitted; signs made of polyethylene, metal, burnished wood, or other materials having a natural appearance shall be permitted. Finishes shall be of high quality and durable.
- (ff) *Display time and removal.* Sandwich board signs may be displayed from the time that the business opens until the time that the business closes. The sandwich board sign shall be removed at the close of each business day.
- (gg) *Advertising.* Advertising on both sides is permitted.
- (hh) *Illumination.* The sandwich board sign shall not be illuminated.
 - (ii) *Attachments.* Nothing shall be attached to the sandwich board sign and shall have nothing attached to it such as balloons or streamers.
- (3) *No signs in the public right-of-way.* A sandwich board sign shall not be placed in the public right-of-way.
 - (i) *Prohibited signage.*
 - (1) Signs that, by reason of position, shape or color, would interfere with the proper function of a traffic sign or signal.
 - (2) Signs within a public right-of-way, except for signs installed by governmental subdivisions.
 - (3) Signs within an easement, except for signs installed by governmental subdivisions or approved by the holder of the easement.
 - (4) Signs that resemble any official marker erected by a governmental agency or that displays such words as "Stop" or "Danger", which are not erected by legal authority.
 - (5) Flashing signs, including indoor signs, which are visible from the public streets.
 - (6) With the exception of search lights, which may be approved in conjunction with an administrative permit as provided in Section 34.13 of this ordinance, no rotating beam, beacon of flashing illumination shall be used in conjunction with any display.
 - (7) Sign or sign structures that obstruct any window, door, fire escape, stairway or opening intended to provide ingress or egress for any building structure.
 - (8) Banners, balloons, and stringers, unless approved in conjunction with an administrative permit, as provided in Section 34.13 of city code.

- (9) Sign posters, that are tacked or posted on trees, fences, utility posts, or other such supports.
 - (10) Portable signs with the exception of sandwich boards.
 - (11) Billboards.
 - (12) All other signs not expressly permitted by this section.
 - (13) Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property.
 - (14) Signs which have become rotted, unsafe or unsightly.
 - (15) Signs for citywide community events, sponsored by government or non-profit organizations unless approved in conjunction with an administrative permit, as provided in Section 34.13 of city code.
- (j) Other signage may be considered if meeting the design guidelines and are approved as part of the site plan.

(Ord. No. 22-2506, 7-18-2022)

Chapter 31 - INDUSTRIAL DISTRICTS

31.00 - LIGHT INDUSTRIAL (I-1)

31.01 - Intent.

The purpose of this district is to provide for the development of industrial uses ranging from small to large scale industry and related services. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such light industrial areas can be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 87-1046, amended 11-5-1987; Ord. No. 20-2447, 7-20-2020)

31.02 - Permitted uses.

- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.

- (b) Warehousing.
- (c) Wholesale businesses.
- (d) Offices—Business and professional, not including medical.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
- (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
- (j) Research and design laboratories.
- (k) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance. (Ord. No. 91-1264, amended 9-19-1991)

(Ord. No. 20-2447, 7-20-2020)

31.03 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.
- (e) Recreational facilities for employees.
- (f) Day care related to employees.

(Ord. No. 20-2447, 7-20-2020)

31.04 - Conditional uses.

- (a) Commercial nurseries/greenhouses.
- (b) Online purchase pick-up location.
- (c) Heliports.
- (d) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%) opaqueness.
- (e)

Outdoor storage of passenger vehicles or vans, provided such storage shall be screened with one hundred percent (100%) opaqueness. Such outdoor storage shall be related specifically to a permitted or approved conditional use.

- (f) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.
 - (g) Building over fifty (50) feet from ground level.
 - (h) Indoor vehicles sales showroom.
 - (i) Zero lot line, with shared access and/or parking. (Ord. No. 89-1118, amended 3-16-1989; Ord. No. 98-1754, amended 11-19-1998)
 - (j) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
 - (k) Indoor commercial dog kennel with dwelling for night watchman. (Ord. No. 97-1676, amended 9-18-1997)
 - (l) Personal care, health care, recreation, fitness, or education related commercial services. Sites must be able to demonstrate adequate on-site parking. Uses must be destination based and not generate traffic volumes measurably above the range normally expected by the other allowed I-1 uses. With the exception noted in Section 31.03(c), general retail sales is not permitted under this section. (Ord. No. 04-2007, added 03-18-2004)
 - (m) Brewer taproom as associated with and on the same site as a licensed brewery. (Ord. No. 15-2334, added 12-17-2015)
 - (n) Ground mounted solar as an accessory use. (Ord. No. 21-2474, 6-21-2021)
- (Ord. No. 87-1046, amended 11-5-1987; Ord. No. 20-2447, 7-20-2020; Ord. No. 21-2474, 6-21-2021)

31.05 - Standards.

- (a) Minimum lot size—One (1) acre.
- (b) Minimum lot width—One hundred fifty (150) feet.
- (c) Minimum lot depth—One hundred fifty (150) feet.
- (d) Front yard building setback—Forty (40) feet.
- (e) Corner side yard building setback—Forty (40) feet.
- (f) Side yard building setback—Fifteen (15) feet.
- (g) Rear yard building setback—Twenty (20) feet.
- (h) Building height—Fifty (50) feet from ground level without a conditional use permit and subject to FAA regulations.
- (i) Minimum building size—Five thousand (5,000) square feet.
- (j)

Parking and driveways may be constructed to within the following minimum setbacks of property line:

- (1) Front yard/corner side yard 25 feet.
- (2) Side yard 10 feet.
- (3) Rear yard 10 feet.

If rear yard or side yard parking setback is adjacent to a residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be opaquely screened with berms, shrubs, trees, fence, or a combination thereof.

(k) When a light industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.

- (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.20, Buffer Yard Flexibility.

(Ord. No. 20-2447, 7-20-2020)

31.06 - Landscaping.

All landscaping requirements shall meet the provisions of Section 33.07, including the following:

- (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard except along I-35W and into general parking islands, except natural areas to be preserved.
- (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.

(Ord. No. 20-2447, 7-20-2020)

31.07 - Loading facilities.

Loading facilities shall be in the side or rear yards and shall be screened. Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof. For additional information and requirements, refer to Section 33.14.

(Ord. No. 20-2447, 7-20-2020)

31.08 - Storage/refuse facilities.

- (a) There shall be no outdoor storage of any kind within this district. For purposes of this zoning district, car, vans and pickup trucks parked outside and used by employees and/or visitors in the normal course of the business operation will not be construed to be outdoor storage. Further, outside parked trucks, semi-trailers and any other vehicles larger than 10,000 GVW used in the normal business' commerce will not be construed to be outdoor storage provided a) total

number of vehicles over 10,000 GVW, including but not limited to box trucks, semi cab, and semi-trailers does not exceed the number of docks and/or bay doors; and b) such use is not construed as an operation listed as a conditional use in any industrial zone.

- (b) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (c) There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district.
- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the Zoning Administrator. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.

(Ord. No. 98-1732, amended 7-9-1998; Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

31.09 - Mechanical/electrical equipment.

All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

(Ord. No. 20-2447, 7-20-2020)

31.091 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Minnesota Building Code. (Ord. No. 00-1835, amended 3-16-2000; Ord. No. 00-1876, amended 10-19-2000)
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, precast panel, cast-in-place panel, architectural concrete with other permitted materials, or glass.

Use of modern metal paneling materials or its equivalent shall be considered for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed thirty-five percent (35%) of any individual wall surface.

- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.
- (e)

All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.

(f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

(Ord. No. 98-1732, amended 7-9-1998; Ord. No. 20-2447, 7-20-2020)

31.10 - LIGHT INDUSTRIAL (I-1A)

31.11 - Intent.

The purpose of this district is to provide for the development of industrial uses ranging from small to large scale industry and related services and allow minimal outside storage. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such light industrial areas can be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 97-1687, added 11-20-1997; Ord. No. 20-2447, 7-20-2020)

31.12 - Permitted uses.

- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.
- (b) Warehousing.
- (c) Wholesale businesses.
- (d) Offices—Business and professional.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
- (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
- (j) Research and design laboratories.
- (k) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance.

(Ord. No. 20-2447, 7-20-2020)

31.13 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.
- (e) Recreational facilities for employees.
- (f) Day care related to employees.

(Ord. No. 20-2447, 7-20-2020)

31.14 - Conditional uses.

- (a) Commercial nurseries/greenhouses.
- (b) Online purchase pickup location.
- (c) Heliports.
- (d) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%) opaqueness.
- (e) Outdoor storage of passenger vehicles or vans, provided such storage shall be screened with one hundred percent (100%) opaqueness. Such outdoor storage shall be related specifically to a permitted or approved conditional use.
- (f) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.
- (g) Building over fifty (50) feet from ground level.
- (h) Indoor vehicles sales showroom.
 - (i) Zero lot line with shared access and/or parking. (Ord. No. 98-1754, amended 11-19-1998)
 - (j) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code.
 - (k) Limited outside storage of materials or small equipment meeting standards of 31.15 (l).
 - (l) Contractor yard meeting standards of 31.15 (l).
- (m) Ground mounted solar as an accessory use. (Ord. No. 21-2474, 6-21-2021)

(Ord. No. 20-2447, 7-20-2020; Ord. No. 21-2474, 6-21-2021)

31.15 - Standards.

- (a) Minimum lot size—One (1) acre.
- (b) Minimum lot width—One hundred fifty (150) feet.
- (c) Minimum lot depth—One hundred fifty (150) feet.
- (d) Front yard building setback—Forty (40) feet.
- (e) Corner side yard building setback—Forty (40) feet.
- (f) Side yard building setback—Fifteen (15) feet.
- (g) Rear yard building setback—Twenty (20) feet.
- (h) Building height—Fifty (50) feet from ground level without a conditional use permit and subject to FAA regulations.
- (i) Minimum building size—Five thousand (5,000) square feet.
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
 - (1) Front yard/corner side yard twenty-five (25) feet.
 - (2) Side yard ten (10) feet.
 - (3) Rear yard ten (10) feet.

If rear yard or side yard parking setback is adjacent to a residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be opaquely screened with berms, shrubs, trees, fence, or a combination thereof.

- (k) When a light industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.
 - (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.20 Buffer Yard Flexibility.
- (l) Limited outside storage:
 - (1) Outside storage area limited to a maximum of fifty percent (50%) of total building footprint.
 - (2) Sites considered for limited outside storage shall be capable of providing full screening so that outside storage is not visible from any public right-of-way.
 - (3) Screening to be achieved through a combination of masonry walls, fencing, berming, landscaping, additional setbacks, etc.
 - (4) Limited outside storage limited to a maximum height of twelve (12) feet.
 - (5) A Conditional Use Permit for limited outside storage shall not permit the outside storage of semi-trucks, semi-trailers, or heavy construction equipment.
 - (6) All limited outside storage areas are to be hard surfaced and bound at the perimeter by either B-6-12 concrete curb and gutter or fencing as determined by the Zoning Administrator.

- (7) Additional screening may be required to effectively screen outside storage from the view of adjacent properties.

(Ord. No. 20-2447, 7-20-2020)

31.16 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.07, including the following:
- (1) Underground irrigation shall be required for all front yards and corner side yards.
 - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.

(Ord. No. 20-2447, 7-20-2020)

31.17 - Loading facilities.

- (a) Loading facilities shall be in the side or rear yards and shall be screened. When visible only to another lot, such facilities must be screened with fifty percent (50%) opaqueness. Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof.

For additional information and requirements, refer to Section 33.15.

(Ord. No. 20-2447, 7-20-2020)

31.18 - Storage/refuse facilities.

- (a) There shall be no outdoor storage of any kind within this district except as authorized by a conditional use permit. For purposes of this zoning district, car, vans and pickup trucks parked outside and used by employees and/or visitors in the normal course of the business operation will not be construed to be outdoor storage. Further, outside parked trucks, semi-trailers and any other vehicles larger than 10,000 GVW used in the normal business' commerce will not be construed to be outdoor storage provided a) total number of vehicles over 10,000 GVW, including but not limited to box trucks, semi cab, and semi-trailers does not exceed the number of docks and/or bay doors; and b) such use is not construed as an operation listed as a conditional use in any industrial zone.
- (b) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(c)

There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district.

- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the Zoning Administrator. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.

(Ord. No. 98-1732, amended 7-9-1998; Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

31.19 - Mechanical/electrical equipment.

All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

(Ord. No. 20-2447, 7-20-2020)

31.191 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Minnesota Building Code. (Ord. No. 00-1876, amended 10-19-2000; Ord. No. 00-1835, amended 3-16-2000)
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, precast panel, cast-in-place panel, architectural concrete with other permitted materials, or glass.

Use of modern metal paneling materials or its equivalent shall be considered for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed thirty-five percent (35%) of any individual wall surface.

- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.
- (e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.
- (f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

(Ord. No. 20-2447, 7-20-2020)

31.20 - HEAVY INDUSTRIAL (I-2)

31.21 - Intent.

The purpose of this district is to provide for the development of heavy industrial uses ranging from small to large scale industry with a need for outdoor uses and storage and related services. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such heavy industrial areas should be located next to light industrial and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 87-1024, amended 6-4-1987; Ord. No. 20-2447, 7-20-2020)

31.22 - Permitted uses.

- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.
- (b) Warehousing with outside parking of trucks, semitrailers, or other vehicles greater than 10,000 GVW other than buses not exceeding the number of docks and/or bay doors. (Ord. No. 95-1586, amended 12-21-1995)
- (c) Wholesale businesses.
- (d) Offices—Business and professional.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
 - (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
 - (j) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%) opaqueness. Towing may be included as an incidental use for vehicles that are towed to the site for repair.
- (k) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance. (Ord. No. 91-1264, amended 9-19-1991)

(Ord. No. 20-2447, 7-20-2020)

31.23 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.
- (e) Recreational facilities for employees.
- (f) Day care related to employees.
- (g) Short term lodging facilities for transportation terminals (31.14(l)). Limited to a maximum of sixteen (16) beds. (Ord. No. 90-1179, added 1-18-1990)
- (h) Bulk commodity storage facilities. Such facilities are exempt from the regulations of Section 31.193 Architectural Control. (Ord. No. 01-1935, added 2-3-2002)

(Ord. No. 20-2447, 7-20-2020)

31.24 - Conditional uses.

- (a) Commercial nurseries/greenhouses.
- (b) Waste transfer facility.
- (c) Automotive towing business with outdoor tow yard or impound lot.
- (d) Heliports.
- (e) Outdoor storage of materials or equipment other than passenger vehicles. All outside storage areas greater than one (1) acre require additional building standards outlined in [Section] 31.15(i). (Ord. No. 16-2342, amended 2-18-2016)
- (f) Condominium conversion of building(s).
- (g) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.
- (h) Contractor yards. (Ord. No. 89-1147, amended 6-15-1989)
 - (i) Commercial kennels.
 - (j) Public transportation terminal- privately owned.
- (k) Trap and skeet ranges.
 - (l) Tractor, trailer, farm implement, or marine assembly, manufacturing, or repair without outside storage of trucks or trailers exceeding the number of dock and/or bay doors on the building. (Ord. No. 94-1498, amended 2-3-1994)
- (m) Equipment rental.

- (n) Building over fifty (50) feet from ground level.
- (o) Automobile reduction/automobile reduction yards. (Ord. 88-1104, amended 11-17-1988)
- (p) Zero lot line with shared access and/or parking. (Ord. No. 89-1118, amended 3-16-1989)
- (q) Online purchase pick-up location.
- (r) Adult Uses—Principal. As defined and licensed under Article VI - Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
- (s) Yard waste drop-off facility. (Ord. No. 95-1564, amended 7-6-1995)
- (t) Retail sales facility for CNG (Compressed Natural Gas) or other alternative automotive fuels. Retail sales must be accessory to an onsite fleeting fueling operation. (Ord. No. 11-2224, added 6-16-2011)
- (u) Personal care, health care, recreation, fitness, or education related commercial services. Sites must be able to demonstrate adequate on-site parking. Uses must be destination based and not generate traffic volumes measurably above the range normally expected by the other allowed I-2 uses. With the exception noted in Section 31.23 (c) , general retail sales is not permitted under this section. (Ord. No. 13-2266, added 5-16-2013)
- (v) Indoor vehicle sales showroom. (Ord. No. 14-2295, added 10-16-2014)
- (w) Brewer taproom associated with and on the same site as a licensed brewery. (Ord. No. 15-2334, added 12-17-2015)
- (x) Ground mounted solar as an accessory use. (Ord. No. 21-2474, 6-21-2021
(Ord. No. 98-1722, amended 5-21-1998; Ord. No. 20-2447, 7-20-2020; Ord. No. 21-2474, 6-21-2021)

31.25 - Interim uses.

- (a) Transient Sales meeting standards outlined in Section 31.293.
- (b) Crushing of concrete demolition materials meeting standards of Section 31.294 (Ord. No. 93-1327, amended 4-15-1993)
(Ord. No. 20-2447, 7-20-2020)

31.26 - Standards.

- (a) Minimum lot size—One (1) acre.
- (b) Minimum lot width—One hundred fifty (150) feet.
- (c) Minimum lot depth—One hundred fifty (150) feet.
- (d) Front yard building setback—Forty (40) feet.
- (e) Corner side yard building setback—Forty (40) feet.
- (f) Side yard building setback—Fifteen (15) feet.

- (g) Rear yard building setback—Twenty (20) feet.
- (h) Building height—Fifty (50) feet from ground level unless authorized by a conditional use permit and subject to FAA regulations.
- (i) Minimum building size—Five thousand (5,000) square feet. A site with an outside storage area greater than one (1) acre in size requires a minimum building size of twenty thousand (20,000) square feet.
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
 - (1) Front yard/corner side yard—Twenty-five (25) feet.
 - (2) Side yard—Ten (10) feet.
 - (3) Rear yard—Ten (10) feet.

If rear yard or side yard parking setback is adjacent to a residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be opaquely screened with berms, shrubs, trees, fence or a combination thereof.
- (k) When a heavy industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.
 - (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.20 Buffer Yard Flexibility.

(Ord. No. 20-2447, 7-20-2020)

31.27 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.07, including the following:
 - (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard except along I-35W and into general parking islands, except natural areas to be preserved.
 - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.

(Ord. No. 20-2447, 7-20-2020)

31.28 - Loading facilities.

Loading facilities shall be in the side or rear yards. When adjacent to and/or visible from any public street, such facilities must be screened with one hundred percent (100%) opaqueness. When visible only to another lot, such facilities must be screened with fifty percent (50%) opaqueness. Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof. For additional information and requirements, refer to Sections 31.24, 31.26.

(Ord. No. 20-2447, 7-20-2020)

31.29 - Storage/refuse facilities.

- (a) Outdoor storage shall be allowed within this district meeting all conditions imposed under a conditional use permit. All outdoor storage shall be located in the rear yard.
- (b) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (c) There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district. Above ground fuel tanks are exempt from this requirement with Zoning Administrator approval of placement, screening and issuance of Building and Fire Department permits. (Ord. No. 95-1564, amended 7-6-1995)
- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the (Community Development Director) Zoning Administrator. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.

(Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

31.291 - Mechanical/electrical equipment.

All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

(Ord. No. 98-1732, amended 7-9-1998; Ord. No. 20-2447, 7-20-2020)

31.292 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Minnesota Building Code. (Ord. No. 00-1876, amended 10-19-2000; Ord. No. 00-1835, amended 3-16-2000)
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, pre-cast panel, cast-in-place panel, architectural concrete in combination with glass or other permitted materials.

Based on building size, height, location and/or special use, the Zoning Administrator may approve the use of modern metal paneling materials or its equivalent for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed seventy percent (70%) of the cumulative area of all building walls. Modern metal paneling shall be used primarily on the rear wall and secondarily on the side and/or front wall. (Ord. No. 90-1236, amended 10-18-1990)

(d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.

(e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.

(f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

(Ord. No. 98-1732, amended 7-9-1998; Ord. No. 20-2447, 7-20-2020)

31.293 - Standards for transient sales.

(a) Location of the sale shall have a minimum one-hundred-fifty-foot setback from any intersection.

(b) No sales shall be located within or upon any public right-of-way, landscaped area, required front and side yard setbacks when the side yard abuts a street, fire lane, or designated drive aisle.

(c) The space used for transient sales, including off-street parking in connection with the transient sales, shall not exceed the space needed for any existing business at the site.

(d) Merchandise offered for sale shall not occupy more than one hundred (100) square feet.

(e) Adequate off-street parking must be available to serve both the principal use of the property and the use of the property for transient sales.

(f) Use of the property for transient sales shall not exceed eight (8) days within a maximum period of six (6) months.

(g) Transient sales shall not take place between the hours of 6:00 p.m. and 10:00 a.m.

(h) No overnight storage of transient merchant equipment or merchandise shall be allowed. Transient merchant equipment or merchandise shall be permitted on the premises only between the hours of 8:00 a.m. and 8:00 p.m. on a day transient sales are to take place.

(i) Signs shall be subject to the requirements of Chapter 34 of the Blaine Zoning Ordinance.

(j) The use of any horn, bell, or any loud or unusual noise to call attention to a transient sale is prohibited.

(k) A license shall be issued pursuant to Sections 22-271 through 22-330 of the Blaine Code.

(l) The license required by Minnesota Statutes Section 329.11 shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.

(m)

Written permission to occupy the property shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.

(Ord. No. 89-1168, added 3-1-1990; Ord. No. 98-1732, amended 7-9-1998; Ord. No. 20-2447, 7-20-2020)

31.294 - Standards for crushing of concrete demolition materials.

- (a) Minimum lot size of ten (10) acres.
- (b) Crushing and storage located in rear yard only.
- (c) Storage of demolition materials to meet the following setbacks:
 - 1. Ten (10) feet against I-2 zoned uses.
 - 2. Fifty (50) feet against I-1 zoned uses.
 - 3. One hundred (100) feet against all other zoning districts.
- (d) Recycling (crushing) of concrete demolition materials to meet the following setbacks:
 - 1. Fifty (50) feet against I-2 zoned uses.
 - 2. One hundred (100) feet against all other zoning districts.
- (e) Storage bunkered on three (3) sides.
- (f) Maximum storage height of fifteen (15) feet.
- (g) Maximum storage volume of twenty thousand (20,000) cubic yards.
- (h) Crushing activity limited to no more than forty-five (45) days in [a] twenty-four-month period.
- (i) Interim use permits issued under Section 31.25 (b) automatically expire after three (3) years. The holder of such a permit must submit a written request to the City Council if they wish to have the permit renewed for an additional three-year period. The City Council reserves the right to modify conditions of the permit if conditions warrant. All concrete demolition storage must be removed within sixty (60) days after a conditional use permit expires. (Ord. No. 06-2079, amended 3-16-2006)

(Ord. No. 93-1327, added 4-15-1993; Ord. No. 96-1588, amended 1-18-1996; Ord. No. 20-2447, 7-20-2020)

31.30 - HEAVY INDUSTRIAL (I-2A)

31.31 - Intent.

The purpose of this district is to provide for the development of heavy industrial uses ranging from small to large scale industry with a need for outdoor uses and related services, including trucking and asphalt plants. This district shall encourage the development of industrial uses accessible to major highways and

utilizing City services of sanitary sewer, water, street, and storm drainage. Such heavy industrial areas should be located next to heavy or light industrial and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.32 - Permitted uses.

- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.
- (b) Warehousing with outside parking of trucks, semitrailers, or other vehicles exceeding 10,000 GVW except for busses not exceeding the number of docks and/or bay doors.
- (c) Wholesale businesses.
- (d) Offices—Business and professional.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
 - (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
 - (j) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%) opaqueness. Towing may be included as an incidental use for vehicles that are towed to the site for repair.
- (k) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.33 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.

- (e) Recreational facilities for employees.
- (f) Day care related to employees.
- (g) Short term lodging facilities for truck and transportation terminals ([Section] 31.1984(i)). Limited to a maximum of sixteen (16) beds.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.34 - Conditional uses.

- (a) Commercial nurseries/greenhouses.
- (b) Waste transfer facility.
- (c) Automotive towing businesses with outdoor tow yard.
- (d) Heliports.
- (e) Outdoor storage of materials or equipment other than vehicles. All outside storage areas greater than one (1) acre require additional building standards outlined in Section 31.36(i). (Ord. No. 16-2342, amended 2-18-2016)
- (f) Condominium conversion of building(s).
- (g) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.
- (h) Contractor yards.
 - (i) Truck or transportation terminal or outside parking of trucks or semitrailers exceeding the number of docks and/or bay doors. The minimum building size for a truck terminal, transportation terminal, or cross dock shipping facility shall be fifty thousand (50,000) square feet. (Ord. No. 16-2342, amended 2-18-2016)
- (j) Self storage facility, indoor.
- (k) Commercial kennels.
- (l) Public transportation terminal-public or privately owned.
- (m) Tractor, trailer, farm implement, or marine assembly, manufacturing, sales, repair, or rental with or without a number of trucks or trailers stored outside exceeding the number of dock and/or bay doors.
- (n) Equipment rental.
- (o) Building over fifty (50) feet from ground level.
- (p) Automobile reduction/automobile reduction yards.
- (q) Zero lot line with shared access and/or shared parking.
- (r) Online purchase pickup location.
- (s) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code.

(t) Yard waste drop-off facility.

(u) Ground mounted solar as an accessory use. (Ord. No. 21-2474, 6-21-2021)

(Ord. No. 20-2447, 7-20-2020; Ord. No. 21-2474, 6-21-2021)

31.35 - Interim uses.

(a) Transient sales, meeting standards outlined in Section 31.393.

(b) Crushing of concrete demolition materials meeting standards of Section 31.394.

(c) Asphalt processing and recycling facility meeting standards of Section 31.395. (Ord. No. 98-1760, amended 12-17-1998)

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020; Ord. No. 20-2447, 7-20-2020)

31.36 - Standards.

(a) Minimum lot size—One (1) acre.

(b) Minimum lot width—One hundred fifty (150) feet.

(c) Minimum lot depth—One hundred fifty (150) feet.

(d) Front yard building setback—Forty (40) feet.

(e) Corner side yard building setback—Forty (40) feet.

(f) Side yard building setback—Fifteen (15) feet.

(g) Rear yard building setback—Twenty (20) feet.

(h) Building height—Fifty (50) feet from ground level unless authorized by a conditional use permit and subject to FAA regulations.

(i) Minimum building size—Five thousand (5,000) square feet. A site with an outside storage area greater than one (1) acre in size requires a minimum building size of twenty thousand (20,000) square feet. (Ord. No. 16-2342, amended 2-18-2016)

(j) Parking and driveways may be constructed to within the following inimum setbacks of property line:

(1) Front yard/corner side yard—Twenty-five (25) feet.

(2) Side yard—Ten (10) feet.

(3) Rear yard—Ten (10) feet.

If rear yard or side yard parking setback is adjacent a residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be opaquely screened with berms, shrubs, trees, fence or a combination thereof.

(k) When a heavy industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.

- (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.20 Buffer Yard Flexibility.
- (l) Notwithstanding performance standards in Section 33.00, all activities within this district must comply with all Minnesota Pollution Control Agency regulations. In addition, no vibration shall be permitted which is discernible beyond the property line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour, and any vibration producing an acceleration of more than 0.1g, or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines, Bulletin "Quarry Blasting" on any structure.
- (m) Common areas for condominiums. The developer may provide parking, common walls, driveways and waiting areas in an area common to all units of the building. Common areas shall be deeded to and held in the name of an owner's association created by the developer and including all owners of property in the project. Declarations, in form and substance acceptable to the City Attorney, governing the usage and maintenance of such common areas shall be adopted and filed by the developer.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.37 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.07, including the following:
 - (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard except along I-35W and into general parking islands, except natural areas to be preserved.
 - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.38 - Loading facilities.

Loading facilities shall be in the side or rear yards. When adjacent to and/or visible from any public street, such facilities must be screened with one hundred percent (100%) opaqueness. When visible only to another lot, such facilities must be screened with fifty percent (50%) opaqueness. Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof. For additional information and requirements, refer to Section 33.14.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.39 - Storage/refuse facilities.

- (a) Outdoor storage shall be allowed within this district meeting all conditions imposed under a conditional use permit. All outdoor storage shall be located in the rear yard.
- (b) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.
- (c) There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district. Above ground fuel tanks are exempt from this requirement with Zoning Administrator approval of placement, screening and issuance of Building and Fire Department permits.
- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the (Community Development Director) Zoning Administrator. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020; Ord. No. 22-2494, 1-19-2022)

31.391 - Mechanical/electrical equipment.

All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.392 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Uniform Building Code. (Ord. No. 00-1876, amended 10-19-2000; Ord. No. 00-1835, amended 3-16-2000)
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, pre-cast panel, cast-in-place panel, architectural concrete in combination with glass or other permitted materials. Based on building size, height, location and/or special use, the Zoning Administrator may approve the use of modern metal paneling materials or its equivalent for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal

paneling materials or its equivalent shall not exceed seventy percent (70%) of the cumulative area of all building walls. Modern metal paneling shall be used primarily on the rear wall and secondarily on the side and/or front wall.

- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.
- (e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.
- (f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.393 - Standards for transient sales.

- (a) Location of the sale shall have a minimum one-hundred-fifty-foot setback from any intersection.
- (b) No sales shall be located within or upon any public right-of-way, landscaped area, required front and side yard setbacks when the side yard abuts a street, fire lane, or designated drive aisle.
- (c) The space used for transient sales, including off-street parking in connection with the transient sales, shall not exceed the space needed for any existing business at the site.
- (d) Merchandise offered for sale shall not occupy more than one hundred (100) square feet.
- (e) Adequate off-street parking must be available to serve both the principal use of the property and the use of the property for transient sales.
- (f) Use of the property for transient sales shall not exceed eight (8) days within a maximum period of six (6) months.
- (g) Transient sales shall not take place between the hours of 6:00 p.m. and 10:00 a.m.
- (h) No overnight storage of transient merchant equipment or merchandise shall be allowed. Transient merchant equipment or merchandise shall be permitted on the premises only between the hours of 8:00 a.m. and 8:00 p.m. on a day transient sales are to take place.
- (i) Signs shall be subject to the requirements of Chapter 34 of the Blaine Zoning Ordinance.
- (j) The use of any horn, bell, or any loud or unusual noise to call attention to a transient sale is prohibited.
- (k) A license shall be issued pursuant to Sections 15-20 through 15-22 of the Blaine Code.
- (l) The license required by Minnesota Statutes Section 329.11 shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.
- (m) Written permission to occupy the property shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.394 - Standards for crushing of concrete demolition materials.

- (a) Minimum lot size of ten (10) acres.
- (b) Crushing and storage located in rear yard only.
- (c) Storage of demolition materials to meet the following setbacks:
 - (1) Ten (10) feet against I-2 zoned uses.
 - (2) Fifty (50) feet against I-1 zoned uses.
 - (3) One hundred (100) feet against all other zoning districts.
- (d) Recycling (crushing) of concrete demolition materials to meet the following setbacks:
 - (1) Fifty (50) feet against I-2 zoned uses.
 - (2) One hundred (100) feet against all other zoning districts.
- (e) Storage bunkered on three (3) sides.
- (f) Maximum storage height of fifteen (15) feet.
- (g) Maximum storage volume of twenty thousand (20,000) cubic yards.
- (h) Crushing activity limited to no more than forty-five (45) days in twenty-four-month period.
- (i) Interim use permits issued under Section 31.1984(t) automatically expire after three (3) years. The holder of such a permit must submit a written request to the City Council if they wish to have the permit renewed for an additional three-year period. The City Council reserves the right to modify conditions of the permit if conditions warrant. All concrete demolition storage must be removed within sixty (60) days after a conditional use permit expires. (Ord. No. 06-2079, amended 03-16-2006)

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 20-2447, 7-20-2020)

31.395 - Standards for asphalt processing and recycling facility.

- (a) Minimum lot size of twenty (20) acres.
- (b) Recycling and outside storage of materials in rear yard only.
- (c) Outside storage of asphalt materials or asphalt processing facility to meet the following setbacks:
 - (1) Fifty (50) feet against I-2 (Heavy Industrial) and I-2A (Heavy Industrial) zoned uses.
 - (2) Fifty (50) feet against I-1 (Light Industrial) uses or airport property.
 - (3) One hundred (100) feet against all other zoning districts or public right-of-way.
- (d) Maximum outside storage height of thirty (30) feet.
- (e) Maximum outside storage volume of one hundred fifty thousand (150,000) cubic yards.
- (f) Facility must prepare for City approval a Pollution Prevention Plan which would identify the type of wastes generated, procedures for spill containment, and disposal methods.

- (g) The facility must be operated in such a manner as to minimize the potential for spills or discharge of any pollution.
- (h) The applicant to obtain and adhere to all other required agency (MPCA, Anoka County) permits and standards.
- (i) Facility to conduct and provide written report to the City of annual soil and water quality tests through an independent and recognized testing company.
- (j) Applicant to prepare for City approval a facility closure plan that provides a financial guarantee in an amount to be determined by the City to ensure that site remediation and abatement measures can be successfully implemented.
- (k) Other standards as recommended and required by the City Council through the issuance of a Interim Use Permit.

(Ord. No. 98-1720, added 5-21-1998; Ord No. 98-1760, amended 12-17-1998; Ord. No. 20-2447, 7-20-2020)